

**Previous Applications Covering the Application Site**

**Approved Applications**

<b><u>Application No.</u></b>	<b><u>Development/Use</u></b>	<b><u>Date of Consideration</u></b>	<b><u>Approval Conditions</u></b>
A/YL-PS/347	Dangerous Goods Godown (Cat 5. Dangerous Goods)	23.9.2011 (Revoked on 23.9.2012)	(1) to (11)
A/YL-PS/401	Dangerous Goods Godown (Cat 5. Dangerous Goods) for a Period of 3 Years	21.12.2012	(1) to (10)

**Approval Conditions**

- (1) No open storage of dangerous goods are allowed on the site at any times during the approval period.
- (2) The provision of a 100mm thick concrete box to enclose the underground tanks at all times during the approval period.
- (3) The provision of a 100mm bund wall around the distribution area of 4mx4m above each of underground tank with a peripheral channel at all times during the approval period.
- (4) The provision of an underground sump tank equipped with an oil/grease trap at all times during the approval period.
- (5) Submission and implementation of fire services installations proposal.
- (6) No dangerous goods are allowed to be stored on the site prior to compliance of the conditions (1) to (5)
- (7) Submission and implementation of landscape proposal.
- (8) Submission and implementation of drainage proposal.
- (9) The provision of peripheral fencing
- (10) Revocation clause(s).
- (11) Demolition of buildings/structures not included in the submitted scheme.

**Rejected Application**

<b><u>Application No.</u></b>	<b><u>Development/Use</u></b>	<b><u>Date of Consideration</u></b>	<b><u>Rejection Reasons</u></b>
A/YL-PS/324	Open Parking of Vehicles for Category 5 Dangerous Goods	15.10.2010	(1)

**Rejection Reasons**

- (1) Not in line with the TPB Guidelines No. 13E in that the Director of Fire Services objected to the application because the proposed vehicle park could not be used for overnight parking of dangerous goods vehicles while loaded with lubricating oil (Category 5 Dangerous Goods) which should only be stored in a fixed storage facility.

**Advisory Clauses**

- (a) Prior planning permission should have been obtained before commencing the applied use on Site.
- (b) to note that the Site might be resumed at any time during the planning approval period for implementation of government projects.
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that Lot No. 367 in D.D. 127 in the application site is a New Grant Lot which contains the restriction that the lot shall be used for private residential purposes only subject to a maximum building height of 25 feet or two-storey and a maximum total roofed over area of 800 sq. ft. The remaining lots in the application site are Old Scheduled Agricultural Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government. The application site is accessible to Hung Tin Road through a local road on Government land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way. The lot owner(s) will need to apply to his Office to permit the structures to be erected or regularize any irregularities on Site, including the use (if applicable). Such application will be considered by LandsD acting in the capacity of the landlord 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 premium 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 space shall be provided within 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.
- (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 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 Hung Tin Road.
- (f) to note the comments of the Director of Fire Services (D of FS) that detailed fire service requirements will be formulated upon receipt of formal submission of general building plans and referral from relevant licensing authority. Furthermore, the EVA provision in the Site shall comply with the standard as stipulated in Part VI of the Code of Practice for Means of Access for Firefighting and Rescue under the Building (Planning) Regulation 41D which is administrated by the Buildings Department. Apart from that, it is noted that the Site would involve storage/use of Dangerous Goods. As such, the applicant/operator of the site should be advised to approach his Dangerous Goods Division for advice on licensing of premises for the proposed use.
- (g) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that in

the interests of public safety and ensuring the continuity of electric supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans to find out whether there is any underground cable and/or overhead line within or in the vicinity of the concerned site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines. There is an underground town gas transmission pipeline designed for high pressure operation (running along Hung Tin Road) in the vicinity of the application site. The project proponent/consultant/works contractor shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact location of existing or planned gas pipes/gas installations in the vicinity of the application site and any required minimum set back distance away from them during the design and construction stages of any alterations of existing development at the application site. The project proponent/consultant/works contractor is required to observe the requirements of the Electrical and Mechanical Services Department's "Code of Practice on Avoiding Danger from Gas Pipes" for reference.

- (h) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that such work and operation of the use shall not cause any environmental nuisance and obstruction to the surrounding. For any waste generated from the commercial/trading activities, the applicant should arrange its disposal properly at their own expenses.
- (i) to note CBS/NTW, BD's comments that an occupation permit no. NT 18/2013(OP) was issued on 10 April 2013 for "2 nos. underground storage tanks for non-domestic use". There is no record of approval by the Building Authority for the structures existing at the application site and Buildings Department is not in a position to offer comments on their suitability for the use related to the application; the applicant's attention is drawn to the following points:
  - i. If the existing structures are erected on leased land without approval of the Buildings Department (BD) (not being New Territories Exempted Houses), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the captioned application.
  - ii. For UBW erected on leased land, enforcement action may be taken by the BA 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.
  - iii. 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 Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
  - iv. 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 respectively.

- v. It is noted that the proposed Temporary Dangerous Goods Godown may be subject to the issue of a DG License from FSD. The applicant should be reminded that the approved tanks are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.
  - vi. 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 Building (Planning) Regulation at the building plan submission stage.
- (j) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant is advised to ensure that the proposed development would not affect any trees on the adjacent government land as well as the nearby wooded area zoned as “Green Belt” to the east of the site.