

RNTPC Paper No. A/YL-NTM/382
For Consideration by
the Rural and New Town
Planning Committee
on 22.2.2019

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-NTM/382

- Applicant** : Yuk Kee Engineering Company Limited represented by R-riches Property Consultants Limited
- Site** : Lot 956 (Part) in D.D. 104, Ngau Tam Mei, Yuen Long
- Site Area** : About 1,634.3 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ngau Tam Mei Outline Zoning Plan (OZP) No. S/YL-NTM/12
- Zoning** : “Comprehensive Development Area” (“CDA”)
- Application** : Proposed Temporary Open Storage of Construction Materials with Ancillary Workshop for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for proposed temporary open storage of construction materials with ancillary workshop for a period of 3 years (**Plan A-1**). The Site falls within an area zoned “CDA” on the approved Ngau Tam Mei OZP No. S/YL-NTM/12. According to the Notes of OZP, temporary use not exceeding a period of three years requires planning permission from the Town Planning Board (the Board), notwithstanding that the use or development is not provided for in terms of the OZP. The Site is currently being used for the applied use without valid planning permission (**Plan A-2**).
- 1.2 The Site is subject of 2 previously rejected planning applications covering larger sites. Application No. A/YL-NTM/147 for temporary open storage of construction materials and No. A/YL-NTM/223 for proposed comprehensive low density residential development were rejected by the Rural and New Town Planning Committee (the Committee) of the Board on 25.7.2003 and 19.6.2009 respectively.
- 1.3 The Site is accessible at its west via a local track off Ngau Tam Mei Road. A 19m-diameter vehicle manoeuvring space is proposed near the ingress/egress at the west portion of the Site. The location plan showing the vehicular access and layout

plan are at **Drawings A-1 and A-2** respectively. The proposed development parameters are summarised as follows:

	Major Development Parameters
Site Area	About 1,634.3 m ²
Applied Use	Proposed Temporary Open Storage of Construction Materials with Ancillary Workshop for a Period of 3 Years
Open Storage Use	About 838.8 m ²
No. of Parking Space	3 loading/unloading spaces for light goods vehicle (LGV) (3.5m x 7m)
Operation Hours	10:00 a.m. to 5:00 p.m., Mondays to Saturdays, closed on Sundays and public holidays

1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application form received on 2.1.2019 **(Appendix I)**
- (b) Further Information (FI) dated 30.1.2019 providing responses to departmental comments **(Appendix Ia)**
- (c) FI dated 31.1.2019 providing clarification on the proposed use **(Appendix Ib)**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Appendix I of Application Form at **Appendix I** and FIs at **Appendices Ia** and **Ib**. They can be summarized as follows:

- (a) The applied development is temporary in nature and would not jeopardize the long-term planning intention of the “CDA” zone.
- (b) The applied development is not incompatible with the surrounding land uses. No land filling and excavation works will be involved.
- (c) LGVs have sufficient capacity and will be used for transportation of construction materials which include steel rods (not exceeding about 4.5m long) only to the Site. Workshop activities conducted at the Site include steel fixing only. Steel cutting machine will be used to cut steel rod which minimal adverse environmental impact should be anticipated. Contaminated run-off will be collected within the area surrounded by kerbs and discharged to septic tank provided at the Site, to minimize adverse impact to the surrounding fishponds.

- (d) The applicant will reinstate the Site to an amenity area upon expiry of the planning permission. Hence, approval of the application would not set an undesirable precedent for similar applications.
- (e) Staff will commute to the Site by public minibus. The Site will provide sufficient manoeuvring space for vehicles. No vehicle will be queued up outside the Site. There will be only 12 trips for 3 LGVs per day to minimize traffic impact.
- (f) Should the application be approved, the applicant will strictly follow and implement the proposed scheme. Drainage, landscape and fire service installations proposals will be submitted to mitigate the potential impacts on the surrounding areas. The applicant will also follow Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN 5/93) for sewerage treatment.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is not a “current land owner” of the Site but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting site notice and sending notice to San Tin Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

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) provides guidelines for open storage and port back-up uses. The Site falls within Category 3 areas under the guidelines. The following criteria are relevant:

Category 3 areas: applications would normally not be favourable considered unless the applications are on site with previous planning approvals. Sympathetic consideration may be given if the applicant have demonstrated genuine efforts in compliance with approval condition of the previous planning application 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.

5. Background

Part of the Site is subject to planning enforcement action against unauthorized development (UD) involving The storage (including deposit of containers) and workshop uses. ~~on the Site would be subject to planning enforcement action.~~ Enforcement Notice was issued on 17.1.2019 requiring discontinuation of the UD. If the notice is not complied with, prosecution action may be taken.

6. Previous Applications

- 6.1 The Site is subject of 2 previously rejected planning applications covering larger sites.
- 6.2 Application No. A/YL-NTM/147 for temporary open storage of construction materials was rejected by the Committee on 25.7.2003 mainly on the consideration that the proposed development was not in line with the planning intention of the “CDA” zone, not compatible with the surrounding areas, failed to demonstrate that the proposed development would not have adverse environmental, traffic, drainage and landscape impacts on the surrounding areas; there was no strong planning justification; approval of the application would set an undesirable precedent for similar applications within the “CDA” zone; and cumulative effect of approving such applications would result in a serious degradation of the rural environment.
- 6.3 Application No. A/YL-NTM/223 for proposed comprehensive low density residential development was rejected by the Committee on 19.6.2009 mainly on the consideration that there was no strong planning justification for the increase in plot ratio from 0.4 to 0.4665; the proposed development failed to demonstrate that the planning intention of the “CDA” zone and its development parameters as stipulated on the OZP were achievable without causing any adverse impacts on the surrounding areas; there was a high potential of odour nuisance if air sensitive uses, such as residential development, were allowed to be located close to the sewage treatment works; and the technical assessments in the submission failed to demonstrate that there would not be odour nuisance in the long run and the tree planting of the proposed development would be under proper management and maintenance.
- 6.4 Details of these applications are summarized at **Appendix II**. Their locations are shown on **Plan A-1**.

7. Similar Applications

- 7.1 Since 2008, following the latest updating of the TPB Guidelines TPB PG-No. 13E, there are 3 applications (Nos. A/YL-NTM/320, 329 and 354) for similar temporary uses involving open storage of containers and cargo handling and forwarding facilities/construction materials within the same and adjacent “CDA” zones on Ngau Tam Mei OZP. These applications were rejected by the Committee mainly on grounds that the proposed developments were not in line with the planning intention of the “CDA” zone; there was no strong planning justification in the

submission for a departure from such planning intention, even on a temporary basis; the proposed developments were not in line with the TPB PG-No.13E in that the proposed developments were not compatible with the surrounding land uses with residential dwellings, no previous approval had been granted for the Site and there were local objections and adverse departmental comments; the applicant failed to demonstrate that the proposed developments would not generate adverse environmental and traffic impact on the surrounding areas; the approval of the application would set an undesirable precedent for similar applications within the “CDA” zone; and the cumulative effect of approving such applications would result in a general degradation of the environment of the area.

7.2 Details of these 3 applications are summarized at **Appendix III**. Their locations are shown on **Plan A-1**.

8. The Site and Its Surrounding Areas (Plans A-1 to A-4)

8.1 The Site is:

- (a) accessible at the west of the Site via a local track off Ngau Tam Mei Road;
- (b) hard-paved; and
- (c) currently used for the open storage of construction materials without valid planning permission.

8.2 The surrounding areas are intermixed with ponds, fish farms, scattered residential dwellings, agricultural land, orchard, storage/open storage yards and unused/vacant land:

- (a) to its north, northwest and southwest is temporary fish farming use approved under application No. A/YL-NTM/367;
- (b) to its north are pond, storage yard and unused land. Further north across Ngau Tam Mei Road is Tam Mei Barracks;
- (c) to its east are scattered residential dwellings (the nearest being about 20m away), open storage of construction materials and unused land;
- (d) to its south are ponds, orchard and unused land; and
- (e) to its west and northwest are ponds, agricultural land and vacant land.

9. Planning Intention

The planning intention of the “CDA” zone is primarily for comprehensive development/redevelopment of the area for residential use with commercial, open space

and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

10. Comments from Relevant Government Departments

10.1 The following Government departments have been consulted and their views on the application are summarised as follows:

Land Administration

10.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) Without recent inspection, his comments based on the applicant's information are as follows:
 - (i) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
 - (ii) the private land (PL) of Lot No. 956 in D.D. 104 is covered by Short Term Waiver (STW) No. 4216 to permit structures for the purpose of "Temporary Fish Farming";
 - (iii) the Site is accessible from Ngau Tam Mei Road through both PL and GL. LandsD provides no maintenance work for the GL involved and does not guarantee any right-of-way; and
 - (iv) the Site does not fall within Shek Kong Airfield Height Restriction Area.
- (b) Should planning approval be given to the application, the STW holder will need to apply to LandsD for modification of the STW conditions where appropriate. Given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by LandsD 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 premium or fee, as may be imposed by LandsD.

Traffic

10.1.2 Comments of the Commissioner for Transport (C for T):

- (a) He has no objection to the application from traffic engineering point of view.
- (b) The Site is connected to the public road network via a section of a local access which is not managed by Transport Department (TD). The land status of the local access road should be clarified with LandsD by the applicant. The management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.
- (c) Should the application be approved, the following conditions should be incorporated:
 - (i) only light goods vehicles are allowed to access the Site; and
 - (ii) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period.

10.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) HyD does not and will not maintain any access (including the Ngau Tam Mei Road between Lot 4785 and the Site) connecting the Site and Ngau Tam Mei Road. The applicant should be responsible for his own access arrangement.
- (b) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.

10.1.4 Comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD 2-2, RDO, HyD):

The Site neither falls within any administrative route protection boundary, gazetted railway scheme boundary, nor railway protection boundary of heavy rail systems. Therefore, he has no comments on the application from railway development viewpoint.

Environment

10.1.5 Comments of the Director of Environmental Protection (DEP):

- (a) He does not support the application as there are sensitive receivers in the vicinity of the Site (the nearest residential dwelling is located at about 20m northeast of the Site) and environmental nuisance is expected. The applicant is advised to follow the latest "Code of

Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by DEP.

- (b) Regarding AFCD’s concern about the water quality impact on the nearby fishponds, he notes that the applicant has committed to follow the requirements of the ProPECC PN 5/93 ‘Drainage Plans subject to Comment by the Environmental Protection Department’ in the design and construction of septic tank and soakaway system. If there is drainage of industrial wastewater, the applicant should provide adequate information to demonstrate that the treatment facility can properly treat the type of effluent. The applicant is also advised to properly design drainage to avoid both point-source (e.g. sewage) and non-point source water pollution (e.g. surface run-off) in accordance with the Hong Kong Planning Standards and Guidelines. Surface run-off shall be connected with petrol interceptors and silt removal facilities.

Nature Conservation

10.1.6 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) The Site is adjacent to some fishponds. There is a prior approved use for fish farming (A/YL-NTM/367) near the Site. Two fish ponds adjacent to the Site were registered under the Accredited Fish Farm Scheme of AFCD. From fishpond aquaculture perspective, DAFC has concern on whether the proposed use would contaminate the nearby fishponds (e.g. by contaminated run-off from the Site).
- (b) Regarding applicant’s clarification that the contaminated run-off will be collected and discharged to septic tank system provided at the Site (as stated in the FI at **Appendix Ia**), he has doubts on its acceptability and practicability, in particular if there would be leakage of contaminants from the septic tank to the nearby fishponds, and there would be high risk of septic tank overflow causing pollution to nearby fishponds as septic tank system is normally for sewage treatment purpose.
- (c) The Board may consider such in determining whether to approve the application, taking into account its compatibility with the existing and approved use(s) of the surroundings. Appropriate condition(s) is/are suggested be imposed to avoid impacts on aquaculture activities, should the application be considered forward.

Fire Safety

10.1.7 Comments of the Director of Fire Services (D of FS):

- (a) He has no objection in principle to the application subject to fire

service installations (FSIs) being provided to his satisfaction.

- (b) 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 D of FS for approval. The applicant should also be advised on the following points:
 - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iii) “Good Practice Guidelines for Open Storage Sites” should be adhered to.
- (c) Having considered the nature of the open storage, the following approval condition shall be added:

The provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of D of FS.

To address the additional approval condition, the applicant is advised to submit a valid fire certificate (FS 251) to D of FS for approval.

- (d) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Building Matters

10.1.8 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

Noting that there is no proposed building works on the Site, he has no comment on the application under the Buildings Ordinance.

Drainage

10.1.9 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

He has no objection in principle to the proposed development from the public drainage point of view. Should the Board consider that the application is acceptable from the planning point of view, conditions should be stipulated in the approval letter requiring the application (i) to submit a drainage proposal, (ii) to implement the drainage proposal for the

development and (iii) to maintain the drainage facilities within the Site to the satisfaction of the DSD or of the Board.

Landscaping

10.1.10 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- (a) The Site, located to south of Ngau Tam Mei Road and east of Yau Tam Mei Tsuen, falls within an area zoned “CDA” on the approved Ngau Tam Mei OZP No. S/YL-NTM/12. The Site is involved in 2 previous planning applications. The last application No. A/YL-NTM/223 for proposed comprehensive low density residential development was rejected by the Board on 19.6.2009.
- (b) According to the aerial photo of 2017, there is no significant vegetation found within the Site. The surrounding area of the Site is in rural landscape character predominately occupied by fallowed farmlands, fish ponds, tree groups and temporary structures.
- (c) According to his site visit conducted on 17.1.2019, the proposed use was already under operation and vegetation cover on the Site had already been removed as compared with the aerial photo taken in 2012, landscape impact within the Site had been made. Since the Site is located in a rural landscape character, if the proposed development was approved, it would encourage similar site modification prior to application and encourage more temporary open storage/workshop use within the “CDA” that will lead to a general deterioration of surrounding rural landscape character. As such, he has some reservation on the application from the landscape planning perspective.
- (d) As the Site is surrounded by fallowed farmlands, fish ponds and tree groups, and the Site is not adjoining any prominent public frontage, it is considered not necessary to impose a landscape condition, should the Board approve the application.

Others

10.1.11 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) If any Food and Environmental Hygiene Department (FEHD)’s facility is affected by the development, FEHD’s prior consent must be obtained. Reprovisioning of the affected facilities by the project proponent up to the satisfaction of FEHD may be required. The project proponent should provide sufficient amount of additional recurrent cost for management and maintenance of the reprovisioned facilities to FEHD.

- (b) Proper license and/or permit issued by FEHD is required if there is any food business/catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and its subsidiary legislation and the operation of any business should not cause any obstruction.
- (c) If the proposal involves any commercial/trading activities, its state should not as to be a nuisance or injurious or dangerous to health and surrounding environment. For any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses.

District Officer's Comments

10.1.12 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

He has no comment on the application and no local comment has been received.

10.2 The following Government departments have no comment on the application:

- (a) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (b) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (c) Commissioner of Police (C of P);
- (d) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (e) Director of Electrical and Mechanical Services (DEMS); and
- (f) Director of Leisure and Cultural Services (DLCS).

11. Public Comments Received During Statutory Publication Period

On 11.1.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 1.2.2019, a total of 97 objecting public comments including that from a Yuen Long District Council Member, a Village Representative of Yau Tam Mei Tsuen, Hong Kong Bird Watching Society, 93 Yau Tam Mei residents and a member of the public were received raising concern that the proposed open storage use would generate significant traffic to the area causing congestion and safety concerns to nearby residents; deterioration of the road; noise and environmental impacts; flooding risk will be augmented as the Site is used to be the drainage outlet; the workshop use in close proximity to adjacent fish ponds will cause pollutants affecting the fish; approval of the application would encourage similar

brownfield uses and legitimize the current inappropriate use of arable land; and the proposed use being incompatible with the surrounding agricultural landscape will result in a general degradation of the rural environment (**Appendix IV**).

12. Planning Considerations and Assessments

12.1 The Site falls within Category 3 areas under the TPB PG-No. 13E. The following considerations in the Guidelines are relevant:

The Category 3 areas: applications would normally not be favourably considered unless the applications are on site with previous planning approvals. Sympathetic consideration may be given if the applicant have demonstrated genuine efforts in compliance with approval condition of the previous planning application 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 year, 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.

12.2 The Site falls within “CDA” zone which is for comprehensive development/redevelopment of the area for residential use with commercial, open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. The proposed use for open storage of construction materials with ancillary workshop is not in line with the planning intention of the “CDA” zone. Despite there is no approved development/programme for the “CDA” zone, no strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

12.3 The surrounding areas are intermixed with ponds, fish farms, scattered residential dwellings, agricultural land, orchard and some storage/open storage yards (**Plan A-2**). The applied use is considered not compatible with the surrounding land uses. DEP does not support the application as there are sensitive receivers in vicinity of the Site (the nearest residential dwelling is located about 20m northeast of the Site) (**Plan A-2**), and environmental nuisance is expected. DAFC has concern on whether the contaminated run-off from the Site would contaminate the nearby fishponds/fish farming activities and doubts the acceptability and practicability of the proposed sewage treatment put forward by the applicant as there could be leakage of contaminants from the septic tank to the nearby fishponds. There is also high risk of septic tank overflow causing pollution to nearby fishponds, as septic tank system is normally for sewage treatment purpose. CTP/UD&L has reservation on the application as the vegetation cover on the Site had been removed as compared with aerial photo taken in 2012 and landscape impact had been made. Approval of the application would encourage similar site modification prior to application and encourage

more temporary open storage/workshop use within the “CDA” zone leading to a general deterioration of surrounding rural landscape character.

- 12.4 According to the TPB PG-No. 13E, the Site falls within Category 3 areas and application would normally not be favourably considered unless the applications are on site with previous planning approvals. The application is not in line with the TPB PG-No. 13E in that no previous approval for open storage use has been granted for the Site, and there are adverse comments from concerned departments including DEP and DAFC, and the public; and the applicant has failed to demonstrate that the applied use would not have adverse environmental impact on the surrounding areas. Approval of the application would set an undesirable precedent and encourage other applications for similar developments in the area. The cumulative effect of approving the similar applications would result in general degradation of the environment of the area.
- 12.5 No approval has ever been given to any application for temporary open storage use within the same and adjacent “CDA” zones on the Ngau Tam Mei OZP. A previous application for similar open storage use at the Site was rejected by the Committee in 2003. 3 applications for similar open storage uses within the subject and the adjacent “CDA” zones were rejected by the Committee for reasons of not in line with planning intention of “CDA” zone and TPB PG-No. 13E, and incompatible with the surrounding areas. Rejection of the application is in line with the previous decision of the Committee on similar applications in the area.
- 12.6 There are 97 objecting public comments raising concerns that the proposed open storage use would generate adverse traffic and environmental impacts on the surrounding areas, encourage similar brownfield uses/ inappropriate use of arable land, and is incompatible with the surrounding rural environment. The planning consideration and assessments above are of relevance.

13. Planning Department’s Views

- 13.1 Based on the assessments in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department does not support the application for following reasons:
- (a) the proposed development is not in line with the planning intention of the “CDA” zone, which is primarily for comprehensive development/redevelopment of the area for residential use with commercial, open space and other supporting facilities. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
 - (b) the proposed development is not in line with the Town Planning Board Guidelines No.13E for Application for Open Storage and Port Back-up Uses in that no previous approval for the applied uses has been granted for the Site, there are adverse departmental comments and local objections, and the

applicant fails to demonstrate that the proposed development would not generate adverse environmental impact on the surrounding areas; and

- (c) the approval of the application would set an undesirable precedent for similar applications within the “CDA” zone. The cumulative effect of approving such application would result in general degradation of the environment of the area.

13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until 22.2.2022. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions:

- (a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) only light goods vehicles are allowed to access the Site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (e) the provision of fencing of the Site within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 22.8.2019;
- (f) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 22.8.2019;
- (g) in relation to (f) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 22.11.2019;
- (h) the implemented drainage facilities within the Site shall be maintained at all times during the planning approval period;
- (i) the provision of fire extinguisher(s) within **6** weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 5.4.2019;
- (j) the submission of fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 22.8.2019;

- (k) in relation to (j) above, the provision of fire service installations within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 22.11.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (e), (f), (g), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix V**.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 14.3 Alternatively, should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

15. Attachments

Appendix I	Application Form received on 2.1.2019
Appendix Ia	FI received on 30.1.2019
Appendix Ib	FI received on 31.1.2019
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses

Drawing A-1	Location Plan
Drawing A-2	Layout Plan
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2019**