

**Appendix II of RNTPC
Paper No. A/YL-TYST/1034A**

Previous Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1	A/YL-TYST/27	Open Storage of Construction Materials <i>(not for temporary use)</i>	6.3.1998 Approved for 2 years	(7), (9), (19)
2	A/YL-TYST/153	Temporary Open Storage of Construction Machineries and Materials for a Period of 3 years	21.12.2001 [Modification of approval conditions on review approved on 19.4.2002]	(1), (4), (6), (7), (8), (9), (12), (16), (17)
3	A/YL-TYST/265	Temporary Open Storage of Construction Machinery and Materials and Recycling Materials for a Period of 3 Years	21.12.2004 [Modification of approval conditions on review approved on 22.4.2002]	(1), (5), (10), (13), (14), (15), (16), (17)
4	A/YL-TYST/519	Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop Activities for a Period of 3 Years	18.2.2011 [Deletion of approval conditions on review approved on 24.6.2011]	(2), (3), (11), (14), (15), (16), (17), (18), (19), (20)
5	A/YL-TYST/665	Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop Activities for a Period of 3 Years	7.2.2014	(2), (3), (8), (10), (11), (15), (16), (17), (18), (19), (20), (21), (22), (23)
6	A/YL-TYST/827	Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop for a Period of 3 Years	17.2.2017	(2), (3), (5), (10), (11), (14), (15), (16), (17), (21), (22), (23), (24)
7	A/YL-TYST/892	Proposed Temporary Warehouse for Storage of Construction Materials and Pet Goods for a Period of 3 Years	4.5.2018 [Revoked on 4.8.2020]	(2), (3), (11), (14), (15), (16), (17), (23), (25), (26), (27)

Approval Conditions

- (1) No night-time operation between 11 p.m. and 7 a.m. is allowed on the site.
- (2) No night-time operation between 7 p.m. and 7 a.m. is allowed on the site.
- (3) No operation on Sundays and public holidays is allowed on the site.
- (4) Restriction on stacking height of the stored materials.
- (5) No electronic waste and plastic bottles are allowed to be stored at the site and no bottle washing activities are allowed to be carried out on the site.
- (6) Paving and fencing of the site.

- (7) Design and provision of the proposed vehicular access and its junction/T-junction with Kung Um Road.
- (8) Submission and implementation of tree preservation and/or landscape proposal.
- (9) Submission of drainage impact assessment and/or provision of flood mitigation measures and drainage facilities.
- (10) Provision of fire extinguisher.
- (11) Submission of fire service installations (FSIs) proposal and provision/implementation of FSIs.
- (12) Submission and implementation of environmental mitigation measures proposal.
- (13) Submission and implementation of on-site noise mitigation measures proposal.
- (14) Maintenance of (existing) trees and landscape planting on the site.
- (15) Maintenance of drainage facilities on the site and/or submission of a record of existing drainage facilities on the site.
- (16) Revocation of planning approval if conditions not complied with by a given date/at any time during approval period.
- (17) Reinstatement of the site to an amenity area upon expiry of the planning permission.
- (18) No storage and washing of plastic bottles is allowed on the site.
- (19) No storage and handling (including loading and unloading) of electrical appliances outside the three concrete-paved covered structures is allowed on the site.
- (20) No storage and handling (including loading and unloading) of electronic and computer wastes (including cathode-ray tubes) is allowed on the site.
- (21) No cutting, grinding, polishing or related activities are allowed in the open area of the site.
- (22) Maintenance of existing fencing on the site.
- (23) No queuing and reverse movement of vehicle are allowed on public road.
- (24) Submission of run-in/out proposal and provision of run-in/out.
- (25) No repairing, dismantling, spraying or other workshop activities is allowed on the site.
- (26) No open storage activities are allowed on the site.
- (27) Provision of boundary fencing.

Rejected Application

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Date of Consideration (TPB)</u>	<u>Rejection Reason</u>
1	A/YL-TYST/141	Temporary Open Storage of Construction Machinery and Materials for a Period of 3 years	12.10.2001 on review	(1)

Rejection Reason

- (1) Insufficient information in the submission to demonstrate that the development would not generate adverse environmental and drainage impacts on the surrounding areas.

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

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
1	A/YL-TYST/746	Temporary Warehouse for Storage of Advertising Materials, Construction Materials and Household Products for a Period of 3 Years	7.8.2015	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12)
2	A/YL-TYST/770	Temporary Warehouse and Open Storage of Escalator Parts for a Period of 3 Years	18.12.2015	(1), (3), (4), (5), (6), (7), (8), (10), (12), (13), (14), (16)
3	A/YL-TYST/771	Proposed Temporary Warehouse and Open Storage of Construction Materials for a Period of 3 Years	18.3.2016	(1), (2), (3), (5), (6), (8), (10), (11), (12), (13), (14), (15)
4	A/YL-TYST/907	Proposed Temporary Warehouse for Storage of Construction Materials, Construction Machinery and Scrap Metal for a Period of 3 Years	17.8.2018	(1), (2), (5), (6), (8), (10), (11), (12), (13), (14), (15)
5	A/YL-TYST/990	Temporary Warehouse for Storage of Advertising Material, Construction Material, Electronic Goods and Household Product for a Period of 3 Years	15.11.2019	(1), (2), (3), (4), (5), (7), (8), (10), (11), (13), (15)
6	A/YL-TYST/991	Temporary Warehouse for Storage of Electronic Goods for a Period of 3 Years	29.11.2019	(1), (2), (3), (4), (5), (6), (7), (8), (10), (11), (15), (16)
7	A/YL-TYST/1040	Temporary Warehouse for Storage of Electronic Goods for a Period of 3 Years	15.9.2020	(1), (2), (5), (6), (7), (8), (10), (11), (15)

Approval Condition(s):

- (1) No (night-time) operation specific time limit and/or no operation on Sundays and public holidays.
- (2) No workshop/cleaning/dismantling/repairing/spraying activities are allowed to be carried out on the site.
- (3) 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.
- (4) No open storage is allowed on the site.

- (5) No medium and/or heavy vehicles or container vehicles (trailers/tractors)/only light goods vehicles are allowed for the operation of the site.
- (6) No vehicle is allowed to queue back to or reverse onto/from the public road.
- (7) Maintenance of existing trees/landscape planting on the site.
- (8) Maintenance of (implemented /existing) drainage facilities on the site.
- (9) Submission of records of the existing drainage facilities on the site.
- (10) Submission and/or implementation of fire service installations proposals and/or provision of /fire extinguisher(s) with valid fire certificates (FS 251)/street fire hydrant or water tank.
- (11) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (12) Reinstatement of the site to an amenity area upon expiry of planning permission.
- (13) Provision of boundary fence on the site.
- (14) Submission and/or implementation of (revised) landscape/tree preservation proposals.
- (15) Submission of (revised) drainage proposal and/or provision/implementation of drainage facilities/proposal.
- (16) Maintenance of the existing boundary fencing on the site.

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 government land (GL) and an Old Schedule Agricultural Lot 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. Within the Site, the GL and Lot 1368 in D.D. 119 are currently covered by Short Term Tenancy (STT) No. 2863 and Short Term Waiver (STW) No. 4207 respectively to permit structures erected thereon for the purpose of “Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop Activities”. The STW/STT holder(s) will need to apply to her office for modification of the STW/STT conditions where appropriate. 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 will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of rent 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 Agriculture, Fisheries and Conservation that good site practices should be adopted and necessary measure should be implemented to avoid affecting the watercourses in the vicinity of the Site;
- (h) 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;

- (i) to note the comments of the Director of Fire Services that the installation/ maintenance/ modification/ repair work of fire service installations shall be undertaken by a Registered Fire Service Installation Contractor (RFSIC). The RFSIC shall after completion of the installation/maintenance/ modification/ repair work issue to the person on whose instruction the work was undertaken a certificate (FS 251) and forward a copy of the certificate to him. 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;
- (j) 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 the 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 the 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
- (k) 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 2 Phase 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 2 Phase 1. His department will give sufficient notice to the relevant department(s) for early resumption of the Site if his works commence early. Furthermore, the eastern part of the Site falls within the boundary of YLS development - Stage 2 Phase 2. Extension of the planning permission for the eastern part of the Site may not be supported in future and no substantial works shall be carried out at the eastern part of the Site in view of the planned YLS development - Stage 2 Phase 2.