

Previous s.16 Applications Covering the Site

Approved Applications

<u>Application No.</u>	<u>Zoning</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/123	“V”	Temporary Public Vehicle Park for Private Cars, Lorries and Coaches (3 years)	14.2.2003 (TPB)	(1), (4), (6), (10)
A/YL-PS/243	“V”	Temporary Public Vehicle Park for Private Cars. Lorries and Coaches (3 Years)	28.4.2006 (Revoked on 28.7.2006)	(1), (2), (6), (8), (11), (12), (14)
A/YL-PS/266	“V”	Temporary Public Vehicle Park for Private Cars, Lorries and Coaches (3 Years)	9.3.2007 (Revoked on 6.9.2007)	(1), (2), (6), (8), (11), (12), (14)
A/YL-PS/278	“V”	Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles (3 Years)	25.7.2008 (12 months approval period) (TPB) (Revoked on 25.10.2008)	(1), (6), (7), (8), (11), (12), (13), (14), (16)
A/YL-PS/294	“V”	Temporary Public Vehicle Park for Private Cars, Lorries and Coaches (1 Year)	13.2.2009 (RNTPC)	(1), (6), (7), (8), (11), (12), (14), (15), (16)
A/YL-PS/317	“V”	Temporary Public Vehicle Park for Private Cars, Lorries and Coaches (3 Years)	19.3.2010 (12 months approval period) (Revoked on 8.3.2011)	(1), (6), (8), (12), (14), (15), (18), (20), (21), (22)
A/YL-PS/340	“V”	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Cars, Lorries and Coaches (3 Years)	18.3.2011 (12 months approval period) 15.7.2011 (review on conditions) (TPB)	(1), (6), (8), (9), (12), (14), (15), (19), (20), (21), (23)

<u>Application No.</u>	<u>Zoning</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
			(Revoked on 12.8.2011)	
A/YL-PS/385	“V”	Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles (3 Years)	10.8.2012 (12 months approval period) (Revoked on 10.4.2013)	(1), (6), (8), (12), (14), (15), (19), (20), (22), (23), (24)
A/YL-PS/472	“V”	Renewal of Planning Approval for Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles (3 Years)	27.2.2015 (12 months approval period)	(1), (6), (8), (11), (12), (14), (15), (20), (22), (24), (25), (26), (27), (28)
A/YL-PS/515	“V”	Temporary Rural Communal Public Vehicle Park (Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles) for a Period of 3 Years	29.7.2016	(1), (3), (6), (8), (12), (14), (15), (19), (22), (23), (25), (27), (29)

Approval Conditions

- (1) No vehicles without valid licences issued under Traffic Regulations would be allowed to be parked/stored on the site.
- (2) No goods vehicles exceeding 5.5 tonnes vehicles, coaches, container vehicles and container trailers would be allowed to be parked/stored on the site.
- (3) Submission and implementation of landscaping proposals (including tree preservation scheme).
- (4) Submission of DIA/drainage proposal and/or provision of flood mitigation measures/drainage facilities.
- (5) Provision of standard vehicular access/submission and/or implementation of vehicular access proposal.
- (6) Reinstatement clause.
- (7) No container vehicles would be allowed to be parked/stored on the site.
- (8) No night time operation is permitted at the site.
- (9) Provision of peripheral fencing and paving of the site.
- (10) Submission and implementation of tree preservation/and landscaping proposals.
- (11) The landscape planting/existing trees on the site should be maintained at all times.
- (12) The drainage facilities should be maintained at all times.
- (13) Provision of a 9-litres water type/3kg dry powder fire extinguisher in the site office.

- (14) Submission of a condition record of the existing drainage facilities.
- (15) Submission and implementation of fire services installation proposal.
- (16) Improvement of the road signs at the site.
- (17) Provision of warning notice and measures on pedestrian safety.
- (18) No goods vehicles exceeding 5.5 tonnes vehicles, container vehicles and container trailers are allowed to be parked/stored on the site.
- (19) No heavy goods vehicles exceeding 24 tonnes, container vehicles and container trailers are allowed to be parked/stored on the site.
- (20) The parking layout arrangement proposed should be adhered to.
- (21) Implementation of compensatory planting in the site.
- (22) Provision of peripheral fencing of the site.
- (23) A notice to indicate that no heavy goods vehicles, container vehicles and container trailers are allowed.
- (24) Paving of the site.
- (25) No vehicle washing, vehicle repairing, dismantling or workshop activity is allowed.
- (26) A notice to indicate that only private cars, coaches, and goods vehicles not exceeding 24 tonnes, as defined in the Road Traffic Ordinance, are allowed.
- (27) No vehicle queuing back to public road or vehicle reversing onto/from the public road.
- (28) Only private cars, coaches, goods vehicles not exceeding 24 tonnes are allowed.
- (29) Revocation clauses

Advisory Clauses

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (b) prior planning permission should have been obtained before commencing the applied use at the Site;
- (c) to note the comments of District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. Lot No. 438 S.A in D.D. 122 within the Site is covered by Short Term Waiver (STW) No. 3959 to permit structures erected thereon for the purpose of “Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles”. The Site is accessible from Ping Ha Road via government land (GL) and private land. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate. The owner(s) of the lot without STW will need to apply to his office to permit the structures to be erected or regularise any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD;
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that as there is no record of approval by the Building Authority for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application. If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application. For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the application site under the BO. Before any new building works (including containers/open sheds as temporary buildings and land filling) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorised Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO. The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively. If the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage;
- (e) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring space shall be provided adjacent to the Site. The local track leading to the Site is not under TD's purview. The applicant shall

obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;

- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains. HyD shall not be responsible for the maintenance of any access connecting the Site and nearby public road;
- (g) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his Department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans. The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (h) to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites”.