

**Appendix III of RNTPC
Paper No. A/YL-TYST/1005A**

Previous 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/15 | Proposed Open Storage of Building Materials (on permanent basis) | 5.9.1997 approved for 2 years | (1), (2), (3) |
| 2 | A/YL-TYST/62 | Proposed Open Storage of Building Materials (on permanent basis) | 2.7.1999 approved up to 30.6.2001 | (1), (4), (5) |
| 3 | A/YL-TYST/78 | Proposed Open Storage of Building Materials and Machinery (on permanent basis) | 10.9.1999 approved for 2 years [revoked on 10.6.2000] | (1), (4), (5), (6) |
| 4 | A/YL-TYST/150 | Temporary Open Storage of Construction Machinery and Materials for a Period of 2 Years | 2.11.2001 approved for 12 months [revoked on 2.2.2002] | (1), (4), (5), (6) |
| 5 | A/YL-TYST/293 | Temporary Open Storage of Construction Machinery and Material with Ancillary Repair Workshop for a Period of 3 Years | 4.11.2005 on review approved for 2 years | (1), (4), (5), (6) (7), (8) |
| 6 | A/YL-TYST/367 | Renewal of Planning Approval for Temporary "Open Storage of Construction Machinery and Material with Ancillary Repair Workshop" Use | 2.11.2007 [revoked on 2.1.2009] | (5), (6), (7), (8), (9), (10), (11) |
| 7 | A/YL-TYST/454 | Temporary Open Storage of Construction Machinery, Construction Materials and Home Appliance with Ancillary Repair Workshop for a Period of 3 Years | 18.9.2009 | (1), (5), (6), (7), (9), (11) |
| 8 | A/YL-TYST/628 | Proposed Temporary Vehicle Repair Workshop and Open Storage of Construction Machinery, Construction Materials, Home Appliance with Ancillary Office and Repair Workshop for a Period of 3 Years | 25.1.2013 | (1), (5), (6), (7), (9), (11), (12), (13), (14) |
| 9 | A/YL-TYST/775 | Temporary Open Storage of Construction Machinery and Construction Materials with Ancillary Office and Repair Workshop for a Period of 3 Years | 22.1.2016 | (1), (5), (6), (7), (9), (11), (12), (13), (15), (16), (17), (18) |
| 10 | A/YL-TYST/957 | Temporary Warehouse for Storage of Exhibition Materials and Open Storage of Construction Machinery and Construction Materials with Ancillary Office and Repair Workshop for a Period of 3 Years | 3.5.2019 [revoked on 3.5.2020] | (6), (7), (9), (10), (11), (12), (13), (15), (16), (17), (18) |

Approval Conditions

- (1) Submission and/or implementation of landscape/tree preservation proposals.
- (2) Submission and/or implementation drainage impact assessment/drainage study and provision of flood mitigation measures and drainage facilities.
- (3) Submission and/or implementation of proposals/provision of vehicular access/T-junction.
- (4) Submission and/or implementation of drainage proposal and/or provision of drainage facilities.
- (5) Reinstatement of the site to an amenity area upon expiry of planning permission.
- (6) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (7) Submission and/or implementation of fire service installations (FSIs) proposals and/or provision of FSIs/fire extinguisher/street fire hydrant or water tank.
- (8) No workshop/cleaning/dismantling/repairing activities are allowed to be carried out on the site.
- (9) No night-time operation and/or no operation on Sundays and public holidays.
- (10) Maintenance of landscape planting/trees on the site.
- (11) Maintenance of drainage facilities on the site.
- (12) Submission of record of the existing drainage facilities.
- (13) No storage or handling (including loading and unloading) of electrical appliances and electronic/computer parts (including cathode-ray tubes) is allowed on the site.
- (14) No workshop activities, except in Compartment No. 1, 2 and 7, are allowed in the site.
- (15) No heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the site.
- (16) No workshop activities, except in Compartment No. 1/7, are allowed in the site.
- (17) No vehicle queuing and no reverse movement of vehicles on public road(s) is allowed.
- (18) The provision/maintenance of boundary fence on the site.

Rejected Application

| | <u>Application No.</u> | <u>Proposed Use</u> | <u>Date of Consideration (RNTPC)</u> | <u>Rejection Reasons</u> |
|---|------------------------|---|--|------------------------------|
| 1 | A/YL-TYST/280 | Proposed Temporary Open Storage of Building Materials and Machinery with Vehicle Repair Workshop and Ancillary Office for a Period of 3 Years | 4.3.2005 | (1), (2) |

Rejection Reasons

- (1) The application did not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses in that the development is incompatible with the surrounding residential use and there were adverse departmental comments on the application.
- (2) Insufficient information in the submission to demonstrate that the development would not generate adverse environmental, traffic and drainage impacts on the surrounding areas.

**Appendix IV of RNTPC
Paper No. A/YL-TYST/1005A**

**Similar Applications within the “R(A)”3 and “O” Zones
on the Tong Yan San Tsuen OZP since 2015**

Approved Applications

| | <u>Application No.</u> | <u>Proposed Use(s)/Development(s)</u> | <u>Date of Consideration (RNTPC)</u> | <u>Approval Condition(s)</u> |
|---|-------------------------------|---|---|--|
| 1 | A/YL-TYST/717 | Temporary Open Storage of Construction Machinery and Material for a Period of 3 Years | 27.3.2015 | (1), (4), (5), (6), (9), (10), (11), (14), (17), (20), (28) |
| 2 | A/YL-TYST/734 | Temporary Open Storage of Construction Machinery and Materials and Vehicle Repair Workshop for a Period of 3 Years | 5.6.2015 | (4), (5), (6), (8), (9), (13), (14), (17), (20), (28) |
| 3 | A/YL-TYST/744 | Temporary Open Storage of Construction Machinery, Construction Material, Metal Ware, Vehicle Spare Parts and Ancillary Site Office for a Period of 3 Years | 17.7.2015 approved for 1 year | (1), (4), (5), (6), (9), (10), (14), (17), (19), (20), (26), (28), (34) |
| 4 | A/YL-TYST/757 | Temporary Open Storage of Building and Recycling Materials, Construction Machinery and Used Electrical/Electronic Appliances with Ancillary Packaging Activities for a Period of 3 Years | 23.10.2015 | (4), (5), (6), (9), (13), (14), (20), (23), (25), (28) |
| 5 | A/YL-TYST/787 | Temporary Open Storage of Construction Machinery with Ancillary Site Office for a Period of 3 Years | 22.4.2016 | (1), (4), (5), (6), (7), (9), (10), (14), (16), (17), (20), (28) |
| 6 | A/YL-TYST/791 | Temporary Open Storage of Construction Machinery for a Period of 3 Years | 10.6.2016 | (1), (4), (5), (6), (7), (9), (10), (14), (16), (17), (20), (28) |
| 7 | A/YL-TYST/792 | Renewal of Planning Approval for Temporary “Open Storage of Construction Machinery, Construction Material, Metal Ware and Vehicle Spare Parts and Ancillary Site Office” for a Period of 1 Year | 10.6.2016 [revoked on 18.4.2017] | (1), (4), (5), (6), (9), (10), (14), (17), (19), (20), (26), (28), (34) |
| 8 | A/YL-TYST/830 | Temporary Vehicle Repair Workshop and Open Storage of Scrap Metal, Construction Machinery and Building/Recycling Materials with Ancillary Packaging Activities for a Period of 3 Years | 17.3.2017 | (4), (5), (6), (9), (12), (13), (14), (20), (24), (25), (28), (40), (41) |

| | <u>Application No.</u> | <u>Proposed Use(s)/Development(s)</u> | <u>Date of Consideration (RNTPC)</u> | <u>Approval Condition(s)</u> |
|----|-------------------------------|---|---|--|
| 9 | A/YL-TYST/840 | Temporary Open Storage of Construction Machinery and Construction Material with Ancillary Repair Workshop and Office for a Period of 3 Years | 23.6.2017 | (1), (5), (6), (9), (16), (17), (20) |
| 10 | A/YL-TYST/848# | Temporary Open Storage of Construction Machinery, Construction Material, Metal Ware and Vehicle Spare Parts and Ancillary Site Office for a Period of 3 Years | 11.8.2017 | (1), (4), (5), (6), (9), (10), (14), (17), (19), (20), (26), (28), (34) |
| 11 | A/YL-TYST/880 | Temporary Container Tractor/Trailer Park and Open Storage of Construction Machinery with Ancillary Office | 16.3.2018 | (4), (5), (6), (9), (13), (14), (20), (28), (39) |
| 12 | A/YL-TYST/882 | Temporary Open Storage of Construction Machinery and Material for a Period of 3 Years | 16.3.2018 | (4), (5), (6), (9), (10), (11), (13), (14), (17), (20), (28), (34) |
| 13 | A/YL-TYST/888 | Temporary Open Storage of Construction Machinery and Materials and Vehicle Repair Workshop for a Period of 3 Years | 20.4.2018 | (4), (5), (6), (8), (9), (13), (14), (17), (20), (28) |
| 14 | A/YL-TYST/925 | Temporary Open Storage of Building and Recycling Materials, Construction Machinery and Used Electrical/Electronic Appliances with Ancillary Packaging Activities for a Period of 3 Years | 16.11.2018 | (4), (6), (7), (9), (10), (13), (14), (20), (25), (28), |
| 15 | A/YL-TYST/952 | Renewal of Planning Approval for Temporary "Open Storage of Construction Machinery with Ancillary Site Office" for a Period of 3 Years | 22.3.2019 | (4), (6), (9), (13), (14), (17), (20), (25), (28), (34) |
| 16 | A/YL-TYST/962 | Temporary Open Storage and Warehouse for Storage of Exhibition Materials for a Period of 3 Years | 31.5.2019 | (4), (6), (9), (10), (13), (14), (17), (20), (28), (34) |
| 17 | A/YL-TYST/963 | Renewal of Planning Approval for Temporary Open Storage of Construction Machinery for a Period of 3 Years | 31.5.2019 | (4), (6), (9), (10), (13), (14), (17), (20), (26), (28), (34) |
| 18 | A/YL-TYST/1008 | Temporary Vehicle Repair Workshop and Open Storage of Scrap Metal, Construction Machinery and Building/Recycling Materials with Ancillary Workshop and Packaging Activities for a Period of 3 Years | 12.6.2020 | (2), (4), (6), (9), (10), (13), (14), (18), (24), (25), (26), (28), (34) |

| | <u>Application No.</u> | <u>Proposed Use(s)/Development(s)</u> | <u>Date of Consideration (RNTPC)</u> | <u>Approval Condition(s)</u> |
|----|-------------------------------|--|---|--|
| 19 | A/YL-TYST/1016 | Renewal of Planning Approval for Temporary Open Storage of Construction Machinery and Construction Material with Ancillary Repair Workshop and Office for a Period of 3 Years | 12.6.2020 | (4), (6), (9), (13), (14), (16), (26), (28), (34) |
| 20 | A/YL-TYST/1023 | Renewal of Planning Approval for Temporary Open Storage of Construction Machinery, Construction Material, Metal Ware and Vehicle Spare Parts and Ancillary Site Office for a Period of 3 Years | 26.6.2020 | (4), (9), (13), (14), (16), (17), (26), (28), (34), (43), (51) |

Approval Condition(s):

- (1) Submission and/or implementation of (revised/accepted) landscape/tree preservation proposals.
- (2) Submission and/or implementation of (revised/accepted) drainage proposal and/or provision of drainage facilities.
- (3) Submission of drainage impact assessment/drainage study and provision of flood mitigation measures and drainage facilities.
- (4) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (5) Reinstatement of the site to an amenity area upon expiry of planning permission.
- (6) Submission of proposals and/or provision of fire service installations/fire extinguisher/street fire hydrant or water tank.
- (7) Paving and/or fencing of the site.
- (8) No paint spraying activities should be carried out on the application site.
- (9) No (night-time) operation during specific time limit and/or no operation on Sundays and public holidays.
- (10) No workshop/cleaning/dismantling/repairing/paint-spraying/cutting/grinding/polishing/burning/melting activities are allowed to be carried out on the site.
- (11) Restriction on stacking height.
- (12) Submission and/or implementation (provision) of run-in/out proposal.
- (13) Maintenance of (existing) trees and/or landscape planting on the site.
- (14) Maintenance of (implemented /existing) drainage facilities and/or natural streamcourse on the site.
- (15) Replacement planting of landscaping trees on the site.
- (16) No used electrical appliances/televisions/computer monitors/computer parts or any other types of electronic waste are allowed to be stored/handled on the site.
- (17) No medium and/or heavy vehicles or container vehicles/only light goods vehicles are allowed to enter/exit, to be stored/parked or for the operation of the site.
- (18) No washing/cutting/compacting/melting of plastic waste/plastic bottle activities.
- (19) No open storage/workshop activities within “V” zone/buffer area during the planning approval period.
- (20) Submission of a record of the existing drainage facilities implemented on the site.
- (21) No container tractors, trailers or containers are allowed to enter/exit or to be stored/parked on the site.
- (22) Relocation of the household currently residing at the site.
- (23) No dismantling/other workshop activities, except ancillary repairing/ maintenance/ packaging/ compressing/ loading or unloading, as proposed by the applicant, are allowed on the site.
- (24) Allow free public access to the existing footpath within the site.
- (25) No storage or handling of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste is allowed outside the concrete-paved covered structures on the site.

- (26) No storage or handling of electronic and computer wastes (including cathode-ray tubes) is allowed on the site.
- (27) Submission of as-planted landscape plan.
- (28) No parking / vehicle queuing and no reverse movement of vehicles on public road(s) is allowed.
- (29) Workshop activities to be carried out within Compartments No. 2 and 3 only during the planning approval period.
- (30) No open storage are allowed within 20m from the western boundary of the site adjoining the “V” zone and landscape treatment would be provided for that area during the approval period.
- (31) No workshop activities are allowed in Compartments No. 1 and 3 of the application site, as proposed by the applicant, at all time during the planning approval period.
- (32) No dismantling, repairing, cleansing, paint spraying or other workshop activities, except packaging and classification of recycled materials, should be carried out in Compartment No. 2, as proposed by the applicant, at any time during the planning approval period.
- (33) No workshop activities are allowed, except in Compartments No. 1, 2 and 7 of the application site, as proposed by the applicant, at all time during the planning approval period.
- (34) Provision/maintenance of (existing) boundary fence.
- (35) No ancillary maintenance work to be carried out in open area.
- (36) Submission of record photos of existing trees/landscaping on site.
- (37) No repairing, cleaning, dismantling or other workshop activities, except vehicle repairing activities within Compartment C, as proposed by the applicant, shall be carried out on the site at any time during the planning approval.
- (38) Implementation of dust suppression measures for sand and gravels stored at the site, as proposed by the applicant, at all times.
- (39) No vehicle dismantling, vehicle repairing or other workshop activities, as proposed by the applicant, shall be carried out on the site at any time.
- (40) No container and container trailer repairing activities are allowed at the site.
- (41) No paint-spraying, except within Structures No. 2 and/or 6, shall be carried out on the site.
- (42) No loading/unloading activities are allowed at Structures No. 1 and 2 on the site.
- (43) No workshop activities (except in Structure No. 1) are allowed.
- (44) No dismantling, cleansing, repairing, paint spraying or other workshop activities, except ancillary packing and classification of the recyclable materials activities at Structure No. 2 of the site, are allowed.
- (45) No workshop activities, except within enclosed structures No. 1 and 2, are allowed on the site.
- (46) No dismantling or other workshop activities of used electrical/electronic appliances and parts is allowed on the site.
- (47) No dismantling, sorting, packaging or other workshop activities is allowed outside the concrete-paved covered structures on the site.
- (48) No dismantling, repairing, cleansing or other workshop activities, except ancillary parking and consolidate activities is allowed in Structure 2 or 4
- (49) No dismantling, repairing and cleansing activities, except ancillary workshop and packaging activities are allowed on the site.
- (50) No temporary structure is allowed to be erected on the site.
- (51) Maintenance of existing fire service installations on the site

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) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) shorter compliance period is imposed in order to monitor the progress of compliance with approval conditions. Should you 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;
- (d) the Site should be kept in a clean and tidy condition at all times;
- (e) to note the comments of the District Lands Officer/Yuen Long, Lands Department 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 the prior approval of the Government. Within the Site, Lot 2387 RP in D.D. 120 is currently covered by Short Term Waiver (STW) No. 4939 to permit structures erected thereon for the purpose of “Temporary Warehouse for Storage of Construction Machinery and Construction Material”. The STW holder(s) will need to apply to her office for modification of the STW conditions where appropriate. The owner(s) of the lot(s) 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. Applications for any of the above 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 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 her department;
- (f) 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 should be clarified and consulted with the relevant management and maintenance authorities accordingly. Sufficient space within the Site should be provided for manoeuvring of vehicles. No parking of vehicles on public road are allowed;
- (g) 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 flowing from the Site to the nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Kung Um Road;
- (h) to note the comments of the Director of Environmental Protection that 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 should be followed to minimise any potential environmental nuisances on the surrounding areas;
- (i) to note the comments of the Director of Fire Services on the submitted fire services installations (FSIs) proposal that the area, volume and usage of all structures and compartments should be provided. The distance between adjacent structures shall be

clarified. If the total floor area of adjacent enclosed structures exceeds 230m², emergency lighting, exit sign, fire alarm system, fire extinguisher, sprinkler system and modified hose-reel system shall be provided. All existing/proposed FSIs with reference standard, if applicable, should be listed out in the form of FS notes. In addition, 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) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;

- (j) 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 approval of the Building Authority (BA), 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 the prevailing 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 buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA 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. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage; and
- (k) to note the comments of the Project Manager (West), Civil Engineering and Development Department that the Site might be subject to land resumption for the implementation of the Yuen Long South (YLS) development – Stage 1 which might take place at any time before the expiry of the temporary planning permission. No substantial works shall be carried out at the Site in view of the planned YLS development – Stage 1. His department will give sufficient notice to the relevant department(s) for early resumption of the Site if his works commence early.