

**Relevant extract of the Town Planning Board Guidelines for
Application for Open Storage and Port Back-up Uses
(TPB PG-No. 13F)**

1. On 27.3.2020, 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. 13F) 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 favourably considered unless the applications are on sites with previous planning approvals (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant). Sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous planning applications and relevant technical assessments/proposals have been included in the fresh applications, if required, 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 (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant), and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous planning applications and relevant technical assessments/proposals have been included in the fresh applications, if required, 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) the use of sites of less than 1,000 m² each for open storage uses and 2,000 m² each for port back-up uses in rural areas, is generally not encouraged, 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 Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
1	A/YL-TYST/27	Open Storage of Construction Materials for a Period 3 Years	6.3.1998 approved for 2 years	(5), (19)
2	A/YL-TYST/194	Temporary Open Storage of Building/Recycling Materials and Construction Machinery for a Period of 3 years	21.3.2003	(1), (2), (4), (5), (11), (12)
3	A/YL-TYST/309	Temporary Open Storage of Building/Recycling Materials and Construction Machinery with Ancillary Packaging Activities for a Period of 3 years	7.4.2006	(1), (2), (7), (9), (10), (11), (12)
4	A/YL-TYST/427	Temporary Open Storage of Building/Recycling Materials and Construction Machinery with Ancillary Packaging Activities for a Period of 3 years	8.5.2009	(1), (2), (3), (4), (6), (8), (11), (12)
5	A/YL-TYST/556	Proposed Temporary Open Storage of Building Materials, Construction Machinery, Recycling Materials (Metal, Plastic and Paper) and Used Electrical/Electronic Appliances and Parts with Ancillary Packaging Activities for a Period of 3 Years	2.12.2011	(1), (4), (6), (7), (8), (11), (12), (13), (14), (15), (17)
6	A/YL-TYST/587	Temporary Open Storage of Building/Recycling Materials, Construction Machinery and Used Electrical/Electronic Appliances and Parts with Ancillary Packaging Activities for a Period of 3 Years	4.5.2012	(1), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17)
7	A/YL-TYST/726	Temporary Open Storage of Building/Recycling Materials, Construction Machinery and Used Electrical/Electronic Appliances and Parts with Ancillary Packaging Activities for a Period of 3 Years	8.5.2015	(1), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (18)
8	A/YL-TYST/802	Proposed Temporary Rural Workshop and Open Storage of Building Materials for a Period of 3 Years	26.8.2016 [revoked on 26.2.2017]	(1), (2), (3), (4), (7), (8), (10), (11), (12), (13), (14), (16), (18)

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
9	A/YL-TYST/896	Proposed Temporary Open Storage of Building/Recycling Materials, Construction Machinery, Used Electrical/Electronic Appliances and Parts with Ancillary Workshop Activities for a Period of 3 Years	15.6.2018	(1), (7), (8), (9), (10), (11), (12), (13), (16), (18), (20), (21)
10	A/YL-TYST/1024	Proposed Temporary Logistics Centre and Open Storage of Building/Recycling Materials, Construction Machinery, Used Electrical/Electronic Appliances and Parts with Ancillary Workshop Activities for a Period of 3 Years	10.7.2020	(1), (3), (7), (8), (9), (10), (11), (13), (16), (18), (20), (21), (22)

Approval Condition(s)

- (1) No night-time operation within specified timeframe.
- (2) No cleansing and melting of plastic waste and/or workshop activities are allowed to be carried out on the site (except within specific structures).
- (3) Provision/maintenance of boundary fence.
- (4) Submission and implementation of landscape and tree preservation proposal or maintenance of existing trees and landscape plantings.
- (5) Submission of drainage impact assessment and implementation of flood mitigation measures and drainage facilities.
- (6) Submission and implementation of drainage proposal.
- (7) Provision of fire extinguisher and/or a street fire hydrant in the site office.
- (8) Submission and implementation of fire service installations proposal.
- (9) Maintenance of landscaping plantings/trees 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 application site upon expiry of planning permission.
- (13) No operation on Sundays and public holidays is allowed on the application site.
- (14) 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 outside the concrete-paved covered structures on the application site.
- (15) No dismantling, repairing, cleansing or other workshop activities, except ancillary packaging activities as proposed by the applicant, shall be carried out on the application site.
- (16) Submission of a record of the existing drainage facilities on the site.
- (17) Submission and implementation of run-in/out proposal.
- (18) No vehicle queuing is allowed back to the public road and no vehicle reversing onto/from the public road is allowed at any time.
- (19) Design and provision of the proposed vehicular access and its junction with Kung Um Road.
- (20) No dismantling/sorting/packaging/other (specified) workshop activities are allowed outside the concrete-paved covered structures on the site.
- (21) 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 outside the concrete-paved covered structures on the site, as proposed by the applicant, at any time during the planning approval period.
- (22) Free public access to the existing footpath within the site.

Rejected Application

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Date of Consideration (RNTPC)</u>	<u>Reasons</u>
1	A/YL-TYST/297	Temporary Open Storage of Building/Recycling Materials (Except Electronic Waste) and Construction Machinery for a Period of 3 Years	29.7.2005	(1), (2)

Rejection Reason(s)

- (1) The development did not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses in that no previous approval had been granted at the site, it was considered not compatible with the residential structures along the access road to the site and there were adverse departmental comments on the application.
- (2) There was insufficient information in the submission to demonstrate that the development would not generate adverse environmental and drainage impacts on the surrounding areas.

**Similar Applications within/straddling the “U” 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/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)
2	A/YL-TYST/708	Temporary Open Storage of Building Materials and Construction Machinery for a Period of 3 Years	6.2.2015	(1), (2), (3), (5), (6), (8), (10), (14), (19), (20), (22)
3	A/YL-TYST/715	Temporary Warehouse for Storage of Adblue for a Period of 3 Years	27.2.2015 [revoked on 27.8.2016]	(2), (4), (5), (6), (9), (10), (14), (17), (28)
4	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)
5	A/YL-TYST/719	Temporary Warehouse for Storage of Construction Material, Exhibition Material and Furniture for a Period of 3 Years	27.3.2015 [revoked on 27.9.2016]	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (20)
6	A/YL-TYST/722	Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	17.4.2015 [revoked on 17.10.2016]	(1), (2), (4), (5), (6), (9), (10), (14), (17), (28)
7	A/YL-TYST/727	Temporary Open Storage of Construction Machinery and Material for a Period of 3 Years	22.5.2015 [revoked on 22.2.2016]	(1), (2), (3), (5), (6), (8), (9), (13), (20), (22)
8	A/YL-TYST/735	Temporary Warehouse for Storage of Construction Material and Scrap Metal for a Period of 3 Years	3.7.2015 [revoked on 3.7.2016]	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (20), (30)
9	A/YL-TYST/739	Temporary Open Storage and Storage of Used Private Vehicles for a Period of 3 Years	3.7.2015	(1), (3), (5), (6), (8), (9), (13), (15), (20), (22)
10	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)
11	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)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
12	A/YL-TYST/743	Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	17.7.2015 [revoked on 17.1.2017]	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13), (20)
13	A/YL-TYST/749	Renewal of Planning Approval for Temporary "Warehouse for Storage of Furniture" for a Period of 3 Years	21.8.2015	(1), (3), (5), (6), (7), (8), (11), (13), (15), (19), (20), (23)
14	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	(4), (5), (6), (8), (10), (11), (12), (13), (14), (19), (20)
15	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)
16	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 [revoked on 23.7.2016]	(3), (4), (5), (6), (7), (8), (10), (11), (12), (13), (19), (20)
17	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)
18	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 [revoked on 4.11.2017]	(1), (2), (3), (4), (5), (6), (8), (9), (11), (17), (20)
19	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)
20	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)
21	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)
22	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)

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23	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)
24	A/YL-TYST/783	Temporary Open Storage of Construction Materials, Equipment and Machinery for a Period of 3 Years	18.3.2016	(1), (2), (3), (5), (6), (8), (10), (13), (19), (20), (22)
25	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)
26	A/YL-TYST/797	Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	15.7.2016 [revoked on 15.10.2018]	(2), (3), (4), (5), (6), (8), (10), (11), (12), (13), (14), (19), (20)
27	A/YL-TYST/798	Temporary Warehouse for Storage of Construction Material and Furniture for a Period of 3 Years	29.7.2016 [revoked on 29.12.2018]	(2), (3), (4), (5), (6), (8), (10), (11), (12), (13), (14), (19), (20)
28	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)
29	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 [revoked on 7.2.2019]	(4), (5), (6), (7), (8), (9), (11), (12), (14), (15), (16), (19), (20), (24)
30	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)
31	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 [revoked on 14.1.2018]	(4), (5), (6), (8), (11), (12), (13), (14), (19), (20), (24), (33)
32	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)
33	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)
34	A/YL-TYST/823	Temporary Warehouse for Storage of Furniture with Ancillary Office for a Period of 3 Years	3.2.2017 [revoked on 3.5.2017]	(3), (4), (5), (6), (8), (10), (11), (13), (19), (20)

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35	A/YL-TYST/827	Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop for a Period of 3 Years	17.2.2017	(3), (5), (6), (8), (8), (10), (14), (19), (20), (21), (22), (29)
36	A/YL-TYST/829	Proposed Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	17.3.2017 [revoked on 17.6.2018]	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13), (19), (20), (24),
37	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)
38	A/YL-TYST/831	Temporary Warehouse for Storage of Construction Material and Electronic Goods for a Period of 3 Years	12.5.2017 [revoked on 12.6.2019]	(3), (5), (6), (7), (8), (10), (11), (13), (14), (19), (20), (23), (24)
39	A/YL-TYST/836	Temporary Warehouse for Storage of Home Appliance and Furniture and Ancillary Site Office for a Period of 3 Years	12.5.2017 [revoked on 12.8.2019]	(1), (3), (5), (6), (7), (8), (10), (11), (14), (19), (20), (23), (24), (30)
40	A/YL-TYST/825	Temporary Open Storage of Construction Material with Ancillary Office for a Period of 3 Years	9.6.2017 [revoked on 21.7.2017]	(1), (3), (4), (5), (6), (8), (11), (19), (20), (24), (33),
41	A/YL-TYST/842	Temporary Open Storage of Construction Materials, Equipments and Machinery and Container Site Offices with Ancillary Repair Activities for a Period of 3 Years	23.6.2017	(1), (3), (6), (8), (10), (13), (20), (21), (22), (25)
42	A/YL-TYST/843	Temporary Warehouse for Storage of Construction Material and Scrap Metal for a Period of 3 Years	14.7.2017	(1), (3), (4), (5), (6), (8), (10), (11), (13), (14), (19), (20)
43	A/YL-TYST/847	Temporary Open Storage of Building Materials, Construction Machinery, Recycling Materials (Metal, Plastic and Paper) and Used Electrical/Electronic Appliances and Parts with Ancillary Workshop Activities for a Period of 3 Years	11.8.2017	(3), (5), (6), (8), (10), (19), (20), (21), (22), (25)
44	A/YL-TYST/851	Temporary Warehouse for Storage of Furniture with Ancillary Office for a Period of 3 Years	8.9.2017 [revoked on 22.3.2018]	(3), (4), (5), (6), (8), (10), (11), (13), (19), (20)

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45	A/YL-TYST/856	Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	13.10.2017	(4), (5), (6), (7), (8), (10), (11), (12), (13), (19), (20)
46	A/YL-TYST/857	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	13.10.2017 [revoked on 13.3.2020]	(3), (5), (6), (7), (8), (10), (11), (12), (19), (20), (22), (23)
47	A/YL-TYST/861	Temporary Warehouse for Storage of Documents and Office Supplies for a Period of 3 Years	24.11.2017	(3), (5), (6), (8), (11), (12), (13), (15), (20), (23)
48	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)
49	A/YL-TYST/868	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	22.12.2017 [revoked on 22.05.2020]	(3), (5), (6), (8), (10), (11), (19), (20), (23)
50	A/YL-TYST/876	Renewal of Planning Approval for Temporary "Warehouse for Storage of Construction Material and Used Electrical Appliance" for a Period of 3 Years	2.3.2018	(4), (5), (6), (8), (10), (11), (12), (13), (14), (19), (20), (30)
51	A/YL-TYST/879	Proposed Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	16.3.2018 [revoked on 16.2.2020]	(1), (3), (4), (5), (6), (7), (8), (10), (11), (13), (19), (20), (24)
52	A/YL-TYST/889	Proposed Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	20.4.2018	(3), (4), (5), (6), (7), (8), (10), (11), (13), (19), (20), (24)
53	A/YL-TYST/871	Temporary Warehouse for Storage of Clothes and Shoes for a Period of 3 Years	4.5.2018 [revoked on 4.8.2019]	(4), (5), (6), (7), (8), (10), (11), (12), (13), (14), (19), (20), (24)
54	A/YL-TYST/891	Temporary Warehouse for Storage of Machinery, Spare Parts and Construction Material for a Period of 3 Years	4.5.2018 [revoked on 4.10.2020]	(5), (6), (7), (8), (10), (12), (11), (13), (19), (20), (23), (24)
55	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 [revoked on 4.10.2020]	(4), (5), (6), (8), (10), (11), (12), (13), (19), (20)
56	A/YL-TYST/904	Temporary Open Storage and Warehouse for Storage of Furniture, Exhibition Materials, Construction Materials/Machinery and Household Detergent for a Period of 3 Years	3.8.2018	(4), (5), (6), (8), (10), (11), (12), (13), (14), (19), (20),

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57	A/YL-TYST/907	Proposed Temporary Warehouse for Storage of Construction Materials, Construction Machinery and Scrap Metal for a Period of 3 Years	17.8.2018	(1), (3), (5), (6), (8), (10), (11), (13), (19), (20), (22), (23)
58	A/YL-TYST/909	Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	7.9.2018	(1), (3), (4), (5), (6), (9), (11), (13), (15), (20)
59	A/YL-TYST/910	Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	7.9.2018	(3), (4), (5), (6), (8), (11), (13), (15), (20)
60	A/YL-TYST/916	Renewal of Planning Approval for Temporary "Storage of Advertisement Material with Ancillary Workshop" for a Period of 3 Years	21.9.2018	(4), (5), (6), (7), (8), (12), (13), (15), (19), (20)
61	A/YL-TYST/917	Temporary Warehouse for Storage of Event Supplies and Equipment with Ancillary Site Office for a Period of 3 Years	21.9.2018	(4), (5), (6), (8), (12), (13), (15), (19), (20)
62	A/YL-TYST/920	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	19.10.2018	(3), (4), (5), (6), (8), (11), (13), (15), (20)
63	A/YL-TYST/923	Temporary Warehouse for Storage of Furniture for a Period of 3 Years	2.11.2018	(3), (5), (7), (8), (11), (12), (13), (15), (19), (20), (23)
64	A/YL-TYST/927	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	7.12.2018	(3), (4), (5), (6), (7), (8), (11), (13), (15), (20)
65	A/YL-TYST/928	Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	7.12.2018	(4), (5), (6), (7), (8), (11), (12), (13), (15), (19), (20), (27)
66	A/YL-TYST/932	Renewal of Planning Approval for Temporary "Warehouse for Storage of Non-Staple Food" for a Period of 3 Years	4.1.2019	(4), (5), (8), (11), (13), (19), (20)
67	A/YL-TYST/898	Temporary Open Storage of Construction Material with Ancillary Office for a Period of 3 Years	18.1.2019	(1), (3), (4), (5), (7), (10), (12), (16), (17)
68	A/YL-TYST/936	Temporary Open Storage of Recycling Materials with Ancillary Workshop for a Period of 3 Years	18.1.2019	(3), (4), (5), (8), (10), (11), (13), (14), (20)
69	A/YL-TYST/941	Temporary Warehouse for Storage of Construction Materials, Food Provisions and Electronic Products for a Period of 3 Years	1.2.2019	(4), (5), (7), (8), (11), (12), (13), (15), (19), (20), (27)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
70	A/YL-TYST/944	Renewal of Planning Approval for Temporary “Open Storage of Construction Machinery” for a Period of 3 Years	22.2.2019	(5), (8), (10), (11), (13), (19), (20), (22)
71	A/YL-TYST/945	Temporary Warehouse and Open Storage of Homeware for a Period of 3 Years	8.3.2019	(4), (5), (8), (10), (11), (13), (19),(20), (22)
72	A/YL-TYST/947	Temporary Warehouse and Open Storage of Exhibition Materials and Construction Materials with Ancillary Office for a Period of 3 Years	22.3.2019	(4), (5), (7), (9), (10), (12), (16), (17), (18), (25)
73	A/YL-TYST/953	Temporary Open Storage of Construction Materials, Equipment and Machinery for a Period of 3 Years	12.4.2019	(3), (5), (8), (13), (19), (20), (21), (22), (29), (34)
74	A/YL-TYST/955	Temporary Open Storage of Construction Material with Ancillary Site Office for a Period of 3 Years	12.4.2019	(4), (5), (7), (9), (10), (12), (13), (16), (17), (20), (25)
75	A/YL-TYST/971	Temporary Warehouse for Storage of Paper Products and Electronic Goods for a Period of 3 Years	2.8.2019	(3), (4), (5), (8), (9), (11), (12), (15), (19), (20), (34)
76	A/YL-TYST/972	Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	2.8.2019	(4), (5), (8), (11), (12), (13), (15), (19), (20), (34)
77	A/YL-TYST/960	Temporary Warehouse for Storage of General Goods for a Period of 3 Years	16.8.2019	(3), (4), (5), (7), (8), (11), (13), (19), (20), (22)
78	A/YL-TYST/966	Temporary Warehouse for Storage of Construction Materials with Ancillary Workshop and Site Office for a Period of 3 Years	6.9.2019	(4), (5), (8), (11), (12), (19), (20), (35)
79	A/YL-TYST/982	Temporary Warehouse for Storage of Construction Material with Ancillary Site Office for a Period of 3 Years	18.10.2019	(4), (5), (8), (11), (12), (13), (19), (20), (22), (35)
80	A/YL-TYST/987	Proposed Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	15.11.2019	(4), (5), (8), (10), (11), (12), (13), (19), (20)
81	A/YL-TYST/992	Renewal of Planning Approval for Temporary Warehouse for Storage of Vehicles and Spare Parts with Ancillary Site Office for a Period of 3 Years	29.11.2019	(4), (5), (8), (10), (11), (13), (19), (20)
82	A/YL-TYST/983	Temporary Warehouse for Storage of Electronic Goods with Ancillary Site Office for a Period of 3 Years	3.1.2020	(5), (7), (8), (10), (11), (12), (19), (20), (21), (34)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
83	A/YL-TYST/1007	Proposed Temporary Warehouse for Storage of Machinery and Spare Parts with Ancillary Site Office for a Period of 3 Years	24.4.2020	(4), (5), (7), (8), (10), (11), (12), (13), (19), (20), (21)
84	A/YL-TYST/1012	Renewal of Planning Approval for Temporary Warehouse and Open Storage of Exhibition Materials for a Period of 3 Years	24.4.2020	(5), (8), (10), (11), (12), (13), (19), (20), (22), (34)
85	A/YL-TYST/1003	Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop for a Period of 3 Years	26.05.2020	(3), (5), (8), (9), (13), (14), (19), (20), (21), (22), (25)
86	A/YL-TYST/1004	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	26.5.2020	(3), (4), (5), (7), (8), (10), (11), (12), (13), (19), (20)
87	A/YL-TYST/1009	Temporary Warehouse for Storage of Food and Electronic Goods for a Period of 3 Years	26.6.2020	(3), (5), (8), (10), (11), (13), (19), (20), (23)
88	A/YL-TYST/1021	Temporary Warehouse for Storage of Furniture for a Period of 3 Year	26.6.2020	(3), (4), (5), (8), (11), (13), (19), (20), (21)
89	A/YL-TYST/1022	Temporary Warehouse for Storage of Vehicle, Vehicle Parts and Electronic Goods for a Period of 3 Years	26.6.2020	(3), (4), (5), (8), (11), (13), (19), (20), (21)
90	A/YL-TYST/1042	Temporary Open Storage of Building Materials, Construction Machinery, Recycling Materials (Metal, Plastic and Paper) and Used Electrical/Electronic Appliances and Parts with Ancillary Workshop Activities for a Period of 3 Years	21.8.2020	(4), (5), (8), (10), (11), (12), (19), (20), (21), (22), (30)
91	A/YL-TYST/1030	Temporary Warehouse for Storage of Food and Electronic Goods for a Period of 3 Years	1.9.2020	(4), (5), (8), (10), (11), (12), (19), (20), (21), (22), (30)
92	A/YL-TYST/1017	Renewal of Planning Approval for Temporary Open Storage of Construction Materials, Equipments and Machinery and Container Site Offices with Ancillary Repair Activities for a Period of 3 Years	15.9.2020	(4), (5), (8), (10), (11), (12), (19), (20), (21), (22), (30)
93	A/YL-TYST/1025	Temporary Warehouse for Storage of Vehicle Parts for a Period of 3 Years	23.10.2020	(4), (5), (8), (10), (11), (12), (19), (20), (21), (22)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
94	A/YL-TYST/1000	Temporary Warehouse for Storage of Construction Materials and Household Materials with Ancillary Office for a Period of 3 Years	20.11.2020	(3), (4), (5), (8), (11), (12), (13), (19), (20), (34)
95	A/YL-TYST/1019	Temporary Warehouse for Storage of Construction Materials and Exhibition Materials for a Period of 3 Years	20.11.2020	(3), (4), (5), (8), (11), (12), (13), (19), (20), (34)
96	A/YL-TYST/1053	Temporary Warehouse for Storage of Construction Materials, Carpets and Porcelains with Ancillary Office for a Period of 3 Years	20.11.2020	(4), (5), (8), (11), (12), (13), (19), (20), (34)
97	A/YL-TYST/1054	Renewal of Planning Approval for Temporary Warehouse for Storage of Documents and Office Supplies for a Period of 3 Years	20.11.2020	(5), (8), (11), (12), (19), (20), (34)
98	A/YL-TYST/1057	Temporary Storage of Construction Materials for a Period of 3 Years	4.12.2020	(3), (4), (5), (8), (10), (11), (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/ fire extinguisher(s) with valid fire certificate (FS 251).
- (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)/container tractor/trailer 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.
- (33) No vehicle is allowed to enter/exit the site during specific time limit.
- (34) Maintenance of existing fire service installations.
- (35) No workshop activities, except within enclosed structures No. 1 and 2, are allowed on the site.
- (36) Free access to the footpath within the site.

Rejected Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Rejection Reason</u>
1	A/YL-TYST/922	Temporary Warehouse for Storage of Exhibition Materials, Furniture, Wooden Products, Construction Materials, and Vehicle and Electronic Parts for a Period of 3 Years	2.9.2018	(1)
2	A/YL-TYST/926	Temporary Warehouse for Storage of Construction Materials and Furniture for a Period of 3 Years	7.12.2018	(1)
3	A/YL-TYST/943	Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	1.2.2019	(1)

Rejection Reason:

- (1) 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) of the application site (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 the Site comprises government land (GL) and 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, the GL is currently covered by Short Term Tenancy (STT) No. 3003, while Lots 391RP, 383RP, 384&445, 385&451, 386, 387, 388, 389RP&390RP, 446, 447, 450 S.A, 450 S.B&450 S.C, 452, 457, 458, 474, 475 S.A and 475 S.A ss.1 in D.D. 119 are currently covered by Short Term Waivers (STWs) No. 4611 to 4626 respectively to permit structures erected thereon for the purpose of “Temporary Open Storage of Building/Recycling Materials, Construction Machinery and Used Electrical/Electronic Appliances and Parts with Ancillary Packaging Activities”. Lots 370RP&381RP, 369RP, 371 S.A, 371 S.B, 440 and 475 S.B in D.D 119 are currently covered by STWs No. 4188 to 4191, 4347 and 4350 respectively to permit structures erected thereon for the purposes of “Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop Activities” and “Temporary Open Storage of Building Materials, Construction Machinery, Recycling Materials (Metal, Plastic and Paper) and Used Electrical/Electronic Appliances and Parts with Ancillary Workshop Activities” respectively. The STW/STT holder(s) will need to apply to her office for modification of the STW/STT 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;
- (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 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;
- (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 flowing 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 note the comments of the Director of Environmental Protection that the 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;

- (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. 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;
- (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, etc.) 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. Any temporary shelters or converted containers for office, storage, washroom or other uses considered as temporary buildings are subject to the control of Part VII of the B(P)R. Detailed checking under the BO will be carried out at building plan submission stage; and
- (i) to note the comments of the Project Manager (West), Civil Engineering and Development Department that 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 (ExCo's) authorisation on land resumption and Finance Committee's funding approval of the project. Land clearance operation is tentatively targeted to commence in 2024. Extension of the planning permission may not be supported in future and any substantial works shall not be carried out in view of the planned YLS development - Stage 2 Phase 2. Besides, the vehicular access to the Site falls within the boundary of YLS development - Stage 2 Phase 1 (the project) for which the land clearance is planned to commence in mid-2022 subject to ExCo's authorisation on land resumption and Finance Committee's funding approval of the project by Q4 2021 and Q1 of 2022 respectively. The proposed vehicular access to the Site would be in conflict with the proposed roadworks under the project. Future access to the Site shall be proposed for his agreement in due course.