

Previous Applications covering the Site

Approved s.16 Applications

<u>No.</u>	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/DPA/YL-ST/26@	Open Storage of Plywood	5.8.1994 Approved by RNTPC (3 years)	1-9
2.	A/YL-ST/5@	Temporary Open Storage of Building Materials & Dry Leather Goods	11.4.1995 Approved by RNTPC (12 months)	1-8
3.	A/YL-ST/59@	Temporary Public Car Park for Private Cars for a Period of 3 Years	28.8.1998 Approved by RNTPC (3 Years)	2, 4, 8, 10
4.	A/YL-ST/80@	Temporary Open Storage for Precast Facade Units for 12 Months	12.3.1999 Approved by RNTPC (12 months)	2, 4, 8
5.	A/YL-ST/132*	Temporary Open Storage for Precast Facade Units for a Period of 3 Years	16.6.2000 Approved by RNTPC (up to 28.8.2001) (revoked on 16.6.2001)	2, 4, 8, 11

*denotes permission revoked

@the site was then under "Residential (Group D)" on the draft San Tin Outline Zoning Plan No. S/YL-ST/1

Approval Conditions

- (1) The submission and implementation of a detailed layout plan.
- (2) The submission and implementation of landscaping proposals.
- (3) The design and provision of vehicular access and parking and loading/unloading facilities.
- (4) The submission of a drainage impact assessment/ The provision of flood mitigation measures and/or drainage facilities.
- (5) No night time operation.
- (6) The paving of the application site and the vehicular access road to reduce dust generation.
- (7) The provision and sewage treatment and disposal facilities.
- (8) Reinstatement clause.
- (9) The permission should cease to have effect on 5.8.1996 unless prior to the said date

either the development hereby permitted was commenced or the permission was renewed.

- (10) No vehicles other than those licensed under Traffic Regulations are allowed to be parked on the site.
- (11) Revocation clause.

Rejected Applications

No.	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Rejection Reasons</u>
1.	A/DPA/YL-ST/6#	Open Storage & Workshop	20.11.1992 Rejected by RNTPC	1-6
2.	A/DPA/YL-ST/12#	Open Storage and Workshop for New Vehicles	3.8.1993 Rejected by RNTPC	1-5
3.	A/YL-ST/176	Temporary Open Storage for Precast Facade Units for a Period of 3 Years	2.11.2001 Rejected by RNTPC	2, 7
4.	A/YL-ST/254	Proposed Temporary Public Car Park for Private Cars with Ancillary Offices for a Period of 3 Years	19.12.2003 Rejected by RNTPC	1, 2, 7
5.	A/YL-ST/267	Temporary Tyre Repair Workshop with Ancillary Parking, Office and Storage Facilities for a Period of 3 Years	11.6.2004 Rejected by RNTPC	1, 2, 7
6.	A/YL-ST/299	Proposed Temporary Tyre Repair Workshop for a Period of 3 Years	17.2.2006 Rejected by RNTPC	1, 2, 7
7.	A/YL-ST/326	Temporary Open Storage of Recyclable Metal for a Period of 3 Years	30.3.2007 Rejected by TPB on review	1, 2, 7
8.	A/YL-ST/348	Proposed Temporary Cargo Handling and Freight Forwarding Facilities for a Period of 3 Years	7.3.2008 Rejected by RNTPC	1, 7, 8

#the site was then under "Unspecified Use" area on San Tin Development Permission Area Plans

Rejection Reasons

1. The proposed development is not in line with the planning intention for the area.
2. The proposed development has not demonstrated that it would only cause insignificant/would not have adverse impacts on the environment/ drainage/ traffic of the area.
3. The submission has not included detailed information on the sewage and waste oil treatment and disposal facilities to demonstrate that the proposed development would not cause spillage of fuel and contamination of runoff.
4. No drainage impact assessment/ stormwater drainage proposals/detailed information on the provision of drainage facilities and mitigation measures against flooding have been included in the submission.
5. The vehicular access to the application site is substandard and unsuitable for vehicular traffic, particularly heavy goods vehicles.
6. The submission has not included proposals on landscaping and mitigation measures against the visual impact cause by the proposed development on the surrounding areas.

7. The development does not comply with the Town Planning Board Guidelines for Applications for Development within Deep Bay Area.
8. The development was not in line with the Town Planning Board Guidelines No. 13D.

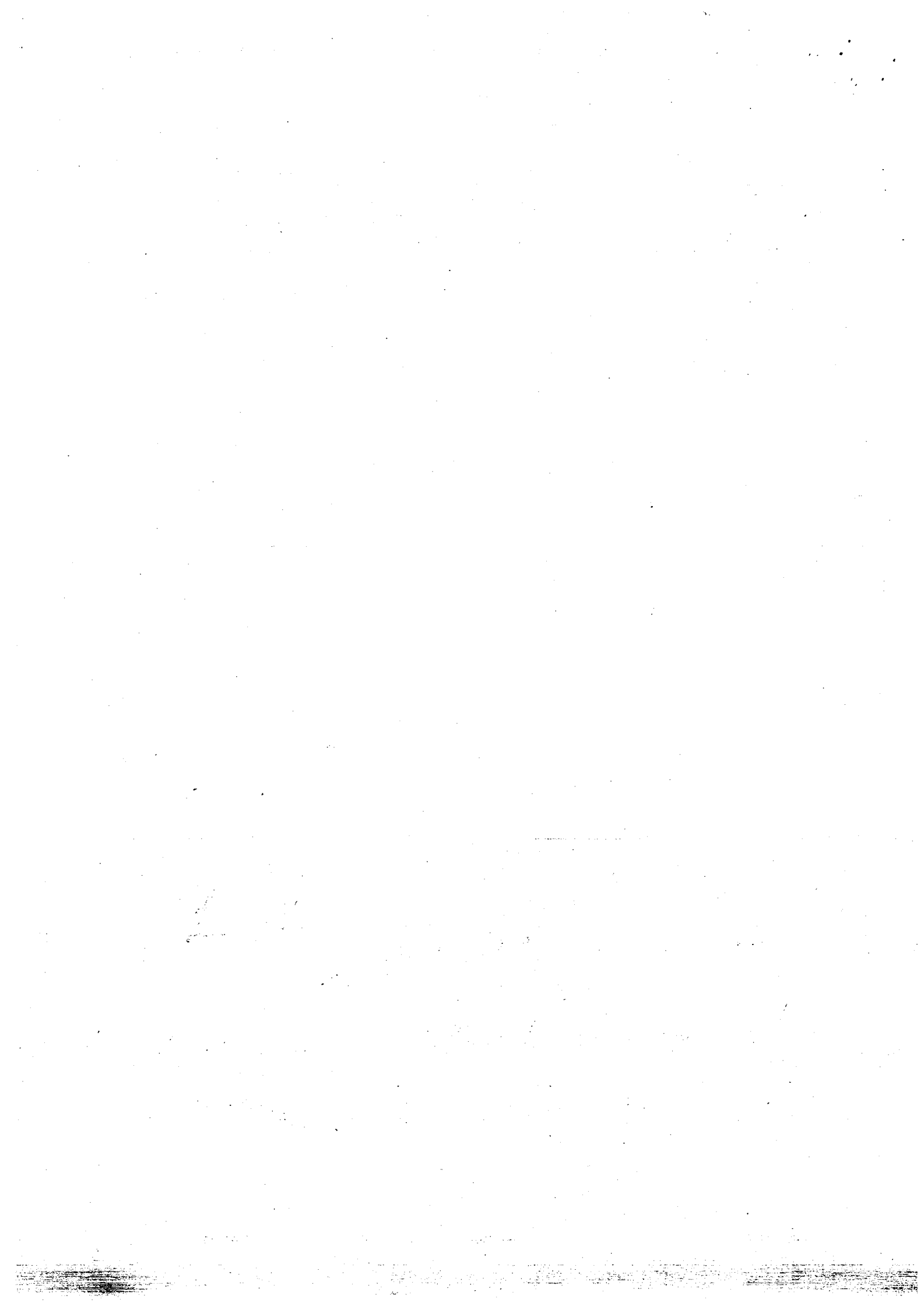
**Similar Application within "OU(CDWRA)" zone
on the approved San Tin OZP No. S/YL-ST/8**

Approved s.16 Application

	<u>Application No.</u>	<u>Development/Use</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-ST/534	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	4.1.2019 Approved by RNTPC (3 years)	1-7

Approval Conditions

- (1) No night time operation.
- (2) No vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period.
- (3) The existing tree within the site shall be maintained in healthy condition at all time during the approval period.
- (4) The provision of boundary fencing.
- (5) The submission and implementation of drainage proposal.
- (6) The submission and implementation of water supplies for fire fighting and fire service installations proposal.
- (7) Revocation clause.



Recommended Advisory Clauses

- (a) to note DLO/YL, LandsD that the Short Term Waiver (STW) holder will need to apply to his office for modification of the STW conditions where appropriate. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Moreover, the lot owner(s) of the lot(s) without STW will need to apply to his office for permitting the structures to be erected or regularize any irregularity on site, if any. Applications for any of the above will be considered by the LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such applications will be approved. If such applications are approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by the LandsD;
- (b) to note C for T's comments that the Site is connected to Castle Peak Road – San Tin via a section of a local access which is not managed by Transport Department. The land status of the local access should be clarified with the LandsD by the applicant. Moreover, the management and maintenance responsibilities of the local access should be clarified with the relevant lands and maintenance authorities accordingly;
- (c) to note CHE/NTW, HyD's comments that HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Castle Peak Road – San Tin. Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads or exclusive road drains;
- (d) to note D of FS's comments that in consideration of the design/nature of the proposal, 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. In addition, the applicant should also be advised that (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans. The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (e) to note CBS/NTW, BD's comments that 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 Building Authority should be obtained, otherwise they are unauthorized building works (UBW) under the Building Ordinance (BO). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO. For UBW erected on leased land, enforcement action may be taken by the 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. 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.
- (f) to note CE/MN, DSD's comments he notes that the applicant has submitted a drainage

proposal (**Appendix I**). In respect to the proposal, he considers it unacceptable from drainage operation and maintenance point of view. The applicant is requested to duly address his comments below and re-submit the proposal to him for comments: (i) the last manhole should be specified on the plan. The relevant manhole details with desilting trap should be provided. (ii) for the proposed discharge point i.e. the catchpit of the nearby site, the applicant should provide photos showing its existing condition. With the use of invert levels, the applicant should verify that there will not be any backflow effect. (iii) the connection between the last manhole and the discharge point mentioned above should be 375 dia. precast concrete pipe instead of surface channel. After completion of the required drainage works, the applicant shall provide DSD a set of record photographs showing the completed drainage works with corresponding photograph locations marked clearly on the approved drainage plan for reference. DSD will inspect the completed drainage works jointly with the applicant with reference to the set of photographs. The applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas. The applicant is reminded that the proposed drainage proposal/works as well as the Site boundary should not cause encroachment upon areas outside the applicant's jurisdiction. No public sewerage maintained by CE/MN, DSD is currently available for connection. For sewage disposal and treatment, agreement from DEP shall be obtained. The applicant should consult DLO/YL, LandsD regarding all the proposed drainage works outside the lot boundary in order to ensure the unobstructed discharge from the Site in future. All the proposed drainage facilities should be constructed and maintained by the applicant at his own cost. The applicant should ensure and keep all drainage works on site under proper maintenance at all times;

- (g) to note DEFH's comments that if the proposal involves any commercial/trading activities, no environmental nuisance should be generated to the surroundings. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses; and
- (h) the applicant is advised to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" to minimize potential environmental impacts on the surrounding areas.