

**Previous Applications covering the Application Site (the Site)**

**Approved Applications**

|   | <b><u>Application No.</u></b> | <b><u>Proposed Use(s)</u></b>   | <b><u>Date of Consideration<br/>(RNTPC/TPB)</u></b> | <b><u>Approval<br/>Condition(s)</u></b>               |
|---|-------------------------------|---|---|---|
| 1 | A/YL-TT/33                    | Open Storage of Plant and Machinery   | 5.6.1998  | (5), (7), (9)   |
| 2 | A/YL-TT/34*                   | Temporary Open Storage of Construction Machinery and Materials for a Period of 12 Months  | 5.6.1998  | (5), (7), (8), (11)                                   |
| 3 | A/YL-TT/35*                   | Temporary Open Storage of Construction Machinery and Materials for a Period of 12 Months  | 5.6.1998  | (5), (7), (8), (11)                                   |
| 4 | A/YL-TT/152                   | Proposed Temporary Warehouse for Storage of Packaged Electricity Generators and Compress Machines for Plastic Materials for a Period of 3 Years | 13.2.2004<br>[revoked on 13.2.2005]                 | (4), (5), (6), (8), (10)                              |
| 5 | A/YL-TT/220                   | Temporary Cargo Handling and Forwarding Facility (Logistics Centre) for a Period of 3 Years   | 30.11.2007<br>[revoked on 30.8.2008]                | (1), (2), (3), (5), (6), (8), (10), (11)              |
| 6 | A/YL-TT/251                   | Temporary Cargo Handling and Forwarding Facility (Logistics Centre) for a Period of 3 Years   | 4.12.2009   | (1), (2), (3), (5), (6), (8), (10)                    |
| 7 | A/YL-TT/322                   | Temporary Container Vehicle Park for a Period of 3 Years  | 7.3.2014  | (1), (2), (3), (5), (6), (10), (11), (12), (13), (14) |

Remarks:

\* Straddling "Open Storage" and "Agriculture" zones

**Approval Conditions**

- (1) No night-time operation during specific time limit is allowed on the Site.
- (2) No operation on Sundays and public holidays is allowed on the Site.
- (3) No (container/vehicle) repairing, maintenance, dismantling and other workshop activities shall be carried out on the Site.
- (4) Painting of the proposed temporary structure on the Site into dark green.
- (5) Submission and/or implementation of (accepted) landscape and/or tree preservation proposal(s).
- (6) Submission and implementation of fire service installations and/or emergency vehicular access proposal(s).
- (7) Provision of a street fire hydrant with adequate flow and pressure or a 245 cubic metre capacity water tank with associated pumping facilities at the Site.
- (8) Submission and/or implementation of drainage proposal and/or provision of drainage facilities.
- (9) Submission of a Drainage Impact Assessment and the provision of flood mitigation measures and drainage facilities.

- (10) Revocation of planning approval for non-compliance with conditions by a specified date/at any time during the approval period.
- (11) Reinstatement of the Site upon expiry of planning permission.
- (12) No queuing and reverse movement of vehicles are allowed on public road at any time during the planning approval period.
- (13) Submission of a record of existing drainage facilities and the existing drainage facilities on the Site shall be maintained at all times during the planning approval period.
- (14) The provision of boundary fencing.

**Rejected Application**

|   | <b>Application No.</b> | <b>Proposed Use(s)/Development(s)</b>  | <b>Date of Consideration (RNTPC)</b> | <b>Rejection Reason</b> |
|---|------------------------|--|--------------------------------------|-------------------------|
| 1 | A/YL-TT/66             | Temporary Open Storage of Aggregates and Asphalt Concrete Batching Plant for a Period of 3 Years | 14.1.2000                            | (1)                     |

**Main Reason for Rejection:**

- (1) There was insufficient information in the submission to demonstrate that the proposed asphalt concrete batching plant would not cause adverse environmental impacts on the residential uses in the vicinity.

Similar Applications within the Same “OS” Zone on the OZP

Approved Application

|   | <u>Application No.</u> | <u>Proposed Use(s)/Development(s)</u>  | <u>Date of Consideration<br/>(RNTPC/TPB)</u> | <u>Approval<br/>Condition(s)</u> |
|---|------------------------|--|--|----------------------------------|
| 1 | A/YL-TT/401            | Proposed Temporary Wholesale Trade (Drinks) and Storage and Ancillary Office for a Period of 3 Years | 12.5.2017                                    | (1) to (10)                      |

Approval Condition:

- (1) No night-time operation during specific time limit is allowed on the site.
- (2) No operation on Sundays and public holidays is allowed on the application site.
- (3) No heavy goods vehicles exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time
- (4) No vehicle is allowed to queue back to or reverse onto/from public road at any time
- (5) The provision of boundary fencing
- (6) Submission of drainage proposal/Drainage Impact Assessment and flood mitigation measures proposals/drainage facilities records and/or provision of drainage facilities.
- (7) The existing drainage facilities on the site shall be maintained at all times.
- (8) Submission and/or implementation of water supplies for firefighting/fire service installations/emergency vehicular access proposal(s)/provision of a 9-litre water type/3 kg dry powder fire extinguisher.
- (9) Revocation of planning approval for non-compliance with conditions by a specified date/at any time.
- (10) Reinstatement of the application site upon expiry of planning permission.

**Advisory Clauses**

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) the Site should be kept in a clean and tidy condition at all times;
- (c) to note the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD)'s comments that the Site comprises Government land (GL) and an Old Schedule Agricultural Lot held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. Portion of GL within the Site is covered by Short Term Tenancy (STT) No. 3106 for the purpose of Warehouse (excluding Dangerous Goods Godown) and no permission is given for occupation of GL (about 7,356.2m<sup>2</sup> subject to verification, i.e. 8,656.2m<sup>2</sup> less the area of STT No. 3106) included in the Site. Any occupation of GL without Government's prior approval is not allowed. The Site is accessible from Tai Tong Shan Road via GL and private land. Her office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The Short Term Waiver (STW)/STT holder(s) will need to apply to her office for modification of the STW/STT conditions where appropriate. The owner(s) of the lot 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. No construction of New Territories Exempted Building(s) will be considered or allowed. Furthermore, the applicant has to either exclude the GL portion from the Site or apply for a direct grant STT for use of the Site. Applications for any of the above will be considered by her department acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application 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;
- (d) to note the Commissioner for Transport's comments that sufficient space within the Site should be provided for manoeuvring of vehicles and no parking of vehicles on public road are allowed. The land status of the access road/path/track leading to the Site from Tai Tong Shan Road should be checked with the lands authority. The management and maintenance responsibilities of the access road/path/track should be clarified with the relevant management and maintenance authorities accordingly;
- (e) to note the Chief Highway Engineer/New Territories West, Highways Department (HyD)'s comments 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 Tai Tong Shan Road;
- (f) to note the comments of the Director of Environmental Protection that the applicant should follow 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 to minimise any potential environment nuisance;
- (g) to note the Chief Town Planner/Urban Design and Landscape, Planning Department's comments that approval of the application by the Board does not imply approval of the tree

works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works;

- (h) to note the Director of Fire Services' comments that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his Department for approval. The applicant is advised that 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. However, 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 Chief Building Surveyor/New Territories West, Buildings Department's (BD) comments that there is no record of approval by the Building Authority for the structures existing at the Site. If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, 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 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 Site under the BO. Before any new building works (including containers/open sheds as temporary building) are to be carried out on the Site, prior approval and consent of BD 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. 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 B(P)R at the building plan submission stage; and
- (j) to note the comments of the Director of Electrical and Mechanical Services that the applicant shall approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within or in the vicinity of the Site. Based on the cable plans and the relevant drawings obtained, if there is underground cable and/or overhead line within or in the vicinity of the Site, the applicant shall carry out the following measures:
  - (i) for the Site within the preferred working corridor of high voltage overhead lines at transmission voltage level 132kV or above as stipulated in the Hong Kong Planning Standards and Guidelines, prior consultation and arrangement with CLP Power is necessary, and
  - (ii) prior to establishing any structure within the Site, the applicant and/or his contractors shall liaise with the electricity supplier and, if necessary, ask CLP Power to divert the underground cable and/or overhead line away from the vicinity of the proposed structure. The Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation shall be observed by the applicant when carrying out works in the vicinity of the electricity supply lines.