

**Previous Applications covering the Application Site**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s)</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Approval Condition(s)</u></b>
1	A/YL-TYST/200	Temporary Open Storage of Building/Recycling Materials and Construction Machinery for a Period of 3 Years	22.8.2003 on review approved for 1 year	(1), (4), (5), (10), (11)
2	A/YL-TYST/268	Temporary Open Storage of Building/Recycling Materials and Construction Machinery for a Period of 3 Years	14.1.2005 [s.17 review on modification of approval conditions rejected on 6.5.2005]	(1), (2), (3), (8), (9), (10), (11)
3	A/YL-TYST/374	Temporary Open Storage of Building/Recycling Materials and Construction Machinery for a Period of 3 Years	18.1.2008 approved for 1 year	(1), (2), (3), (6), (7), (10), (11)
4	A/YL-TYST/418	Temporary Open Storage of Building/Recycling Materials and Construction Machinery for a Period of 3 Years	27.3.2009 [revoked on 8.7.2011]	(1), (2), (3), (6), (7), (8), (10), (11)
5	A/YL-TYST/547	Temporary Open Storage of Building and Recycling Materials, Construction Machinery, Used Electrical/Electronic Appliances, Cargo Compartments with Ancillary Packaging Activities and Parking of Municipal Vehicles for a Period of 3 Years	23.9.2011 approved for 1 year	(1), (4), (7), (9), (10), (11), (12), (13), (14)
6	A/YL-TYST/607	Renewal of Planning Approval for Temporary “Open Storage of Building and Recycling Materials, Construction Machinery, Used Electrical/Electronic Appliances, Cargo Compartments with Ancillary Packaging Activities and Parking of Municipal Vehicles” for a Period of 3 Years	21.9.2012 (up to 23.9.2015)	(1), (4), (7), (9), (10), (11), (12), (13), (14)
7	A/YL-TYST/757	Temporary Open Storage of Building and Recycling Materials, Construction Machinery and Used Electrical/Electronic Appliances with Ancillary Packaging Activities for a Period of 3 Years	23.10.2015	(1), (2), (7), (8), (9), (10), (11), (13), (15)
8	A/YL-TYST/875	Proposed Temporary Warehouse for Storage of Construction Materials and Electrical Appliances for a Period of 3 Years	9.2.2018 [revoked on 9.7.2020]	(1), (3), (7), (8), (9), (10), (11), (14), (15)

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s)</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Approval Condition(s)</u></b>
9	A/YL-TYST/925	Temporary Open Storage of Building and Recycling Materials, Construction Machinery and Used Electrical/Electronic Appliances with Ancillary Packaging Activities for a Period of 3 Years	16.11.2018	(1), (3), (7), (8), (9), (10), (13), (14), (15)

**Approval Condition(s):**

- (1) No operation during specific hours and/or no operation on Sundays and public holidays
- (2) No used electrical appliances/televisions/computer monitors/computer parts or any other types of electronic waste are allowed to be stored/handled on the site.
- (3) No workshop/cleaning/dismantling/repairing/spraying activities are allowed to be carried out on the site.
- (4) Submission and/or implementation of landscape/tree preservation proposals.
- (5) Submission of drainage impact assessment/drainage study and provision of flood mitigation measures and drainage facilities.
- (6) Submission of drainage proposal and/or provision of drainage facilities.
- (7) Submission of proposals and/or provision of fire service installations and/or provision of fire extinguishers.
- (8) Maintenance of trees/landscape planting on the site.
- (9) Maintenance of drainage facilities on the site.
- (10) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (11) Reinstatement of the site to an amenity area upon expiry of planning permission.
- (12) No dismantling/other workshop activities, except ancillary repairing/maintenance/packaging/workshop activities as proposed by the applicant, are allowed on the site.
- (13) No storage or handling of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste is allowed outside the concrete-paved covered structures on the site.
- (14) Submission of a record of the existing drainage facilities implemented on the site.
- (15) No vehicle is allowed to queue back to or reverse onto/from public road.
- (16) No dusty operation including cutting, grinding and polishing is allowed to be carried out at the open area of the site.

**Similar Application straddling the subject “R(A)3” Zone  
on the Tong Yan San Tseuen OZP since 2015**

**Approved Application**

	<b><u>Application No.</u></b>	<b><u>Proposed Use/Development</u></b>	<b><u>Date of Consideration (RNTPC)</u></b>	<b><u>Approval Condition(s)</u></b>
1	A/YL-TYST/957	Temporary Warehouse for Storage of Exhibition Materials and Open Storage of Construction Machinery and Construction Materials with Ancillary Office and Repair Workshop for a Period of 3 Years	3.5.2019 [revoked on 3.5.2020]	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11)

**Approval Condition(s):**

- (1) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (2) Submission of proposals and/or provision of fire service installations/fire extinguisher/street fire hydrant or water tank.
- (3) Paving and/or provision/maintenance of boundary fencing on the site.
- (4) No (night-time) operation specific time limit and/or no operation on Sundays and public holidays.
- (5) No workshop/cleaning/dismantling/repairing/spraying activities are allowed to be carried out on the site.
- (6) Maintenance of existing trees/landscape planting on the site.
- (7) Maintenance of (implemented /existing) drainage facilities on the site.
- (8) No used electrical appliances/televisions/computer monitors/computer parts/ electronic parts (including cathode-ray tubes) or any other types of electronic waste are allowed to be stored/handled on the site.
- (9) No medium and/or heavy vehicles or container vehicles (trailers/tractors)/only light goods vehicles are allowed for the operation of the site.
- (10) Submission of a record of the existing drainage facilities implemented on the site.
- (11) No vehicle queuing and no reverse movement of vehicles on public road(s) is allowed.

**Advisory clauses**

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) shorter compliance period is imposed in order to monitor the progress of compliance with approval conditions. Should you fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration may not be given to any further applications;
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department 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. Lots No. 2722 RP, 2724 and 2736 RP in D.D. 120 are covered by Short Term Waivers (STWs) No. 3802, 3803 and 3805 respectively to permit structures erected thereon for the purpose of “ancillary use to open storage of building and recycling materials, construction machinery and used electrical/electronic appliances, cargo components with ancillary packaging activities and parking of municipal vehicles”. The STW holder(s) will need to apply to her office for modification of the STW conditions where appropriate. The owner(s) of the lot(s) without STW will need to apply to her 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. Applications for any of the above will be considered by her department acting in the capacity of 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 her department;
- (e) to note the comments of the Commissioner for Transport that the land status of the access road/path/track leading to the Site from Kung Um Road should be checked with the lands authority. The management and maintenance responsibilities of the access road/path/track should be clarified and consulted with the relevant management and maintenance authorities accordingly. Sufficient space should be provided within the Site for manoeuvring of vehicles. No parking of vehicles on public road is allowed;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Kung Um Road;
- (g) to note the comments of the Director of Environmental Protection that the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department should be followed to minimise any potential environmental nuisances on the surrounding areas;

- (h) to note the comments of the Director of Fire Services on the submitted fire services installations (FSIs) proposal that the type of secondary electrical supply shall be clarified. One fire extinguisher and two sand buckets shall be provided to the loading/unloading bay. Relevant layout plans incorporated with the proposed FSIs should be submitted 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 also be clearly marked on the layout plans. If the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorised building works (UBW) under the 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 BD to effect their removal in accordance with the prevailing 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 Site under BO. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorised Person 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. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage; and
- (j) to note the comments of the Project Manager (West), Civil Engineering and Development Department that the Site might be subject to land resumption for the implementation of the Yuen Long South (YLS) development – Stage 1 which might take place at any time before the expiry of the temporary planning permission. No substantial works shall be carried out at the Site in view of the planned YLS development – Stage 1. His department will give sufficient notice to the relevant department(s) for early resumption of the Site if his works commence early.