

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

1. On 17.10.2008, 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. 13E) 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. Sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals 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, and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the applications relevant technical assessments/proposals 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) there will be a general presumption against development on sites of less than 1,000 m² for open storage uses and 2,000 m² for port back-up uses in rural areas, 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 Application Covering the Application Site

Approved Application

	<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/825	Temporary Open Storage of Construction Material with Ancillary Office for a Period of 3 Years	9.6.2017 (permission was revoked on 21.7.2017)	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11)

Approval Condition(s):

- (1) No operation between 6:00 p.m. and 8:00 a.m. is allowed on the Site .
- (2) No operation on Sundays and public holidays is allowed on the Site.
- (3) No vehicle is allowed to enter/exit the Site between 3:00 p.m. and 10:00 a.m.
- (4) No vehicle is allowed to queue back to or reverse onto/from public road.
- (5) Provision of boundary fence on the Site.
- (6) Submission and implementation of a tree preservation and landscape proposal
- (7) Submission and implementation of a drainage proposal
- (8) Maintenance of implemented drainage facilities.
- (9) Submission of fire service installations (FSIs) proposal and implementation of FSIs proposal/provision of fire extinguisher.
- (10) Revocation of planning approval for non-compliance with conditions by a specified date/at any time during the approval period.
- (11) Reinstatement of the Site upon expiry of planning permission.

**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/408	Proposed temporary storage of construction materials for a period of 3 years	7.11.2008 [revoked on 28.12.2010]	(1), (2), (3), (4), (5), (6), (8), (11), (10), (11)
2	A/YL-TYST/420	Renewal of planning approval for temporary “open storage of construction machinery” use under Application No. A/YL-TYST/314 for a period of 3 years	27.3.2009	(5), (6), (7), (9), (10), (11)
3	A/YL-TYST/426	Temporary open storage of construction machinery and containers with ancillary dismantling, cleansing, repairing and workshop activities for a period of 3 years	22.5.2009 [revoked on 22.2.2011]	(1), (3), (4), (5), (6), (7), (10)
4	A/YL-TYST/430	Temporary open storage of metal parts with ancillary workshop for a period of 3 years	5.6.2009 [revoked on 28.1.2011]	(3), (4), (5), (6), (7), (10), (11), (12)
5	A/YL-TYST/443	Temporary warehouse and open storage of building materials and miscellaneous goods for a period of 3 years	21.8.2009	(2), (3), (4), (5), (6), (7), (10), (9), (10), (11), (12), (13)
6	A/YL-TYST/476	Proposed temporary open storage of building materials for a period of 3 years	25.6.2010 [revoked on 25.9.2011]	(1), (4), (5), (6), (7), (10), (9), (10), (11), (12)
7	A/YL-TYST/491	Temporary warehouse and open storage of stage equipment for a period of 3 years	24.9.2010	(1), (3), (4), (5), (6), (7), (9), (10), (12)
8	A/YL-TYST/503	Temporary open storage of metal goods for a period of 3 years	10.12.2010	(1), (3), (4), (5), (6), (7), (9), (10), (12), (13)
9	A/YL-TYST/520	Temporary warehouse and open storage of exhibition materials for a period of 3 years	4.3.2011	(1), (3), (4), (5), (6), (7), (9), (10), (12)
10	A/YL-TYST/526	Temporary warehouse and open storage of exhibition materials, garments, construction materials, vehicle parts and marble with ancillary workshop for a period of 3 years	18.3.2011 [revoked on 18.4.2013]	(1), (3), (4), (5), (6), (7), (10), (12), (14), (15)
11	A/YL-TYST/551	Temporary open storage of construction machinery and containers with ancillary dismantling, cleansing, repairing and workshop activities for a period of 3 years	21.10.2011	(1), (3), (4), (5), (6), (7), (10)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
12	A/YL-TYST/561	Temporary open storage of construction machinery and construction materials for a period of 3 years	6.1.2012 [revoked on 17.2.2012]	(1), (2), (3), (4), (5), (6), (7), (9), (10), (12)
13	A/YL-TYST/581	Temporary open storage of construction machinery for a period of 3 years	30.3.2012 [revoked on 30.9.2012]	(1), (4), (5), (6), (7), (9), (10), (11), (16)
14	A/YL-TYST/592	Temporary open storage of construction machinery and construction materials for a period of 3 years	1.6.2012 [revoked on 1.12.2012]	(1), (2), (3), (4), (5), (6), (7), (9), (10), (12)
15	A/YL-TYST/593	Proposed temporary open storage of construction materials and machinery for a period of 3 years	15.6.2012	(1), (2), (4), (5), (6), (7), (9), (10), (11), (16)
16	A/YL-TYST/582	Temporary Open Storage of Metal Parts with Ancillary Workshop for a period of 3 years	6.7.2012 [revoked on 6.4.2013]	(1), (4), (5), (6), (7), (10), (11), (16)
17	A/YL-TYST/608	Temporary open storage and warehouse for storage of furniture, exhibition materials, construction materials/machinery and household detergent for a period of 3 years	21.9.2012	(1), (4), (5), (7), (9), (10), (12), (13), (16)
18	A/YL-TYST/618	Temporary open storage and warehouse for storage of construction materials and ancillary site office for a period of 3 years	23.11.2012 [revoked on 23.8.2014]	(1), (2), (3), (4), (5), (7), (9), (10), (12)
19	A/YL-TYST/630	Temporary warehouse and open storage of exhibition materials and construction materials with ancillary office for a period of 3 years	1.3.2013 approved for 1 year	(1), (4), (5), (6), (7), (8), (9), (10), (12), (16), (18)
20	A/YL-TYST/631	Temporary open storage of construction machinery for a period of 3 years	1.3.2013	(1), (4), (5), (6), (8), (9)(10), (16), (19)
21	A/YL-TYST/632	Temporary open storage of construction materials and meramic ware for a period of 3 years	15.3.2013	(1), (3), (4), (5), (6), (8), (9), (10), (12), (13), (18)
22	A/YL-TYST/633	Temporary open storage of construction machinery and construction materials for a period of 3 years	5.4.2013 [revoked on 5.10.2013]	(1), (3), (4), (5), (6), (7), (9), (10), (12), (13), (20)
23	A/YL-TYST/638	Temporary open storage of construction material and recyclable material (including metal and plastic) with ancillary office for a period of 3 years	24.5.2013	(1), (3), (4), (5), (6), (7), (8), (9), (10), (12), (13), (20)
24	A/YL-TYST/640	Temporary open storage of construction machinery and construction materials for a period of 3 years	21.6.2013 [revoked on 30.9.2013]	(1), (3), (4), (5), (6), (7), (9), (10), (12), (13), (20)

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
25	A/YL-TYST/645	Renewal of Planning Approval for Temporary "Warehouse and Open Storage of Stage Equipment" under Application No. A/YL-TYST/491 for a Period of 3 Years	6.9.2013	(4), (5), (6), (7), (9), (10), (12), (16), (17), (21)
26	A/YL-TYST/647	Renewal of Planning Approval for Temporary "Open Storage of Metal Goods with Transfer Warehouse" for a Period of 3 Years	25.10.2013 [revoked on 21.1.2014]	(1), (4), (5), (6), (7), (9), (10), (12), (13), (16), (17)
27	A/YL-TYST/654	Temporary Warehouse and Open Storage of Building Materials and Miscellaneous Goods for a Period of 3 Years	3.1.2014 [revoked on 3.7.2014]	(1), (4), (5), (6), (7), (8), (9), (10), (12), (13), (17), (16)
28	A/YL-TYST/663	Temporary warehouse for storage and open storage of exhibition materials and vehicle spare parts with ancillary office	7.2.2014	(4), (5), (6), (7), (8), (9), (10), (11), (12), (16), (17), (18)
29	A/YL-TYST/666	Temporary Warehouse and Open Storage of Exhibition Materials for a Period of 3 Years	21.2.2014	(1), (4), (5), (6), (7), (9), (10), (12), (16), (17), (18), (22)
30	A/YL-TYST/672	Temporary Open Storage of Metal Goods with Ancillary Warehouse for a Period of 3 Years	4.4.2014	(1), (4), (5), (6), (7), (9), (10), (12), (13), (16), (17)
31	A/YL-TYST/689	Proposed Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years	8.8.2014	(1), (3), (4), (5), (6), (7), (9), (10), (12), (13), (17)
32	A/YL-TYST/697	Temporary Open Storage of Construction Material with Ancillary Site Office for a Period of 3 Years	17.10.2014	(1), (3), (4), (5), (6), (7), (9), (10), (12), (13), (17)
33	<i>A/YL-TYST/698</i>	<i>Temporary Open Storage of Construction Machinery and Containers with Ancillary Dismantling, Cleansing, Repairing and Workshop Activities for a period of 3 years</i>	<i>31.10.2014</i>	<i>(1), (4), (5), (6), (7), (10), (12), (16), (17)</i>
34	<i>A/YL-TYST/751</i>	<i>Temporary Open Storage and Warehouse for Storage of Furniture, Exhibition Materials, Construction Materials/ Machinery and Household Detergent for a Period of 3 Years</i>	<i>4.9.2015</i>	<i>(4), (5), (6), (7), (9), (10), (12), (13), (16), (17), (21)</i>
35	<i>A/YL-TYST/766</i>	<i>Temporary Open Storage of Construction Materials with Ancillary Facilities (including Site Office, Staff Restroom and Workshop) for a Period of 3 Years</i>	<i>4.12.2015</i>	<i>(1), (2), (4), (5), (6), (7), (8), (9), (10), (16), (17), (20)</i>

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
36	A/YL-TYST/756	<i>Temporary Open Storage and Warehouse for Storage of Construction Material with Ancillary Site Office for a Period of 3 Years</i>	<i>18.12.2015 [revoked on 18.6.2016]</i>	(1), (3), (4), (5), (6), (7), (10), (12), (13), (14), (17), (20)
37	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), (7), (9), (10), (16), (17), (19)
38	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), (7), (8), (9), (10), (12), (16), (17), (18)
39	A/YL-TYST/781	Temporary Warehouse and Open Storage of Homeware for a Period of 3 Years	18.3.2016	(1), (4), (5), (6), (7), (9), (10), (12), (13), (16), (17), (18)
40	A/YL-TYST/790	Temporary Open Storage of Construction Material and Recyclable Material with Ancillary Workshop and Office for a Period of 3 Years	10.6.2016	(1), (4), (5), (6), (7), (10), (12), (13), (14), (16), (17), (18)
41	A/YL-TYST/810	Renewal of Planning Approval for Temporary "Open Storage of Construction Equipment and Materials (Metal Scaffolding) and Container Site Office Units with Ancillary Maintenance Workshop" for a Period of 3 Years	14.10.2016	(1), (4), (5), (6), (7), (10), (16), (17), (19), (24)
42	A/YL-TYST/828	Renewal of Planning Approval for Temporary "Open Storage of Metal Goods with Ancillary Warehouse" for a Period of 3 Years	3.3.2017 [revoked on 5.7.2017]	(4), (5), (6), (7), (9), (10), (11), (12), (13), (16), (17), (19)
43	A/YL-TYST/849	Temporary Open Storage of Construction Machinery and Containers with Ancillary Dismantling, Cleansing, Repairing and Workshop Activities for a Period of 3 Years	8.9.2017	(4), (5), (7), (10), (11), (12), (17), (18), (20),
44	A/YL-TYST/860	Temporary Open Storage of Metal Goods with Ancillary Warehouse for a Period of 3 Years	24.11.2017	(4), (5), (6), (7), (9), (10), (11), (12), (13), (16), (17), (19)
45	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), (7), (9), (10), (11), (12), (13), (16), (17),

Approval Conditions

- (1) Submission and/or implementation of landscape and/or tree preservation proposals.
TYST 898B

- (2) Paving and fencing of the application site.
- (3) Submission of drainage proposals and/or provision of drainage facilities.
- (4) Submission and/or implementation of water supplies for firefighting/fire service installations/emergency vehicular access proposal(s)/provision of a 9-litre water type/3kg dry powder fire extinguisher.
- (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 night-time operation during specific time limit is allowed on the site.
- (8) Submission and implementation of run-in/out proposal.
- (9) No repairing/dismantling/breaking/fixing/maintenance/cleansing/paint-spraying/workshop activities are allowed on the site.
- (10) No operation is allowed on Sundays and public holidays.
- (11) The landscape planting and/or trees should be maintained at all times.
- (12) No 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.
- (13) 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.
- (14) No grinding/polishing/cutting/repairing/dismantling/workshop activities are allowed in the open area or outside the specified structure of the site.
- (15) 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.
- (16) Maintenance of existing/implemented drainage facilities/submission of a record of the existing drainage facilities.
- (17) No vehicle queuing and no reverse movement of vehicles on public road.
- (18) Maintenance of existing boundary fence within the application site.
- (19) Implementation of accepted fire service installations proposal.
- (20) Provision of boundary fence.
- (21) Submission of record photos of existing trees.
- (22) The stacking height of materials stored within the site should not exceed the height of the boundary fence.
- (23) No vehicle is allowed to enter/exit the site during specific time limit.
- (24) No ancillary maintenance work shall be carried out in open area.

Rejected Applications

	<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/472	Temporary open storage of used electronic parts with ancillary workshop for a period of 3 years	7.5.2010	(1), (2), (3)

Rejection Reasons

- (1) No/insufficient information in the submission to demonstrate that the development, which involves the storage of electronic parts in an open environment with workshop activities, would not generate adverse environmental impact.
- (2) Not compatible with the surrounding residential/rural land uses.
- (3) The development does not comply with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” in that it is not compatible with the surrounding residential/rural land uses/there is adverse departmental comment on the application.

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 Site;
- (b) prior planning permission should have been obtained before commencing the applied use at the Site;
- (c) the Site should be kept in a clean and tidy condition at all times;
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department that the Site falls within an Old Schedule Agricultural Lot held under Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government. The lot owners will need to apply to her office to permit the structures to be erected or regularize any irregularities on site. Such application(s) will be considered by her department acting in the capacity of the landlord 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. Besides, the Site is accessible through an informal village track on both private land and government land (GL) extended from Kung Um Road. Her office does not provide any maintenance works for the GL involved nor guarantee any right-of-way;
- (e) to note the comments of the Commissioner for Transport that the land status of the access road/path/track leading to the Site at Kung Um Road should be checked with the lands authority. The management and maintenance responsibilities of the access road/path/track should be clarified with the relevant management and maintenance authorities accordingly. Also, sufficient space should be provided within the Site for manoeuvring of vehicles;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that his department shall not be responsible for the maintenance of any access connecting the Site and Kung Um Road. Also, 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;
- (g) to follow 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;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that the applicant is reminded to conduct routine vegetation maintenance works, such as irrigating the trees and removing weeds regularly throughout the period. Fence and/or kerb or bollard should be constructed with a minimum distance of 1 m around the planting areas to guard against damage to the trees and shrubs. The applicant should make reference to “Technical Note on the Submission and Implementation of Landscape Proposals for Compliance with Conditions for Approved Applications for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance”. The applicant shall take reference to the following information/guideline published by the Greening, Landscape & Tree Management Section, Development Bureau on tree maintenance: 私人物業樹木護理資料 Information About Tree Maintenance For Private Properties: https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html; 護養樹木的簡易圖解 Pictorial Guide for Tree Maintenance:

http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf;

- (i) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that ~~the details of the proposed hoarding/peripheral wall, if any, should be shown on the proposed drainage plan for comments. Please show that the hoarding/peripheral wall would not obstruct overland flow and how the overland flow can be properly intercepted. Please be reminded that the development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.; the applicant should implement the drainage facilities on site in accordance with the agreed drainage proposal. The applicant is required to rectify the drainage system if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by a failure of the drainage system. The development would neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc. The applicant should consult District Lands Officer/Yuen Long, Lands Department and seek consent from relevant lot owners for any works to be carried out outside his lot boundary before commencement of the drainage works;~~
- (j) 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. 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 installation/maintenance/modification/repair work of FSIs shall be undertaken by a Registered Fire Services Installation Contractor (RFSIC). The RFSIC shall after completion of the installation/ maintenance/ modification/ repair work issue to the person on whose instruction the work was undertaken a certificate (FS 251) and forward a copy of the certificate to his department.~~ The good practice guidelines for open storage (**Appendix V** of the Paper) should be adhered to. 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; and
- (k) 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 BD, they are unauthorized building works (UBW) under 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 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 BO. Before any new building works (including containers/open sheds as temporary buildings and land filling) are to be carried out on the Site, prior approval and consent of 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 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 the B(P)R at the building plan submission stage.