

Previous Applications covering the Application Site

Approved Applications

| | Application No. | Zoning(s) and OZP at the time of consideration | Proposed Use(s)/Development(s) | Date of Consideration (RNTPC/TPB) | Approval Conditions |
|----|------------------------|---|---|--|--|
| 1. | A/YL-HT/7 | “U” on draft Ha Tsuen OZP No. S/YL-HT/1 | Proposed temporary open storage of containers (3 years) | 29.11.1996 by TPB (revoked on 29.9.1997) | 1, 2, 3, 4, 5, 6, 7 |
| 2. | A/YL-HT/128 | “U” on draft Ha Tsuen OZP No. S/YL-HT/1 | Proposed temporary open storage of construction machinery and materials (3 years) | 28.1.2000 (revoked on 28.4.2001) | 1, 3, 4, 6, 7, 8, 9, 11 |
| 3. | A/YL-HT/216 | “U” on draft Ha Tsuen OZP No. S/YL-HT/4 | Proposed temporary open storage of construction machinery and materials (3 years) | 1.2.2002 by TPB | 3, 4, 6, 7, 8, 10, 11 |
| 4. | A/YL-HT/380 | “U” on draft Ha Tsuen OZP No. S/YL-HT/5 | Temporary open storage of construction machinery and materials (3 years) | 18.3.2005 | 6, 7, 11, 12, 13, 14, 15 |
| 5. | A/YL-HT/534 | “U” on draft Ha Tsuen OZP No. S/YL-HT/9 | Temporary open storage of construction machinery and materials (3 years) | 7.3.2008 | 6, 7, 11, 12, 13, 14, 15 |
| 6. | A/YL-HT/716 | “U” on approved Ha Tsuen OZP No. S/YL-HT/10 | Temporary open storage of construction machinery and materials, recycling materials and scrap metals and used electrical appliances with ancillary packaging activities (3 years) | 15.4.2011 (revoked on 15.1.2013) | 1, 7, 9, 11, 13, 14, 17, 18, 19 |
| 7. | A/YL-HT/827 | “U” on approved Ha Tsuen OZP No. S/YL-HT/10 | Temporary open storage of construction machinery and materials, and scrap metal with ancillary packaging activities (3 years) | 11.1.2013 | 1, 7, 9, 11, 13, 14, 15, 18, 22 |
| 8. | A/YL-HT/993 | “U” on approved Ha Tsuen OZP No. S/YL-HT/10 | Temporary open storage of construction machinery and materials, recycling materials and scrap metal with ancillary packaging activities (3 years) | 8.1.2016 | 1, 6, 7, 8, 11, 12, 13, 14, 15, 18, 22 |

Approval Condition(s):

- 1 The submission and implementation of landscaping and/or tree preservation proposals or the replacement of dead trees.
- 2 The provision of sewage treatment and disposal facilities.
- 3 The submission of noise impact assessment/environmental mitigation measures proposals and/or the provision of noise/environmental mitigation measures.
- 4 The submission of DIA/drainage proposals and the provision of drainage facilities and/or flood mitigation measures.

- 5 The submission of traffic impact assessment and/or the implementation of traffic improvement measures including vehicular access arrangement, junction improvement and provision of parking and loading/unloading spaces and queuing area.
- 6 Reinstatement clause.
- 7 Revocation clauses.
- 8 The submission and/or provision of vehicular access/run-in proposals, and/or ingress/egress arrangement, and/or car-parking, and/or loading and unloading spaces.
- 9 The provision of fencing and/or paving.
- 10 The setting back of the site boundary to avoid encroachment onto the project limit of public works/Government land.
- 11 No night-time operation/no operation on Sundays or public holidays.
- 12 The maintenance of the existing trees/landscape planting/fencing.
- 13 The maintenance and the submission of the condition record of the existing drainage facilities.
- 14 The provision of fire extinguisher(s)/the submission and implementation of FSIs proposals/provision of FSIs.
- 15 No cutting, dismantling, cleansing, repairing, container repair, vehicle repair, compaction, concrete crushing, recycling and workshop activity.
- 16 No open storage of electronic computer boards, computer components or TV sets.
- 17 No cutting, dismantling, cleansing, repairing, compaction, recycling, and/or workshop activity, including container repair and vehicle repair.
- 18 No handling (including loading, unloading and storage) of cathode-ray tubes (CRT), CRT computer monitors/television sets and CRT equipment.
- 19 Handling (including loading, unloading and storage) of electrical/electronic appliances on the site must be carried out within concrete-paved covered structures, and the construction of covered structure(s) at the site for the handling of electrical/electronic appliances.
- 20 No open storage of materials other than scrap metal.
- 21 the provision of a 9-litre water type/3kg dry powder fire extinguisher in each of the container-converted site offices
- 22 No vehicle queuing was allowed back to public road or no vehicle reserving into/from the public road

**Similar applications within the same “R(A)3”, “R(A)4” & “O” zones and
area shown as ‘Road’ on the draft Hung Shui Kiu and Ha Tsuen OZP**

Approved Applications

| | Application No. | Zoning(s) and OZP at the time of consideration | Applied Use(s)/Development(s) | Date of Consideration (RNTPC/TPB) | Approval Condition(s) |
|----|------------------------|--|---|--|-------------------------------|
| 1. | A/YL-HT/928 | “U” on the approved Ha Tsuen OZP No. S/YL-HT/10 | Temporary logistics centre and warehouse for storage of metal with ancillary workshop (3 years) | 6.2.2015 | 1, 4, 6, 7, 8, 11, 13, 20, 21 |
| 2. | A/YL-HT/961 | “U” on the approved Ha Tsuen OZP No. S/YL-HT/10 | Temporary Storage of Construction Materials and Containers, Logistics Centre and Ancillary Workshop (3 years) | 4.9.2015 | 1, 4, 6, 7, 8, 11, 13, 19, 20 |
| 3. | A/HSK/31 | “R(A)3”, “R(A)4” & “O” on draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1 | Temporary Warehouse for Storage of Spare Pars and Adblue (3 years) | 22.12.2017 | 3, 6, 7, 8, 13, 19, 20 |

Approval Condition(s):

- 1 The submission and/or implementation of landscaping/tree preservation proposals.
- 2 The provision of sewage treatment and disposal facilities.
- 3 Maintenance of existing fencing/landscape planting.
- 4 The submission of Drainage Impact Assessment/drainage proposals and/or implementation of drainage proposals and/or provision of drainage facilities.
- 5 The submission of Traffic Impact Assessment and implementation of traffic improvement measures.
- 6 Reinstatement clause.
- 7 Revocation clauses.
- 8 No night-time operation/no operation on Sundays or public holidays.
- 9 No storage or parking of container vehicles or heavy goods vehicles.
- 10 No car/vehicle dismantling and/or repairing and/or workshop activity.
- 11 The provision of fencing.
- 12 The stacking height of the materials stored within 5m of the periphery of the site should not exceed the height of the boundary fence.
- 13 The provision of fire extinguisher or the submission and implementation of fire service installations (FSIs) proposal or the provision of FSIs.
- 14 No stacking of materials within 5m of the periphery of the site.
- 16 The stacking height of containers stored should not exceed 8 units.
- 17 No vehicle was allowed to be parked/stored at the vehicle holding area from 8:00 p.m. to 8:00 a.m.
- 18 Only vehicles of weight less than 5.5 tonnes is allowed to be stored at the site.
- 19 No handling (including loading, unloading and storage) of electrical/electronic appliances/components, including cathode-ray tubes (CRT), CRT computer monitors/television sets and CRT equipment.
- 20 Maintenance and the submission of a condition record of the existing drainage facilities.
- 21 No vehicle is allowed to queue back to public road or reverse onto/from the public road at any time.
- 22 No material is allowed to be stored/dumped within 1m of any tree on the site

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on-site;
- (b) to note that the permission granted was to the use of the Site as applied for. Such permission should not be construed as an acceptance or condonation by the Committee of any unauthorized building works (UBW) on the Site. Any existing building structure which are regarded as UBW under the Building Ordinance (BO) may be subject to enforcement action by the Building Authority;
- (c) to resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (d) to note that the Site might be resumed at any time during the planning approval period for implementation of government projects;
- (e) 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. The Government Land (GL) in the site is covered by Short Term Tenancy (STT) No. 1869 for the purpose of "Open Storage of Recycling Materials (Plastic, Paper and Metal) with Ancillary Workshop". The private land of Lots Nos. 1889, 1890 and 1893 RP in D.D. 125 is covered by a Short Term Wavier (STW) No. 3338 to permit structures for the propose of "Ancillary Use to Open Storage of Construction Machinery and Materials". The private land of Lot No. 1891 RP in D.D. 125 is covered by STW No. 4167 to permit structures for the purpose of "Temporary Open Storage of Construction Machinery and Materials, and Scrap Metal with Ancillary Packaging Activities".

The Site is accessible to Ping Ha Road through a local track on both private lots and GL. His office provides no maintenance works to the GL involved and does not guarantee any right-of-way over the GL to the site. The STW/STT holders will need to apply to his Office for modification of the STW/STT conditions if there are any irregularities on site and the lot owner(s) of the lots without STW will need to apply to his Office for permit the structures to be erected or regularize any irregularities on site. Such application(s) 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 application(s) will be approved. If the application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium/fees, as may be imposed by LandsD;

- (f) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring spaces shall be provided within the site. The local track leading to the site is not under TD's purview. The applicant shall obtain consent of the owners/ managing departments of the local track for using it as the vehicular access to the site;
- (g) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that the access arrangement should be commented by TD. Adequate drainage measures should be provided at the site access to prevent surface water flowing from the site to nearby public roads and drains. HyD shall not be responsible for the maintenance of any access connecting the site and Ping Ha Road;

- (h) to follow the relevant mitigation measures and requirements in the latest 'Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses' issued by the Environmental Protection Department;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (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 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 and land filling) are to be carried out on site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the coordinator 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 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 Building (Planning) Regulations at the building plan submission stage;
- (j) to note the comments of the Director of Fire Services (D of FS) 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. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs are 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 BO (Cap. 123), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (k) to note the comments of the Project Manager (New Territories West), Civil Engineering and Development Department (PM/NTW, CEDD) that the Site falls within the boundary of HSK NDA. According to the Planning and Engineering Study (P&E Study) for the HSK NDA, to ensure timely and orderly implementation, the development of HSK NDA and relevant site formation and infrastructure works would be implemented in five stages, viz. Advance Works and Stage 1 to Stage 4. The concerned lot(s) falls within a site under Stage 3 Works stages. While the detailed implementation programme for the project is still being formulated, based on the P&E Study, it is envisaged that clearance of the Site in question will not be arranged before the first population intake of the HSK NDA expected in 2024; and
- (l) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant is advised to adopt good site practices and implement necessary water pollution control measures to avoid affecting the nearby watercourse.