

**Relevant extracts of the 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 favorably 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.

2. In assessing applications for open storage and port back-up uses, the other major relevant assessment criteria are also summarized as follows:
- (a) there will be a general presumption against development on sites of less than 1,000 m² for open storage uses and 2,000 m² for port back-up uses in rural areas, other than sites located in major corridors, industrial/godown/workshop areas, quarrying activities or where it is demonstrated that optimum use is made of the site. This is to prevent the further proliferation of small sites in rural areas, minimizing sprawl over countryside areas and reducing travel trips;
 - (b) port back-up sites and those types of open storage uses generating adverse noise, air pollution and visual intrusion and frequent heavy vehicle traffic should not be located adjacent to sensitive receivers such as residential dwellings, hospitals, schools and other community facilities;
 - (c) port back-up uses are major generators of traffic, with container trailer/tractor parks generating the highest traffic per unit area. In general, port back-up sites should have good access to the strategic road network, or be accessed by means of purpose built roads;
 - (d) adequate screening of the sites through landscaping and/or fencing should be provided where sites are located adjacent to public roads or are visible from surrounding residential areas;
 - (e) there is a general presumption against conversion of agricultural land and fish ponds to other uses on an ad hoc basis, particularly in flood prone areas or sites which would obstruct natural drainage channels and overland flow; and
 - (f) for applications involving sites with previous planning approvals, should there be no evidence to demonstrate that the applicants have made any genuine effort to comply with the approval conditions of the previous planning applications, planning permission may be refused, or a shorter compliance period for the approval conditions may be imposed, notwithstanding other criteria set out in the Guidelines are complied with.

Previous s.16 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/213	Warehouse for storage of furniture, construction materials/machinery, and household detergent (application not for temporary use)	29.8.2003 Approved for 3 years	(2), (4), (5), (6), (11), (12)
2	A/YL-TYST/329	Temporary warehouse for storage of furniture, construction materials/machinery, and household detergent for a period of 3 years	1.9.2006 [revoked on 1.5.2008]	(1), (2), (3), (7), (8), (9), (10), (11), (12)
3	A/YL-TYST/442	Temporary warehouse for storage of furniture, construction materials/machinery, and household detergent for a period of 3 years	4.9.2009	(1), (2), (3), (5), (7), (10), (13)
4	A/YL-TYST/608	Temporary Open Storage and Warehouse for Storage of Furniture, Exhibition Materials, Construction Materials/ Machinery and Household Detergent for a Period of 3 Years	21.9.2012	(1), (2), (3), (5), (7), (8), (10), (11), (12), (13)
5	A/YL-TYST/751	Temporary Open Storage and Warehouse for Storage of Furniture, Exhibition Materials, Construction Materials/ Machinery and Household Detergent for a Period of 3 Years	4.9.2015	(1), (2), (3), (7), (8), (9), (10), (11), (12), (13), (14)

Approval Conditions

- (1) No night-time operation between 7:00 p.m. and 7:00 a.m. and no operation on Sundays and public holidays
- (2) No open storage/repairing/dismantling/workshop activities are allowed to be carried out on the site.
- (3) No heavy goods vehicles (i.e. over 24 tonnes) are allowed for the operation of the site.
- (4) Provision of vehicle parking spaces and loading/unloading bays.
- (5) Submission and/or implementation of landscape/tree preservation proposals.
- (6) Submission and/or implementation of drainage proposals.
- (7) Submission and implementation of emergency vehicular access, water supplies for fire fighting and/or fire service installations proposals.
- (8) Submission of a record of the existing drainage facilities implemented on the site.
- (9) Maintenance of trees and landscape planting on the site.
- (10) Maintenance of drainage facilities on the site.

- (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) No plastic waste, electronic waste and used electrical appliances were allowed to be stored on the application site at any time during the planning approval period
- (14) No vehicle is allowed to queue back to or reverse onto/from public road

**Similar Applications in this Part of the “U” zone on the Tong Yan San Tsuen OZP
since the Promulgation of TPB PG-No. 13E**

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1	A/YL-TYST/408	Proposed temporary storage of construction materials for a period of 3 years	7.11.2008 [revoked on 28.12.2010]	(1), (2), (3), (4), (5), (6), (8), (11), (10), (11)
2	A/YL-TYST/409	Temporary warehouse for storage of sanitary ware and metal ware for a period of 3 years	23.1.2009	(1), (2), (3), (4), (5), (6), (7), (8), (10), (11), (13)
3	A/YL-TYST/420	Renewal of planning approval for temporary “open storage of construction machinery” use under Application No. A/YL-TYST/314 for a period of 3 years	27.3.2009	(5), (6), (8), (10), (11), (12)
4	A/YL-TYST/426	Temporary open storage of construction machinery and containers with ancillary dismantling, cleansing, repairing and workshop activities for a period of 3 years	22.5.2009 [revoked on 22.2.2011]	(1), (3), (4), (5), (6), (8), (11)
5	A/YL-TYST/429	Temporary warehouse for storage of construction materials, carpets and porcelains with ancillary office for a period of 3 years	22.5.2009 [revoked on 22.10.2011]	(3), (4), (5), (6), (7), (8), (10), (11), (12), (13)
6	A/YL-TYST/430	Temporary open storage of metal parts with ancillary workshop for a period of 3 years	5.6.2009 [revoked on 28.1.2011]	(3), (4), (5), (6), (8), (11), (12), (13)
7	A/YL-TYST/443	Temporary warehouse and open storage of building materials and miscellaneous goods for a period of 3 years	21.8.2009	(2), (3), (4), (5), (6), (8), (11), (10), (11), (12), (13), (14)
8	A/YL-TYST/450	Temporary warehouse for storage of metal ware, machinery and spare parts for a period of 3 years	18.9.2009 [revoked on 18.10.2011]	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13)
9	A/YL-TYST/456	Temporary logistics centre for a period of 3 years	9.10.2009 approved for 1 year [revoked on 9.7.2010]	(1), (3), (4), (5), (6), (7), (8), (11), (10), (11), (13)
10	A/YL-TYST/460	Proposed temporary storage of advertisement material with ancillary workshop for a period of 3 years	9.10.2009	(3), (4), (5), (6), (7), (8), (11), (11), (12)
11	A/YL-TYST/475	Temporary warehouse for storage of construction materials (with ancillary workshop activities and site office) for a period of 3 years	11.6.2010 [revoked on 11.10.2012]	(4), (5), (6), (7), (8), (11), (11), (12), (15), (16)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
12	A/YL-TYST/476	Proposed temporary open storage of building materials for a period of 3 years	25.6.2010 [revoked on 25.9.2011]	(1), (4), (5), (6), (8), (11), (10), (11), (12), (13)
13	A/YL-TYST/480	Temporary warehouse for storage of furniture for a period of 3 years	25.6.2010 [revoked on 25.6.2012]	(1), (3), (4), (5), (6), (8), (10), (11), (13)
14	A/YL-TYST/485	Temporary warehouse for storage of construction materials and batteries (with ancillary workshop activities) for a period of 3 years	13.8.2010	(1), (3), (4), (5), (6), (8), (11), (13), (14), (16)
15	A/YL-TYST/488	Renewal of planning approval for temporary "warehouse for storage of metal frames" use under Application No. A/YL-TYST/362 for a period of 3 years	27.8.2010	(4), (5), (6), (7), (8), (10), (11), (12), (13)
16	A/YL-TYST/491	Temporary warehouse and open storage of stage equipment for a period of 3 years	24.9.2010	(1), (3), (4), (5), (6), (8), (10), (11), (13)
17	A/YL-TYST/498	Temporary warehouse for storage of aluminium scaffolds for a period of 3 years	26.11.2010	(1), (4), (5), (6), (7), (8), (10), (11), (12), (13)
18	A/YL-TYST/503	Temporary open storage of metal goods for a period of 3 years	10.12.2010	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14)
19	A/YL-TYST/505	Temporary warehouse for storage of non-staple food for a period of 3 years	23.12.2010 [revoked on 23.9.2012]	(3), (4), (5), (6), (8), (9), (11), (13)
20	A/YL-TYST/511	Temporary warehouse for storage of machinery and spare parts with ancillary site office for a period of 3 years	14.1.2011	(1), (3), (4), (5), (6), (7), (8), (11), (10), (11), (13)
21	A/YL-TYST/520	Temporary warehouse and open storage of exhibition materials for a period of 3 years	4.3.2011	(1), (3), (4), (5), (6), (8), (10), (11), (13)
22	A/YL-TYST/526	Temporary warehouse and open storage of exhibition materials, garments, construction materials, vehicle parts and marble with ancillary workshop for a period of 3 years	18.3.2011 [revoked on 18.4.2013]	(1), (3), (4), (5), (6), (8), (11), (13), (17), (18)
23	A/YL-TYST/528	Temporary warehouse for storage of construction materials and household materials for a period of 3 years	15.4.2011 [revoked on 15.4.2013]	(1), (3), (4), (5), (6), (7), (8), (11), (10), (11), (13)
24	A/YL-TYST/551	Temporary open storage of construction machinery and containers with ancillary dismantling, cleansing, repairing and workshop activities for a period of 3 years	21.10.2011	(1), (3), (4), (5), (6), (8), (11)

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25	A/YL-TYST/554	Temporary warehouse for storage of vehicle parts for a period of 3 years	4.11.2011 [revoked on 4.1.2013]	(1), (3), (4), (5), (6), (7), (8), (11), (10), (11), (13)
26	A/YL-TYST/561	Temporary open storage of construction machinery and construction materials for a period of 3 years	6.1.2012 [revoked on 17.2.2012]	(1), (2), (3), (4), (5), (6), (8), (10), (11), (13)
27	A/YL-TYST/565	Temporary warehouse for storage of sanitary ware, metal ware, machinery and spare parts for a period of 3 years	20.1.2012	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13)
28	A/YL-TYST/580	Temporary warehouse for storage of exhibition materials and construction materials for a period of 3 years	30.3.2012 [revoked on 30.8.2013]	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13)
29	A/YL-TYST/581	Temporary open storage of construction machinery for a period of 3 years	30.3.2012 [revoked on 30.9.2012]	(1), (4), (5), (6), (8), (10), (11), (12), (19)
30	A/YL-TYST/583	Temporary warehouse for storage of construction materials and sanitary ware for a period of 3 years	20.4.2012 [revoked on 20.12.2013]	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13)
31	A/YL-TYST/584	Temporary warehouse for storage of vehicle parts with ancillary site office for a period of 3 years	4.5.2012 [revoked on 14.5.2013]	(3), (4), (5), (6), (8), (10), (11), (13)
32	A/YL-TYST/592	Temporary open storage of construction machinery and construction materials for a period of 3 years	1.6.2012 [revoked on 1.12.2012]	(1), (2), (3), (4), (5), (6), (8), (10), (11), (13)
33	A/YL-TYST/566	Temporary warehouse for storage of construction materials, carpets and porcelains with ancillary office for a period of 3 years	15.6.2012	(1), (4), (5), (6), (7), (8), (10), (11), (12), (13), (19)
34	A/YL-TYST/593	Proposed temporary open storage of construction materials and machinery for a period of 3 years	15.6.2012	(1), (2), (4), (5), (6), (8), (10), (11), (12), (19)
35	A/YL-TYST/582	Temporary Open Storage of Metal Parts with Ancillary Workshop for a period of 3 years	6.7.2012 [revoked on 6.4.2013]	(1), (4), (5), (6), (8), (11), (12), (19)
36	A/YL-TYST/595	Temporary warehouse for storage of construction materials and household materials with ancillary office for a period of 3 years	20.7.2012 [revoked on 20.1.2014]	(1), (3), (4), (5), (6), (7), (8), (11), (10), (11), (13), (20)
37	A/YL-TYST/609	Renewal of Planning Approval for Temporary "Storage of Advertisement Material with Ancillary Workshop" under Application No. A/YL-TYST/460 for a Period of 3 Years	5.10.2012	(1), (4), (5), (6), (7), (8), (9), (11), (19), (20)

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38	A/YL-TYST/618	Temporary open storage and warehouse for storage of construction materials and ancillary site office for a period of 3 years	23.11.2012 [revoked on 23.8.2014]	(1), (2), (3), (4), (5), (8), (10), (11), (13)
39	A/YL-TYST/624	Proposed temporary warehouse for storage of furniture for a period of 3 years	21.12.2012 [revoked on 21.6.2013]	(3), (4), (5), (6), (8), (10), (11), (13)
40	A/YL-TYST/630	Temporary warehouse and open storage of exhibition materials and construction materials with ancillary office for a period of 3 years	1.3.2013 approved for 1 year	(1), (4), (5), (6), (8), (9), (10), (11), (13), (19), (22)
41	A/YL-TYST/631	Temporary open storage of construction machinery for a period of 3 years	1.3.2013	(1), (4), (5), (6), (8), (10)(11), (19), (23)
42	A/YL-TYST/632	Temporary open storage of construction materials and meramic ware for a period of 3 years	15.3.2013	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (22)
43	A/YL-TYST/633	Temporary open storage of construction machinery and construction materials for a period of 3 years	5.4.2013	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (24)
44	A/YL-TYST/637	Temporary warehouse for storage of non-staple food for a period of 3 years	3.5.2013 [revoked on 3.2.2014]	(4), (5), (6), (8), (11), (13), (19), (20)
45	A/YL-TYST/638	Temporary open storage of construction material and recyclable material (including metal and plastic) with ancillary office for a period of 3 years	24.5.2013	(1), (3), (4), (5), (6), (8), (9), (10), (11), (13), (14), (24)
46	A/YL-TYST/640	Temporary open storage of construction machinery and construction materials for a period of 3 years	21.6.2013 [revoked on 30.9.2013]	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (24)
47	A/YL-TYST/642	Renewal of Planning Approval for "Temporary Warehouse for Storage of Construction Materials and Batteries (with Ancillary Workshop Activities)" for a Period of 3 Years	2.8.2013	(1), (4), (5), (6), (8), (11), (13), (14), (15), (19), (21), (26)
48	A/YL-TYST/643	Temporary Warehouse for Storage of Construction Materials with Ancillary Workshop and Site Office for a Period of 3 Years	6.9.2013	(1), (4), (5), (6), (7) (8), (9), (11), (14), (15), (19), (20)
49	A/YL-TYST/645	Renewal of Planning Approval for Temporary "Warehouse and Open Storage of Stage Equipment" under Application No. A/YL-TYST/491 for a Period of 3 Years	6.9.2013	(4), (5), (6), (8), (10), (11), (13), (19), (20), (25)

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50	A/YL-TYST/646	Temporary Warehouse for Storage of Exhibition Materials, Furniture, Wooden Products, Construction Tools and Vehicle Parts for a Period of 3 Years	11.10.2013 [revoked on 11.5.2015]	(1), (4), (5), (6), (8), (10), (11), (13), (14), (19), (20)
51	A/YL-TYST/647	Renewal of Planning Approval for Temporary "Open Storage of Metal Goods with Transfer Warehouse" for a Period of 3 Years	25.10.2013 [revoked on 21.1.2014]	(1), (4), (5), (6), (8), (10), (11), (13), (14), (19), (20)
52	A/YL-TYST/648	Temporary Warehouse for Storage of Vehicles and Spare Parts with Ancillary Site Office for a Period of 3 Years	25.10.2013	(4), (5), (6), (8), (10), (12), (19), (20), (25), (27)
53	A/YL-TYST/652	Temporary Warehouse for Storage of Metal Frames for a Period of 3 Years	13.12.2013	(4), (5), (6), (7), (8), (10), (11), (12), (13)
54	A/YL-TYST/654	Temporary Warehouse and Open Storage of Building Materials and Miscellaneous Goods for a Period of 3 Years	3.1.2014 [revoked on 3.7.2014]	(1), (4), (5), (6), (8), (9), (10), (11), (13), (14), (20), (19)
55	A/YL-TYST/656	Proposed Temporary Warehouse for Storage Machinery and Spare Parts with Ancillary Site Office for a Period of 3 Years	17.1.2014	(1), (4), (5), (6), (7), (8), (9), (10), (11), (13), (19), (20)
56	A/YL-TYST/663	Temporary warehouse for storage and open storage of exhibition materials and vehicle spare parts with ancillary office	7.2.2014	(4), (5), (6), (8), (9), (10), (11), (12), (13), (19), (20), (22)
57	A/YL-TYST/666	Temporary Warehouse and Open Storage of Exhibition Materials for a Period of 3 Years	21.2.2014	(1), (4), (5), (6), (8), (10), (11), (13), (19), (20), (22), (28)
58	A/YL-TYST/671	Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	4.4.2014	(4), (5), (6), (7), (8), (10), (11), (13), (19), (20), (29)
59	A/YL-TYST/672	Temporary Open Storage of Metal Goods with Ancillary Warehouse for a Period of 3 Years	4.4.2014	(1), (4), (5), (6), (8), (10), (11), (13), (14), (19), (20)
60	A/YL-TYST/689	Proposed Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years	8.8.2014	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (20)
61	A/YL-TYST/684	Temporary Warehouse for Storage of Home Appliance and Furniture and Ancillary Site Office for a Period of 3 Years	22.8.2014	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13), (14), (20), (28)
62	A/YL-TYST/691	Temporary Warehouse for Storage of Construction Materials and Furniture for a Period of 3 Years	22.8.2014 [revoked on 22.8.2015]	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (20)

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63	A/YL-TYST/697	Temporary Open Storage of Construction Material with Ancillary Site Office for a Period of 3 Years	17.10.2014	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (20)
64	A/YL-TYST/698	Temporary Open Storage of Construction Machinery and Containers with Ancillary Dismantling, Cleansing, Repairing and Workshop Activities for a period of 3 years	31.10.2014	(1), (4), (5), (6), (8), (11), (13), (19), (20)
65	A/YL-TYST/707	Proposed Temporary Warehouse for Storage of Construction Material	16.1.2015	(1), (3), (4), (5), (6), (8), (9), (10), (11), (13), (19), (20), (24)
66	A/YL-TYST/718	Temporary Warehouse for Storage of Construction Material and Used Electrical Appliance for a Period of 3 Years	27.3.2015	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (20), (30)
67	A/YL-TYST/719	Temporary Warehouse for Storage of Construction Material, Exhibition Material and Furniture for a Period of 3 Years	27.3.2015	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (20)
68	A/YL-TYST/735	Temporary Warehouse for Storage of Construction Material and Scrap Metal for a Period of 3 Years	3.7.2015	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (20), (30)
69	A/YL-TYST/741	Temporary Warehouse for Storage of Construction Materials, Carpets and Porcelains with Ancillary Office for a Period of 3 Years	3.7.2015	(4), (5), (6), (7), (8), (10), (11), (13), (19), (20), (29)
70	A/YL-TYST/742	Temporary Warehouse for Storage of Clothes and Household Products and Logistics Centre for a Period of 3 Years	17.7.2015 [revoked on 17.10.2015]	(1), (4), (5), (6), (8), (9), (10), (11), (13), (14), (19), (20), (24)
71	A/YL-TYST/743	Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	17.7.2015	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13), (20)
72	A/YL-TYST/754	Renewal of Planning Approval for Temporary "Storage of Advertisement Material with Ancillary Workshop" for a Period of 3 Years	18.9.2015	(1), (4), (5), (6), (7), (8), (9), (11), (19), (20)
73	A/YL-TYST/759	Temporary Warehouse for Storage of Exhibition Materials, Furniture, Wooden Products, Construction Materials and Vehicle Parts for a Period of 3 Years	23.10.2015	(3), (4), (5), (6), (7), (8), (10), (11), (12), (13), (19), (20)
74	A/YL-TYST/765	Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	4.12.2015	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13), (14), (20)

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75	A/YL-TYST/766	Temporary Open Storage of Construction Materials with Ancillary Facilities (including Site Office, Staff Restroom and Workshop) for a Period of 3 Years	4.12.2015	(1), (2), (3), (4), (5), (6), (8), (9), (11), (17), (20)
76	A/YL-TYST/773	Temporary Warehouse for Storage of Construction Materials, Food Provisions and Electronic Products for a Period of 3 Years	18.12.2015	(1), (4), (5), (6), (7), (8), (10), (11), (13), (19), (20), (30)
77	A/YL-TYST/756	Temporary Open Storage and Warehouse for Storage of Construction Material with Ancillary Site Office for a Period of 3 Years	18.12.2015 [revoked on 18.6.2016]	(1), (3), (4), (5), (6), (8), (10), (11), (13), (20), (24), (31), (32)
78	A/YL-TYST/752	Temporary Warehouse for Storage of Non-Staple Food for a Period of 3 Years	8.1.2016	(4), (5), (6), (8), (9), (11), (13), (19), (20)
79	A/YL-TYST/777	Renewal of Planning Approval for Temporary "Open Storage of Construction Machinery" for a Period of 3 Years	5.2.2016 (up to 1.3.2019)	(1), (4), (5), (6), (8), (10), (11), (19), (20)
80	A/YL-TYST/779	Temporary Warehouse and Open Storage of Exhibition Materials and Construction Materials with Ancillary Office for a Period of 3 Years	19.2.2016	(1), (4), (5), (6), (8), (9), (10), (11), (13), (19), (20), (22)
81	A/YL-TYST/781	Temporary Warehouse and Open Storage of Homeware for a Period of 3 Years	18.3.2016	(1), (4), (5), (6), (8), (10), (11), (13), (14), (19), (20), (22)
82	A/YL-TYST/790	Temporary Open Storage of Construction Material and Recyclable Material with Ancillary Workshop and Office for a Period of 3 Years	10.6.2016	(1), (4), (5), (6), (8), (11), (13), (14), (17), (19), (20), (22)
83	A/YL-TYST/796	Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	15.7.2016	(2), (3), (4), (5), (6), (8), (10), (11), (12), (13), (14), (19), (20)
84	A/YL-TYST/797	Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	15.7.2016	(2), (3), (4), (5), (6), (8), (10), (11), (12), (13), (14), (19), (20)
85	A/YL-TYST/798	Temporary Warehouse for Storage of Construction Material and Furniture for a Period of 3 Years	29.7.2016	(2), (3), (4), (5), (6), (8), (10), (11), (12), (13), (14), (19), (20)
86	A/YL-TYST/801	Proposed Temporary Warehouse for Storage of Furniture for a Period of 3 Years	26.8.2016	(1), (3), (4), (5), (6), (8), (10), (11), (13), (20), (24)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
87	A/YL-TYST/803	Renewal of Planning Approval for Temporary Warehouse for Storage of Construction Materials with Ancillary Workshop and Site Office for a Period of 3 Years	26.8.2016	(4), (5), (6), (7), (8), (9), (11), (12), (14), (15), (16), (19), (20), (24)
88	A/YL-TYST/806	Temporary Warehouse for Storage of Construction Material with Ancillary Site Office for a Period of 3 Years	14.9.2016	(4), (5), (6), (7), (8), (10), (11), (12), (13), (19), (20), (24)
89	A/YL-TYST/812	Proposed Temporary Warehouse for Storage of Construction Materials, Private Car and Aquarium Fish for a Period of 3 Years	14.10.2016	(4), (5), (6), (8), (11), (12), (13), (14), (19), (20), (24), (33)
90	A/YL-TYST/816	Temporary Warehouse for Storage of Vehicles and Spare Parts with Ancillary Site Office for a Period of 3 Years	9.12.2016	(4), (5), (6), (8), (10), (11), (19), (20), (34)
91	A/YL-TYST/822	Temporary Warehouse for Storage of Machinery and Spare Parts with Ancillary Site Office for a Period of 3 Years	3.2.2017	(3), (4), (5), (6), (8), (10), (11), (13), (19), (20)
92	A/YL-TYST/823	Temporary Warehouse for Storage of Furniture with Ancillary Office for a Period of 3 Years	3.2.2017	(3), (4), (5), (6), (8), (10), (11), (13), (19), (20)
93	A/YL-TYST/828	Renewal of Planning Approval for Temporary "Open Storage of Metal Goods with Ancillary Warehouse" for a Period of 3 Years	3.3.2017	(4), (5), (6), (8), (10), (11), (12), (13), (19), (20), (30)
94	A/YL-TYST/829	Proposed Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	17.3.2017	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13), (19), (20), (24),
95	A/YL-TYST/833	Temporary Warehouse and Open Storage of Exhibition Materials for a Period of 3 Years	28.4.2017	(1), (4), (5), (6), (8), (10), (11), (13), (19), (20), (22), (28)
96	A/YL-TYST/849	Temporary Open Storage of Construction Machinery and Containers with Ancillary Dismantling, Cleansing, Repairing and Workshop Activities for a Period of 3 Years	8.9.2017	(4), (5), (8), (11), (13), (19), (20), (24), (29)
97	A/YL-TYST/857	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	13.10.2017	(4), (5), (6), (7), (8), (10), (11), (12), (19), (20), (24)
98	A/YL-TYST/867	Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	22.12.2017	(4), (5), (6), (8), (10), (11), (13), (19), (20), (22), (23), (29)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
99	A/YL-TYST/893	Renewal of Planning Approval for Temporary “Warehouse for Storage of Construction Materials, Carpets and Porcelains with Ancillary Office” for a Period of 3 Years	1.6.2018	(4), (5), (6), (8), (10), (11), (12), (13), (19), (20)

Approval Condition(s):

- (1) Submission and/or implementation of (accepted) landscape and/or tree preservation proposals.
- (2) Paving of the site and provision of boundary fencing on the application site.
- (3) Submission of (a revised) drainage proposals and/or implementation of (accepted) drainage facilities.
- (4) Submission and/or implementation of (accepted) water supplies for firefighting/fire service installations/emergency vehicular access proposal(s)/provision of a (9-litre water type/3kg dry powder) fire extinguisher.
- (5) Revocation of planning approval for non-compliance with conditions by a specified date/at any time during the approval period.
- (6) Reinstatement of the application site upon expiry of planning permission.
- (7) No open storage is allowed on the site.
- (8) No night-time operation during specific time limit is allowed on the site.
- (9) Submission and/or implementation of run-in/out proposal.
- (10) No repairing/dismantling/breaking/fixing/maintenance/cleansing/paint-spraying/packaging/workshop activities are allowed on the site.
- (11) No operation is allowed on Sundays and public holidays.
- (12) The existing landscape planting and/or trees on the site shall be maintained at all times.
- (13) No medium goods vehicles over 5.5 tonnes/heavy goods vehicles (i.e. over 24 tonnes) are allowed to be used, parked/stored on the site.
- (14) No plastic waste/electronic waste/used batteries/used electrical appliances/televisions/computer monitors/computer parts/electronic parts (including cathode-ray tubes) are allowed to be stored/processed on the site.
- (15) No dismantling/repairing/cleansing/workshop activities, except cutting of materials as proposed by the applicant, are allowed on the site.
- (16) No dismantling/repairing/cleansing/workshop activities are allowed in the open area of the site.
- (17) No grinding/polishing/cutting/repairing/dismantling/workshop activities are allowed in the open area or outside the specified structure of the site.
- (18) Posting of a notice at a prominent location of the site to indicate that no medium or heavy goods vehicle including container trailer/tractor is allowed to be parked/stored on the site.
- (19) Maintenance of existing/implemented drainage facilities/submission of a record of the existing drainage facilities.
- (20) No parking/queuing/queue back/reverse movement of vehicles on public road.
- (21) No repairing/dismantling/cleansing/paint-spraying/workshop activities, except sorting/packaging activities, are allowed on the site.
- (22) Maintenance of existing boundary fence within the application site.
- (23) Implementation of accepted fire service installations proposal.
- (24) Provision of boundary fence.
- (25) Submission of record photos of existing trees.
- (26) No storage of battery on area areas.
- (27) No ancillary maintenance work to be carried out in open area.
- (28) The stacking height of materials stored within the site should not exceed the height of the boundary fence.
- (29) Maintenance of all existing trees on site.
- (30) No handling/storage/loading/unloading of used electrical appliances/construction material/scrap metal is allowed on site/outside the concrete-paved covered structure(s)/shall be carried out within enclosed structure(s) on site.

- (31) No storage or handling of metal products and packed cement is allowed outside the concrete-paved covered structures on the site.
- (32) No storage or handling of sand and gravel is allowed on the site.

Rejected Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Rejection Reason(s)</u>
1	A/YL-TYST/472	Temporary open storage of used electronic parts with ancillary workshop for a period of 3 years	7.5.2010	(1), (2), (3)
2	A/YL-TYST/478	Temporary warehouse for storage of packed furniture for a period of 3 years	22.10.2010 on review	(4), (5), (6), (8)
3	A/YL-TYST/515	Temporary vehicle (private car only) repair and maintenance workshop for a period of 3 years	28.1.2011	(4)
4	A/YL-TYST/832	Temporary Vehicle Repair Workshop for a Period of 3 Years	28.7.2017	(7)

Rejection Reason(s):

- (1) No/insufficient information in the submission to demonstrate that the development, which involves the storage of electronic parts in an open environment with workshop activities, would not generate adverse environmental impact.
- (2) Not compatible with the surrounding residential/rural land uses.
- (3) The development does not comply with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” in that it is not compatible with the surrounding residential/rural land uses/there is adverse departmental comment on the application.
- (4) No/insufficient information in the submission to demonstrate that the development would not generate adverse environmental impact.
- (5) No/insufficient information in the submission to demonstrate that the development would not generate adverse drainage impact.
- (6) No/insufficient information in the submission to demonstrate that the development would not generate fire safety impact.
- (7) No/insufficient information in the submission to demonstrate that the development would not generate adverse traffic impact.
- (8) The application involves previously revoked planning permissions due to non-compliance with the approval conditions. Approval of the application with repeated non-compliances would set an undesirable precedent for other similar planning permissions for temporary uses, nullifying statutory planning control.

Good Practice Guidelines for Open Storage Sites

		Internal Access for Fire Appliances	Lot Boundaries (Clear Width)	Distance between Storage Cluster and Temporary Structure	Cluster Size	Storage Height
1.	Open Storage of Containers		2m	4.5m		
2.	Open Storage of Non-Combustibles or Limited Combustibles	4.5m	2m	4.5m		
3.	Open Storage of Combustibles	4.5m	2m	4.5m	40m x 40m	3m

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

Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) at the Site;
- (b) the Site should be kept in a clean and tidy condition at all times;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department that within the Site, Lots No. 1225, 1238, 1239, 1252 in D.D. 119 are currently covered by Short Term Waivers (STWs) No. 3266, 3267, 3268 and 3269 respectively to permit structures erected thereon for the purpose of Warehouse for Storage of Furniture, Construction Materials or Machinery and Household Detergent and Ancillary Use; and Lots No. 1198 S.C and 1226 in D.D. 119 are covered by STWs No. 4527 and 4528 respectively to permit structures erected thereon for the purpose of Temporary Open Storage and Warehouse for Storage of Furniture, Exhibition Materials, Construction Materials/Machinery and Household Detergent. The Site is accessible to Kung Um Road via Government Land (GL) and private land. Her office does not provide maintenance work for GL involved and does not guarantee any right-of-way over the GL to the Site. The STW holder(s) will need to apply to her office for modification of the STW conditions if there is any irregularities on site and the lot owner(s) of the lot(s) without STW will need to apply to her office to permit the structures to be erected or regularize any irregularities on site. Such application(s) 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(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 premium or fee, as may be imposed by her department;
- (d) 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 shall be checked with the lands authority. The management and maintenance responsibilities of the access road/path/track shall be clarified and consulted with the relevant management and maintenance authorities accordingly. The applicant is reminded that sufficient space should be provided within the Site for manoeuvring of vehicles. In addition, no parking, vehicle queuing and reverse movement of vehicles on public road are allowed;
- (e) 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 running from the Site to the nearby public roads and drains. His Department shall not be responsible for the maintenance of any access connecting the Site and Kung Um Road;
- (f) to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storages Sites” issued by the Environment Protection Department to minimize any potential environmental nuisances;
- (g) to note the Director of Fire Services’ comments that the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his department for approval. In addition, the applicant is advised that the layout plan should be drawn to scale and depicted with dimensions and nature of occupancy and the location of where the proposed FSIs to be installed should be clearly marked on the layout plans. Also, the good practice guidelines for open storage (**Appendix V** of this RNTPC paper) should be

adhered to. If the proposed structure(s) is required to comply with the Buildings Ordinance (BO), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and

- (h) 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 BD, they are 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 BD's enforcement policy against UBW as and when necessary. The granting of 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 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 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 Regulation 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 B(P)R at the building plan submission stage.