

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

1. On 17.10.2008, 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. 13E) were promulgated, which set out the following criteria for the various categories of area:
 - (a) Category 1 areas: favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause significant environmental and traffic concerns;
 - (b) Category 2 areas: planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments, where appropriate, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas;
 - (c) Category 3 areas: applications would normally not be favourably considered unless the applications are on sites with previous planning approvals. Sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions; and
 - (d) Category 4 areas: applications would normally be rejected except under exceptional circumstances. For applications on sites with previous planning approvals, and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the applications relevant technical assessments/proposals to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. The intention is however to encourage the phasing out of such non-conforming uses as early as possible. A maximum period of 2 years may be allowed upon renewal of planning permission for an applicant to identify suitable sites for relocation. No further renewal of approval will be given unless under very exceptional circumstances and each application for renewal of approval will be assessed on its individual merit.

Previous Application Covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Proposed Use/Development</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Rejected Reasons</u>
1.	A/YL-HT/99	“CDA” on the draft Ha Tsuen OZP No. S/YL-HT/3	Temporary Open Storage of Containers (12 months)	10.9.1999	4, 6, 11
2.	A/YL-HT/166	“CDA” on the approved Ha Tsuen OZP No. S/YL-HT/4	Temporary Open Storage of Containers (3 years)	22.9.2000 (revoked on 22.3.2002)	4, 5, 7, 10, 11, 12,
3.	A/YL-HT/268	“CDA” on the approved Ha Tsuen OZP No. S/YL-HT/4	Temporary Open Storage of Containers (3 years)	13.9.2002	4, 5, 6, 7, 9, 10, 11
4.	A/YL-HT/690	“CDA” on the approved Ha Tsuen OZP No. S/YL-HT/10	Proposed Temporary Open Storage of Containers, Plastic, Construction Materials, Scrap Metal, Scrap Plastic, Used Paper Products with Ancillary Logistics Yard and Container Repair Workshop (3 years)	14.1.2011 (revoked on 14.2.2013)	1, 2, 3, 4, 6, 7, 8, 10, 11

Approval Condition(s):

- 1 No night-time operation and/or no operation on Sundays and public holidays.
- 2 No cutting, dismantling, cleansing, repairing, compaction, tyre repair, vehicle repair, container repair and workshop activity was allowed on the site.
- 3 The stacking height of containers stored within the site should not exceed 7/8 units.
- 4 No stacking of containers within 5m of the periphery of the site.
- 5 The paving of the site.
- 6 The submission/implementation of drainage facilities
- 7 The submission/implementation of landscaping and/ or tree preservation proposals
- 8 The submission/implementation of FSIs proposal and/or provision of fire extinguisher(s) and the submission of a valid fire certificate (FS 251).
- 9 The provision of fencing.
- 10 Revocation clauses.
- 11 Reinstatement clause.
- 12 The provision of drainage facilities.

Similar Applications within the same “O”, “R(B)2” and/or “O” Zones on the approved
Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2
Since the Promulgation of TPB PG-No. 13E on 17.10.2008

Approved Applications

	Application No.	Zoning(s) and OZP at the time of consideration	Applied Use(s)/ Development(s)	Date of Consideration (RNTPC/TPB)	Approval Condition(s)
1.	A/YL-HT/934	“CDA” on approved Ha Tsuen OZP No. S/YL-HT/10	Proposed Temporary Logistics Centre with Ancillary Office and Parking of Vehicle (3 years)	6.2.2015 (3 Years) (revoked 6.5.2016)	1, 2, 4, 5, 6, 8, 9, 10
2.	A/YL-HT/953	“CDA” on approved Ha Tsuen OZP No. S/YL-HT/10	Proposed Temporary Logistics Centre (3 years)	22.5.2015 (3 Years) (revoked 22.11.2016)	1, 3, 4, 5, 6, 8, 9, 10
3.	A/YL-HT/970	“CDA” on approved Ha Tsuen OZP No. S/YL-HT/10	Proposed Temporary Logistics Centre (3 years)	4.9.2015 (3 Years) (revoked 4.6.2017)	1, 3, 4, 5, 6, 7, 8, 9, 10
4.	A/YL-HT/1017	“CDA” on approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Logistics Centre with Ancillary Site Office (3 years)	13.5.2016 (3 Years)	1, 2, 3, 4, 5, 6, 7, 8, 9, 10
5.	A/YL-HT/1061	“CDA” on approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Warehouse and Logistics Centre (3 years)	23.12.2016 (3 Years) (revoked 23.5.2019)	1, 3, 4, 5, 6, 8, 9, 10
6.	A/HSK/5	“O”, “G/IC”, “V” and “R(B)2” on draft Hung Shiu Kiu OZP No. S/HSK/1	Temporary Logistics Centre (3 years)	11.8.2017 (3 Years)	1, 3, 4, 5, 6, 7, 8, 9, 10
7.	A/HSK/7	“R(B)2”, “G/IC”, “O” and ‘Road’ on draft Hung Shiu Kiu OZP No. S/HSK/1	Temporary Logistics Centre (3 years)	25.8.2017 (3 Years) (revoked 25.5.2018)	1, 3, 4, 5, 6, 7, 8, 9
8.	A/HSK/50	“O” and “R(B)2” on draft Hung Shiu Kiu OZP No. S/HSK/1	Temporary Logistics Centre (3 years)	2.3.2018 (3 Years)	1, 3, 4, 5, 6, 7, 8, 9, 10
9.	A/HSK/59	“R(B)2”, “G/IC”, “O” and ‘Road’ on draft Hung Shiu Kiu OZP No. S/HSK/1	Temporary Logistics Centre (3 years)	20.4.2018 (3 Years)	1, 3, 4, 5, 6, 7, 8, 9, 10
10.	A/HSK/156	“V(1)”, “G/IC”, “O” and ‘Road’ on approved Hung Shiu Kiu OZP No. S/HSK/2	Temporary Warehouse and Logistics Centre (3 years)	5.7.2019 (3 Years)	1, 4, 5, 6, 8, 9, 10

Drainage Services Department's detailed comments on the submitted drainage proposal

- (i) Please clarify whether the collected stormwater will be discharged to the nullah to the west of the site through the nearest drainage intake no. SNF1004200. If affirmative, please clearly indicate the discharge path and the aforesaid feature number on the drainage plan. The relevant connection details should be provided for comment.
- (ii) The cover levels and invert levels of the proposed u-channels, catchpits/sand traps should be shown on the drainage plan.
- (iii) Cross sections showing the existing and proposed ground levels of the captioned site with respect to the adjacent areas should be given.
- (iv) Sand trap or provision alike should be provided before the collected runoff is discharged to the public drainage facilities.
- (v) Standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit/sand trap.
- (vi) Where walls or hoarding are erected are laid along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the site.
- (vii) The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.
- (viii) The applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on the Site;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) to note that the Site might be resumed at any time during the planning approval period for implementation of government projects;
- (a) to note the comments of the 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 prior approval of the Government;
 - no permission is given for occupation of GL of about 410m² in area (subject to verification) included in the Site. The act of occupation of GL without Government's prior approval is not allowed. The applicant has to either exclude the remaining GL from the site or apply for a formal approval prior to the actual occupation of the GL;
 - The private land of the following lots are covered by Short Term Waiver (STW):

Lot No. (in D.D.129)	STW No.	Purposes
2433, 2436	4265	Temporary Logistics Centre
2437	4268	
2438 S.B	4269	
2977 S.A	4270	
2977 S.B	4271	
2961 RP	4745	
2961 S.A.ss.1	4747	
2988	4826	Temporary Logistics Centre with Ancillary Office and Parking of Vehicle
2989 RP	4827	
2991 RP	4828	
3085	4842	
3086	4843	

The STW holders will need to apply to his office for modification of the STW conditions where appropriate. The owner(s) of the lot(s) without STW will need to apply to his office to permit the structures to be erected or regularize any irregularity on site, if any. Also, the applicant has to either exclude the remaining GL from the Site or apply for a formal approval prior to the actual occupation of the remaining GL. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) for any of the above will be considered by the LandsD acting in the capacity of the landlord or lessor at its sole

of where the proposed FSIs to be installed should be clearly marked on the layout plans. If the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123) or relevant licensing requirements, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and

- (g) to note the comments of the Project Manager (New Territories West), Civil Engineering and Development Department (PM/NTW, CEDD) that the Site falls within the boundary of the Hung Shui Kiu New Development Area (HSK NDA). According to the Planning and Engineering Study (P&E Study) for the HSK NDA, to ensure timely and orderly implementation, the development of HSK NDA and relevant site formation and infrastructure works would be implemented in five stages, viz. Advance Works and Stage 1 to Stage 4. The lot(s) concerned falls within a site under Stage 4 Works stage. While the detailed implementation programme for the project is still being formulated, based on the P&E Study, it is envisaged that clearance of the Site in question will not be arranged before the first population intake of the HSK NDA expected in 2024.
- (h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) on the submitted drainage proposal that :
- (i) Please clarify whether the collected stormwater will be discharged to the nullah to the west of the site through the nearest drainage intake no. SNF1004200. If affirmative, please clearly indicate the discharge path and the aforesaid feature number on the drainage plan. The relevant connection details should be provided for comment.
 - (ii) The cover levels and invert levels of the proposed u-channels, catchpits/sand traps should be shown on the drainage plan.
 - (iii) Cross sections showing the existing and proposed ground levels of the captioned site with respect to the adjacent areas should be given.
 - (iv) Sand trap or provision alike should be provided before the collected runoff is discharged to the public drainage facilities.
 - (v) Standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit/sand trap.
 - (vi) Where walls or hoarding are erected are laid along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the site.
 - (vii) The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.
 - (viii) The applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works.