

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/27	Open storage of construction materials <i>(not for temporary use)</i>	6.3.1998 Approved for 2 years	(8), (10), (18)
2	A/YL-TYST/153	Temporary open storage of construction machinery and materials for a period of 3 years	21.12.2001 [*]	(1), (4), (6), (8), (9), (10), (13), (17), (18)
3	A/YL-TYST/265	Temporary open storage of construction machinery and materials and recycling materials for a period of 3 years	21.12.2004 [†]	(1), (5), (11), (14), (15), (16), (17), (18)
4	A/YL-TYST/370	Temporary open storage of construction machinery and materials and recycling materials for a period of 3 years	14.12.2007	(2), (3), (5), (7), (12), (15), (16), (17), (18)
5	A/YL-TYST/519	Temporary open storage of construction machinery and materials, recycling materials and used electrical appliances for a period of 3 years	18.2.2011 [‡]	(2), (3), (12), (15), (16), (17), (18), (19), (20), (21)
6	A/YL-TYST/665	Temporary open storage of construction machinery and materials, recycling materials and used electrical appliances with ancillary workshop activities for a period of 3 years	7.2.2014	(2), (3), (9), (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24)

* On 19.4.2002, the Town Planning Board (the Board) approved on review the application for the revision of approval conditions for extending the operation hours and reducing the buffer distance between the stacked materials and the periphery of the application site.

† On 22.4.2005, the Board approved on review the application for the revision of the approval conditions to permit the storage of recycling materials on site, except electronic waste and plastic bottles.

‡ On 24.6.2011, the Board approved on review the application for the deletion of the approval condition prohibiting heavy goods vehicles, including container tractors/trailers, from entering/exiting the application site.

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
7	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	(2), (3), (5), (11), (12), (15), (16), (17), (18), (22), (23), (24), (25)

Approval Conditions

- (1) No night-time operation between 11 p.m. and 7 a.m. is allowed on the site.
- (2) No night-time operation between 7 p.m. and 7 a.m. is allowed on the site.
- (3) No operation on Sundays and public holidays is allowed on the site.
- (4) Restriction on stacking height of the stored materials.
- (5) No electronic waste and plastic bottles are allowed to be stored at the site and no bottle washing activities are allowed to be carried out on the site.
- (6) Paving and fencing of the site.
- (7) Paving of the site.
- (8) Design and provision of the proposed vehicular access and its junction/T-junction with Kung Um Road.
- (9) Submission and implementation of tree preservation and/or landscape proposal.
- (10) Submission of drainage impact assessment and/or provision of flood mitigation measures and drainage facilities.
- (11) Provision of fire extinguisher.
- (12) Submission of fire service installations (FSIs) proposal and provision/implementation of FSIs.
- (13) Submission and implementation of environmental mitigation measures proposal.
- (14) Submission and implementation of on-site noise mitigation measures proposal.
- (15) Maintenance of trees and landscape planting on the site.
- (16) Maintenance of drainage facilities on the site and/or submission of a record of existing drainage facilities on the site.
- (17) Revocation of planning approval if conditions not complied with by a given date/at any time during approval period.
- (18) Reinstatement of the site to an amenity area upon expiry of the planning permission.
- (19) No storage and washing of plastic bottles is allowed on the site.
- (20) No storage and handling (including loading and unloading) of electrical appliances outside the three concrete-paved covered structures is allowed on the site.
- (21) No storage and handling (including loading and unloading) of electronic and computer wastes (including cathode-ray tubes) is allowed on the site.
- (22) No cutting, grinding, polishing or related activities are allowed in the open area of the site.
- (23) Maintenance of existing fencing on the site.
- (24) No queuing and reverse movement of vehicle are allowed on public road.
- (25) Submission of run-in/out proposal and provision of run-in/out.

Rejected Application

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Rejection Reason(s)</u>
1	A/YL-TYST/141	Temporary open storage of construction machinery and materials for a period of 3 years	12.10.2001 on review	(1)

Rejection Reasons

- (1) Insufficient information in the submission to demonstrate that the development would not generate adverse environmental and drainage impacts on the surrounding areas.

**Similar Applications in this Part of the “U” zone on the Tong Yan San Tsuen OZP
since the Promulgation of TPB PG-No. 13E**

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1	A/YL-TYST/415	Temporary warehouse for storage of packed office equipment for a period of 3 years	27.2.2009 approved for 2 years [revoked on 27.8.2010]	(1), (2), (3), (4), (5), (7), (8), (12), (13), (15)
2	A/YL-TYST/452	Proposed temporary warehouse for storage of plastic and metal ware for a period of 3 years	18.9.2009 [revoked on 9.4.2010]	(3), (4), (5), (6), (7), (8), (9), (10), (13), (15)
3	A/YL-TYST/463	Temporary warehouse for storage of construction materials and miscellaneous goods for a period of 3 years	20.11.2009 approved for 1 year [revoked on 20.8.2010]	(3), (4), (5), (7), (8), (9), (10), (15)
4	A/YL-TYST/494	Proposed temporary storage of plastic and metal ware for a period of 1 year	15.10.2010	(1), (3), (4), (5), (7), (8), (10), (13), (15)
5	A/YL-TYST/499	Temporary warehouse for storage of exhibition materials for a period of 3 years	26.11.2010 [revoked on 26.5.2012]	(1), (2), (3), (4), (5), (7), (8), (13)
6	A/YL-TYST/533	Temporary warehouse for storage of metals parts for a period of 3 years	8.7.2011	(3), (4), (5), (7), (8), (10), (11), (12), (13), (14), (15)
7	A/YL-TYST/534	Temporary warehouse for storage of furniture for a period of 3 years	3.6.2011 [revoked on 3.6.2012]	(3), (4), (5), (7), (8), (9), (10), (13), (14), (15)
8	A/YL-TYST/537	Temporary warehouse for storage of construction materials, used cars and miscellaneous goods for a period of 3 years	7.10.2011	(3), (4), (5), (7), (8), (9), (10), (12), (13), (14), (15)
9	A/YL-TYST/541	Temporary warehouse for storage of exhibition materials for a period of 3 years	5.8.2011 [revoked on 5.11.2012]	(1), (2), (3), (4), (5), (7), (8), (13)
10	A/YL-TYST/559	Temporary storage of metal ware and construction materials for a period of 3 years	16.12.2011	(3), (4), (5), (7), (8), (9), (10), (13), (14), (15)
11	A/YL-TYST/605	Temporary warehouse for storage of furniture for a period of 3 years	24.8.2012	(3), (4), (5), (7), (8), (9), (10), (13), (14), (15)
12	A/YL-TYST/644	Proposed Temporary Warehouse for Storage of Construction Machinery and Construction Materials with Ancillary Site Office for a Period of 3 Years	6.9.2013	(1), (2), (3), (4), (5), (7), (8), (10), (13), (15), (16)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
13	A/YL-TYST/655	Proposed Temporary Warehouse and Open Storage for Storage of Construction Materials and Machinery with Ancillary Site Office for a Period of 3 Years	17.1.2014	(1), (2), (3), (4), (5), (7), (8), (13), (16)
14	A/YL-TYST/693	Temporary Warehouse for Storage of Exhibition Materials for a Period of 3 Years	14.11.2014	(1), (2), (3), (4), (5), (7), (8), (13), (15), (16), (17)
15	A/YL-TYST/702	Temporary Warehouse for Storage of Machinery and Spare Parts for a Period of 3 Years	12.12.2014	(1), (2), (3), (4), (5), (7), (8), (13), (16), (18)
16	A/YL-TYST/715	Temporary Warehouse for Storage of Adblue for a Period of 3 Years	27.2.2015	(2), (3), (4), (5), (7), (8), (10), (13), (16)
17	A/YL-TYST/722	Temporary Warehouse for Storage of Construction Material for a Period of 3 Years	17.4.2015	(1), (2), (3), (4), (5), (7), (8), (10), (13), (16)
18	A/YL-TYST/730	Temporary Warehouse for Storage of Brand New Electronic Goods for a Period of 3 Years	22.5.2015 [revoked on 22.5.2016]	(1), (3), (4), (5), (6), (7), (8), (10), (13), (14), (15), (16), (19)
19	A/YL-TYST/746	Temporary Warehouse for Storage of Advertising Materials, Construction Materials and Household Products for a Period of 3 Years	7.8.2015	(3), (4), (5), (7), (8), (9), (10), (12), (13), (14), (15), (16), (19)
20	A/YL-TYST/747	Temporary Warehouse for Storage of Exhibition Materials for a Period of 3 Years	7.8.2015	(1), (2), (3), (4), (5), (7), (8), (10), (13), (16), (18)
21	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), (4), (5), (7), (8), (10), (13), (14), (15), (16)
22	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)
23	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)
24	A/YL-TYST/794	Temporary Warehouse for Storage of Brand New Electronic Goods for a Period of 3 Years	15.7.2016	(1), (2), (3), (4), (5), (6), (7), (8), (10), (12), (13), (15), (16), (19)
25	A/YL-TYST/800	Temporary Warehouse for Storage of Household Products for a Period of 3 Years	12.8.2016	(1), (2), (3), (4), (5), (6), (7), (8), (13), (16)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
26	A/YL-TYST/807	Temporary Warehouse for Storage of Construction Machinery and Construction Material with Ancillary Site Office for a Period of 3 Years	14.9.2016	(2), (3), (4), (5), (6), (7), (8), (9), (10), (13), (15), (16)
27	A/YL-TYST/808	Proposed Temporary Warehouse for Storage of Construction Machinery and Construction Material for a Period of 3 Years	30.9.2016	(1), (2), (3), (4), (5), (6), (7), (8), (10), (12), (13), (15), (16)
28	A/YL-TYST/813	Temporary Warehouse for Storage of Brand New Electronic Goods for a Period of 3 Years	14.10.2016	(1), (2), (3), (4), (5), (6), (7), (8), (12), (15), (16), (18), (19)
29	A/YL-TYST/841	Proposed Temporary Warehouse for Storage of Construction Machinery and Construction Material for a Period of 3 Years	23.6.2017	(1), (2), (3), (4), (5), (6), (7), (8), (10), (13), (14), (16),
30	A/YL-TYST/856	Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	13.10.2017	(3), (4), (5), (7), (8), (9), (10), (13), (14), (15), (16),
31	A/YL-TYST/857	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	13.10.2017	(3), (4), (5), (6), (7), (8), (9), (10), (14), (15), (16),
32	A/YL-TYST/861	Temporary Warehouse for Storage of Documents and Office Supplies for a Period of 3 Years	24.11.2017	(3), (4), (5), (7), (8), (9), (10), (13), (14), (16),
33	A/YL-TYST/862	Proposed Temporary Warehouse for Storage of Machinery and Spare Parts for a Period of 3 Years	8.12.2017	(3), (4), (5), (7), (8), (9), (10), (14), (15), (16)
34	A/YL-TYST/868	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	22.12.2017	(2), (3), (4), (5), (7), (8), (16)
35	A/YL-TYST/875	Proposed Temporary Warehouse for Storage of Construction Materials and Electrical Appliances for a Period of 3 Years	9.2.2018	(3), (4), (5), (7), (8), (9), (10), (14), (16)
36	A/YL-TYST/884	Proposed Temporary Warehouse for Storage of Machinery and Spare Parts for a Period of 3 Years	6.4.2018	(3), (4), (5), (7), (8), (9), (10), (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 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 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 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.
- (17) No material is allowed to be stored/dumped within 1m of any tree on the site.
- (18) Submission of run-in/out proposal and the provision of run-in/out.
- (19) No handling/storage/loading/unloading of electronic goods/electronic waste/used electrical/electronic appliances/ is allowed outside the concrete-paved covered structure(s) on the site.
- (20) Maintenance of existing boundary fence on the 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 an Old Schedule Agricultural Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. Lot No. 1368 in D.D.119 is covered by Short Term Waiver (STW) No. 4207 to permit structures erected thereon for the purpose of “Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop Activities”. The government land (GL) within the Site is covered by Short Term Tenancy (STT) No. 2863 for the purpose of “Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop Activities”. The Site is accessible to Kung Um Road via GL and private land. Her office does not provide maintenance work for GL involved and does not guarantee any right-of-way. The STW/STT holder(s) will need to apply to her office for modification of the STW/STT conditions if there is any irregularities on site. Such application(s) will be considered by her department acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium 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 shall be clarified and consulted with the relevant management and maintenance authorities accordingly. The applicant is reminded that sufficient space should be provided within the Site for manoeuvring of vehicles. In addition, no parking, vehicle queuing and reverse movement 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 nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Kung Um Road;
- (f) to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storages Sites” issued by the Environment Protection Department to minimize any potential environmental nuisances;
- (g) to note the comments of the Director of Agriculture, Fisheries and Conservation that the applicant is advised to adopt good site practices and implement necessary measure to avoid affecting the watercourses in vicinity of the Site;
- (h) to note the comments of the Director of Fire Services 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 and the location of where the proposed FSIs to be installed should also be clearly marked on the layout plans. The applicant is also reminded that 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;

- (i) 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 the approval of the BD, they are unauthorized 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 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 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. 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 B(P)R at the building plan submission stage; and
- (j) to note that the erection of fence walls and external mesh fences on private land are building works subject to the control under the BO. The applicant should obtain the Building Authority's prior approval of plans and consent for commencement of works or, if such works fall within the scope of the Minor Works Control System, the applicant should ensure compliance with the simplified requirements under the Buildings (Minor Works) Regulation.