

Previous Applications Covering the Application Site

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/615	Temporary Open Storage of Scrap Metal and Plastic with Ancillary Workshop for a Period of 3 Years	9.11.2012 [revoked on 9.9.2014]	(1), (2), (3), (4), (5), (6), (7), (8), (9)
2	A/YL-TYST/786	Temporary Open Storage of Scrap Metal and Plastic with Ancillary Workshop for a Period of 3 Years	8.4.2016 [revoked on 8.1.2017]	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12)
3	A/YL-TYST/818	Temporary Open Storage of Metal, Scrap Metal and Plastic with Ancillary Workshop for a Period of 3 Years	23.12.2016 [revoked on 23.9.2018]	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12)
4	A/YL-TYST/908	Temporary Open Storage of Metal, Scrap Metal and Plastic with Ancillary Workshop for a Period of 3 Years	17.8.2018 [revoked on 17.11.2019]	(2), (3), (4), (5), (6), (7), (8), (9), (10), (11)

Approval Conditions

- (1) Submission and implementation of landscape/tree preservation proposal or the maintenance of existing trees and landscape planting.
- (2) Submission and/or implementation of (revised/accepted) drainage proposal.
- (3) Reinstatement of the site to an amenity area upon expiry of planning permission.
- (4) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (5) Submission of fire service installations (FSIs) proposal and implementation of FSIs proposal/provision of fire extinguisher.
- (6) No dismantling/repairing/cleansing or other workshop activities, except ancillary sorting and consolidation activities (in Structure 4), are allowed on the site.
- (7) No night-time operation and no operation on Sundays and public holidays.
- (8) No storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste is allowed on the site.
- (9) No medium/heavy goods vehicle, including container tractor/trailer, is allowed to park/store on or enter/exit the site.
- (10) No vehicle is allowed to queue back to or reverse onto/from public road.
- (11) Maintenance of implemented drainage facilities on the site.
- (12) Provision of boundary fence on the site.

**Similar Applications within/straddling the “O” Zone
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/770	Temporary Warehouse and Open Storage of Escalator Parts for a Period of 3 Years	18.12.2015	(1), (3), (4), (5), (6), (7), (8), (10), (12), (13), (14), (16)
2	A/YL-TYST/771	Temporary Warehouse and Open Storage of Construction Materials for a Period of 3 Years	18.3.2016	(1), (2), (3), (4), (5), (6), (7), (8), (10), (12), (13), (16)
3	A/YL-TYST/991	Temporary Warehouse for Storage of Electronic Goods for a Period of 3 Years	29.11.2019	(3), (5), (6), (7), (8), (9), (10), (13), (14), (15), (16)

Approval Condition(s):

- (1) Submission and/or implementation of (revised) landscape/tree preservation proposals.
- (2) Submission of (revised) drainage proposal and/or provision/implementation of drainage facilities/proposal.
- (3) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (4) Reinstatement of the site to an amenity area upon expiry of planning permission.
- (5) Submission of proposals and/or provision of fire service installations/fire extinguisher/street fire hydrant or water tank.
- (6) Paving and/or provision/maintenance of boundary fencing on the site.
- (7) No (night-time) operation specific time limit and/or no operation on Sundays and public holidays.
- (8) No workshop/cleaning/dismantling/repairing/spraying activities are allowed to be carried out on the site.
- (9) Maintenance of existing trees/landscape planting on the site.
- (10) Maintenance of (implemented /existing) drainage facilities on the site.
- (11) Replacement planting of landscaping trees on the site.
- (12) No used electrical appliances/televisions/computer monitors/computer parts/ electronic parts (including cathode-ray tubes) or any other types of electronic waste are allowed to be stored/handled on the site.
- (13) No medium and/or heavy vehicles or container vehicles (trailers/tractors)/only light goods vehicles are allowed for the operation of the site.
- (14) Submission of a record of the existing drainage facilities implemented on the site.
- (15) No open storage is allowed on the site.
- (16) No vehicle queuing and no reverse movement of vehicles on public road(s) is allowed.

Advisory clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) 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 the prior approval of the Government. Within the Site, Lots 1449, 1453, 1454 and 1458 in D.D. 119 are currently covered by Short Term Waivers (STWs) No. 4883 to 4886 respectively to permit structures erected thereon for the purpose of “Temporary Open Storage of Metal, Scrap Metal and Plastic with Ancillary Workshop”. The STW holder(s) will need to apply to her office for modification of the STW conditions where appropriate 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 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 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;
- (c) 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;
- (d) 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;
- (e) 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;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that the drainage facilities on site should be implemented in accordance with the agreed drainage proposal. The drainage system should be rectified if they are found to be inadequate or ineffective during operation. Furthermore, you shall be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by a failure of the drainage system. The proposed development would neither obstruct overland flow nor adversely affect any existing natural streams, village drains, ditches and the adjacent areas. DLO/YL, LandsD should be consulted and consent from the relevant lot owners should be sought for any works to be carried out outside your lot boundary before commencement of the drainage works;
- (g) to note the comments of the Director of Fire Services that in consideration of the

design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Relevant layout plans incorporated with the proposed FSIs should be submitted to his department for approval. 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. 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;

- (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 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
- (i) to note the comments of the Project Manager (West), Civil Engineering and Development Department that the Site falls within the boundary of Yuen Long South (YLS) development - Stage 2 Phase 2. The land resumption and clearance programme of the project is subject to Executive Council's authorisation on land resumption and Finance Committee's funding approval of the project. Land clearance operation is tentatively targeted to commence in 2024. As such, extension of the planning permission may not be supported in future. No substantial works should be carried out on the Site in view of the planned YLS development - Stage 2 Phase 2.