

**Town Planning Board Guidelines for  
Application for Open Storage and Port Back-up Uses  
(TPB PG-No.13F)**

1. On 27.3.2020, the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13F) were promulgated, which set out the following criteria for New Development Areas:
  - (a) The planning for various NDAs (including potential development areas) in the New Territories has been in progress and the land use proposals for some of these areas have been incorporated as appropriate into relevant statutory town plans. The NDAs will be implemented by phases. While it is envisaged that the existing open storage and port back-up uses in these areas will be gradually phased out, sympathetic consideration may be given to applications for continued operation of these uses during the interim period before the sites are required for NDA development.
  - (b) For existing open storage and port back-up uses with previous planning approval(s) and/or permitted under the previous OZPs, sympathetic consideration may be given to the application (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant) until the concerned site is required for implementation of NDA development, provided that the relevant approval conditions, if any, have been complied with. Technical assessments, where appropriate, should be submitted to demonstrate that the continued operation of the current uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas and the concerns of the departments and local residents, if any, can be addressed through the implementation of the approval conditions.
  - (c) In view of the impending implementation of NDAs, new open storage and port back-up uses are generally not encouraged to infiltrate into the NDAs. There is a general presumption against such uses at greenfield areas and/or at sites with land use compatibility issue, e.g. in close proximity to existing residential dwellings which may be subject to environmental nuisances caused by the open storage and port back-up uses. Applications will normally be rejected unless under exceptional circumstances.
  - (d) Any approved temporary use and development should not jeopardize the long-term planned development on the respective site/the surrounding area under the NDA and the applicant should be advised that the site would be required by the government at any time during the planning approval period for implementation of government projects.

Previous s.16 Applications Covering the Site

Approved Applications

	<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Applied Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-HT/7	"U" on the then Draft Ha Tsuen OZP No. S/YL-HT/1	Proposed Temporary Open Storage of Containers (3 Years)	29.11.1996 (on Review) (3 Years) (revoked on 29.9.1997)	1, 2, 3, 4, 5, 6, 7
2.	A/YL-HT/259	"U" on the then Approved Ha Tsuen OZP No. S/YL-HT/4	Proposed Temporary Open Storage (Excluding Storage of Containers, Containers on Trailers and Licensed/Unlicensed Motor Vehicles) (3 Years)	9.8.2002 (3 Years)	1, 4, 6, 7
3.	A/YL-HT/449	"U" on the then Draft Ha Tsuen OZP No. S/YL-HT/7	Temporary Open Storage of Recycling Materials (Plastic, Paper and Metal) (3 Years)	19.5.2006 (3 Years)	1, 6, 7, 8, 9, 10, 11
4.	A/YL-HT/626	"U" on the then Approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Open Storage of Recycling Materials (Plastic, Paper And Metal) with Ancillary Workshop (3 Years)	7.8.2009 (3 Years) (revoked on 16.4.2010)	1, 6, 7, 8, 10, 12, 13, 14, 15
5.	A/YL-HT/683	"U" on the then Approved Ha Tsuen OZP No. S/YL-HT/10	Temporary open storage of recyclable materials (plastic, paper and metal) with ancillary workshop and recycling of used electrical appliances (3 Years)	16.7.2010 (1 Year) (revoked on 16.1.2011)	1, 6, 7, 10, 12, 14, 15
6.	A/YL-HT/703	"U" on the then Approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Open Storage of Recyclable Materials (Plastic, Paper And Metal) with Ancillary Workshop and Recycling of Used Electrical Appliances (3 Years)	10.12.2010 (3 Years) (revoked on 10.6.2011)	1, 6, 7, 10, 12, 14, 15, 16, 17
7.	A/YL-HT/844	"U" on the then Approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Open Storage of Recyclable Materials (Plastic, Paper and Metal) with Ancillary Workshop (3 Years)	25.10.2013 (1 Year)	1, 6, 7, 10, 12, 14, 15, 16, 17, 18
8.	A/YL-HT/921	"U" on the then Approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Open Storage of Recyclable Materials (Plastic, Paper and Metal) with Ancillary Workshop (3 Years)	14.11.2014 (3 Years)	1, 10, 12, ,18, 19, 20, 21, 22
9.	A/HSK/30	"G/IC", "R(A)4" and "R(A)3" on Approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2	Temporary Open Storage of Recyclable Materials (Plastic, Paper and Metal) with Ancillary Workshop (3 Years)	22.12.2017 (3 Years) (Revoked on 22.5.2020)	6, 7, 10, 12, 18, 20, 22

Approval Conditions:

- 1 The submission and/or the implementation of landscaping and/or tree preservation proposals or the replacement of dead trees.

- 2 The provision of sewage treatment and disposal facilities.
- 3 The submission of noise impact assessment/environmental mitigation measures proposals and/or the provision of noise/environmental mitigation measures.
- 4 The submission of drainage impact assessment or drainage proposal, and the provision of drainage facilities and/or flood mitigation measures, or implementation of drainage proposal.
- 5 The submission of traffic impact assessment and/or the implementation of traffic improvement measures including vehicular access arrangement, junction improvement and provision of parking and loading/unloading spaces and queuing area.
- 6 Reinstatement clause.
- 7 Revocation clauses.
- 8 The submission and/or provision of vehicular access/run-in proposals, and/or ingress/egress arrangement, and/or car-parking, and/or loading and unloading spaces.
- 9 The maintenance of the landscape planting.
- 10 The maintenance of the drainage facilities and/or the submission of the condition record of the existing drainage facilities.
- 11 No cutting, dismantling, cleansing, repairing, compaction, recycling, and/or workshop activity, including container repair and vehicle repair.
- 12 No night-time operation/no operation on Sundays or public holidays.
- 13 The maintenance of the existing trees/landscape planting.
- 14 The provision of a 9-litres water type/3kg dry power fire extinguisher or the submission and implementation of FSIs proposal.
- 15 No open storage of electrical appliances an/or, electronic computer boards, computer components or TV sets/no handling (including loading, unloading and storage) of electronic and computer wastes.
- 16 No dismantling of electrical/electronic appliances.
- 17 The construction of covered structure(s) at the site for the handling of electrical/electronic appliances.
- 18 No vehicle is allowed to queue back to public road or reverse onto/from the public road.
- 19 No handling (including loading, unloading and storage) of electronic and computer wastes.
- 20 The maintenance/provision of fencing of the site.
- 21 The provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251).
- 22 The submission and/or implementation of a fire service installations proposal.

**Similar Application Within the Subject “R(A)3” Zone  
on the Approved Hung Shui Kiu and Ha Tsuen OZP**

**Approved Applications**

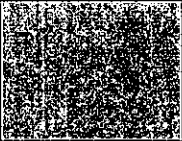
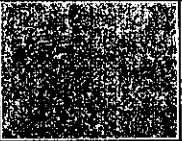
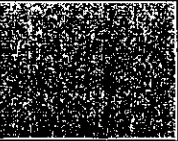
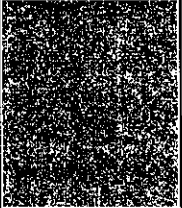
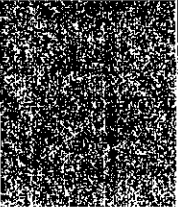
<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Applied use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
1. A/HSK/215	“R(A)3” on the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2	Temporary Recyclable Collection Centre (Including Plastics, Paper and Metals) with Ancillary Factory (3 Years)	24.4.2020	1, 2, 3, 4, 5, 6

**Approval Conditions:**

- 1 No night-time operation/no operation on Sundays or public holidays.
- 2 No melting of plastic materials activity on the site.
- 3 Submission of a condition record of the existing drainage facilities and maintenance of the existing drainage facilities on the Site.
- 4 Submission and implementation of landscape proposal.
- 5 Submission and implementation of fire service installations proposal.
- 6 Revocation clauses.

消防處發出之露天貯存用地良好作業指引

Good Practice Guidelines for Open Storage issued by the Director of Fire Services

		消防車輛 內部通道 Internal Access for Fire Appliances	地段界線 (淨闊度) Lot Boundaries (Clear Width)	貯存物品 地點與 臨時構築物 之間的距離 Distance between Storage Cluster and Temporary Structure	貯存物品 地點的大小 Cluster Size	貯存高度 Storage Height
1.	露天貯存貨櫃 Open Storage of Containers		2 米 2m	4.5 米 4.5m		
2.	露天貯存非易燃物品 或有限數量的易燃物品 Open Storage of Non-Combustibles or Limited Combustibles	4.5 米 4.5m	2 米 2m	4.5 米 4.5m		
3.	露天貯存易燃物品 Open Storage of Combustibles	4.5 米 4.5m	2 米 2m	4.5 米 4.5m	40 米乘 40 米 40m x 40m	3 米 3m

備註：露天貯存用地／回收場內不得吸煙或使用明火。

Remarks: Smoking and naked flame activities shall not be allowed within the open storage/recycling site.

**Advisory Clauses**

- (a) to note that the Site might be resumed at any time during the planning approval period for implementation of government projects;
- (b) shorter compliance period is imposed in order to monitor the progress of compliance with approval conditions. Should the applicant 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;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site situated on Government Land (GL)(about 15,800m<sup>2</sup> subject to verification) and is covered by Short Term Tenancy No. 1869 (STT1869) for the purposes of “Open Storage of Recycling Materials (Plastics, Paper and Metal) with Ancillary Workshop”. The STT holder will need to apply to his office for modification of the STT conditions where appropriate. Application(s) for any of the above will be considered by LandsD 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 rent or fee, as may be imposed by LandsD;
- (d) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring spaces shall be provided within the Site. 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;
- (e) 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 Ping Ha Road;
- (f) 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’ issued by the Environmental Protection Department to minimize any potential environmental nuisances;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/ manholes and the downstream discharge path as indicated on the submitted drainage proposal;
- (h) to note comments of the Director of Fire Services (D of FS) that relevant layout plans incorporated with the proposed FSIs should be submitted for his approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs are to be installed should be clearly marked on the layout plans. Attached good practice guidelines for open storage should be adhered to **Appendix V**. The applicant is reminded that if the proposed structure(s) is required to comply with the 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 Director of Agriculture, Fisheries and Conservation (DAFC) that necessary measures should be implemented to avoid causing water pollution and disturbance to the nearby watercourses and the riparian vegetation;
- (j) to note the comments of the Project Manager (West), Civil Engineering and Development Department (PM/W, CEDD) that the Site falls within the boundary of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). According to the Planning and Engineering Study for the HSK/HT NDA and the latest plan, to ensure timely and orderly implementation, the development of HSK/HT NDA and relevant site formation and infrastructure works would be implemented in three phases, viz. First Phase development, Second Phase development and Remaining Phase development. The lot(s) concerned falls within a site under Remaining Phase development of HSK/HT NDA. While the detailed implementation programme for the project is still being formulated, it is envisaged that clearance of the Site will not be arranged before 2030; and
- (k) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest Government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the installation, operation and maintenance of any sub-main within the private lots to WSD's standards. The applicant should take note of any interfacing issue with the proposed fresh and flushing water mains designed and implemented under the HSK/HT NDA project that will intersect the Site (**Plan A-2**).