

RNTPC Paper No. A/YL-ST/563  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 17.1.2020

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**APPLICATION FOR RENEWAL OF PLANNING APPROVAL  
FOR TEMPORARY USE  
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-ST/563**

- Applicant** : Master Universe Development Limited represented by Lanbase Surveyors Limited
- Site** : Lot 372 S.D RP (Part) in D.D. 99 and Adjoining Government Land (GL), San Tin, Yuen Long, New Territories
- Site Area** : About 6,881 m<sup>2</sup> (including about 61 m<sup>2</sup> of GL)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved San Tin Outline Zoning Plan (OZP) No. S/YL-ST/8
- Zoning** : “Undetermined” (“U”)
- Application** : Renewal of Planning Approval for Temporary Container Vehicle Park, Open Storage of Containers and Public Car Park for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for renewal of planning approval for temporary container vehicle park, open storage of containers and public car park for a period of 3 years (**Plan A-1a**). The Site falls within an area zoned “U” on the approved San Tin OZP No. S/YL-ST/8 (**Plan A-1**). According to the covering Notes of the OZP, any use or development in the “U” zone, except those specified as always permitted under the covering Notes, requires planning permission from the Town Planning Board (the Board). The application site (the Site) is currently used for the applied use under a previous application (No. A/YL-ST/497) which is submitted by the same applicant and was approved by the Committee of the Board on 9.12.2016 for a period of 3 years until 28.1.2020. All approval conditions had been complied with.
- 1.2 The Site (in whole or in part) is the subject of 8 previously approved applications, all for container vehicle parks and open storage of containers use (**Plan A-1b**). The last approved application is Application No. A/YL-ST/497 mentioned in the preceding paragraph.
- 1.3 As shown on the layout plan and site plan at **Drawing A-1** and **Plan A-2**, the Site

is accessible from the south-east via a local track leading from Lok Ma Chau Road. The major parameters of the current application are the same as the last approved Application No. A/YL-ST/497 (**Appendix Ib**). They are summarized below:

<b>Major Development Parameters</b>	<b>Current Application (A/YL-ST/563)</b>
Site Area	About 6,881 m <sup>2</sup> (including about 61 m <sup>2</sup> of GL)
Structure	1 (with a height of 2.6m (8.5ft))
Total Floor Area	37.16 m <sup>2</sup> (400 ft <sup>2</sup> )
No. of Parking Spaces	36 (private cars) 8 (container vehicles)
Operation Hours	24 hours from Monday to Sunday and public holidays (for parking of private cars and open storage of containers)  7:00a.m. to 11:00p.m. from Monday to Sunday and public holidays (for parking of container vehicles and handling/loading/unloading of containers)

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

- (a) Application form received on 21.11.2019 **(Appendix I)**
- (b) Planning Statement **(Appendix Ia)**
- (c) Letter received on 27.11.2019 clarifying the site boundary and area of GL **(Appendix Ib)**

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in Chapter 5 of Planning Statement at **Appendix Ia**. They can be summarized as follows:

- (a) The Site was granted planning permissions for similar and same uses under 8 previous planning applications. All approval conditions of the last Application No. A/YL-ST/497 including those on drainage, fire safety and tree preservation had been complied with. The parking facilities and the site conditions remain the same as the condition approved under previous application. No additional traffic, drainage and environmental impacts are anticipated. Without major change in planning circumstances, the applied use should be allowed to continue at the Site.

- (b) There were some applications for similar uses within the subject “U” zone or other zones in the vicinity recently approved by the Board. The granting of these permissions revealed that the proposed development is considered not unsuitable for the Site.
- (c) The subject “U” zone is for the Spur Line and the Northern Link railway system. The remaining land of the subject “U” zone is under review, approval of the applied use on a temporary basis will not prejudice the future long term planning of the area. The development would not contravene the planning intention.
- (d) The Site is located in close proximity to the boundary area, which has been well established for port back-up and open storage activities since the late 1980s. The Site is close to strategic road networks and is only about 350 m away from the Lok Ma Chau Boundary Crossing. Many sites near the Lok Ma Chau Control Point have been converted to container vehicle parks and other port back-up uses to meet the high demand for cross-boundary activities in Lok Ma Chau. The proposed development is suitable for the Site.
- (e) The applied uses are considered compatible with the surrounding areas which have been used for parking facilities and port back-up uses.

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

The applicant is not a “current land owner” of the private land 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 a notice of the application at the Site and sending the notice to the San Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. The requirement is not applicable to the Government land portion of the Site.

### **4. Town Planning Board Guidelines**

#### ***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)***

- 4.1 The Site falls within Category 1 areas under the TPB PG-No. 13E. The following criteria are relevant:

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.

***Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34C)***

- 4.2 According to TPB PG-No. 34C, the criteria for assessing applications for renewal of planning approval are as follows:
- (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
  - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
  - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
  - (d) whether the approval period sought is reasonable;
  - (e) any other relevant considerations; and
  - (f) the approval period for renewal should not be longer than the original validity period of the temporary approval.

***Town Planning Board Guidelines for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C)***

- 4.3 According to TPB PG-No. 12C, the Site falls within the Wetland Buffer Area (WBA). The relevant assessment criteria are summarised as follows:
- (a) the intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area (WCA) and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds;
  - (b) within the WBA, for development or redevelopment which requires planning permission, an ecological impact assessment (EcoIA) would need to be submitted. Some local and minor uses (including temporary uses) are however exempted from the requirement of EcoIA; and
  - (c) open storage or container back-up uses located close to the Lok Ma Chau crossing and without involving pond filling might be sympathetically considered by the Board in view of the genuine need to facilitate cross-boundary movements of goods in the area.

## 5. Background

The application is for renewal of a previous planning approval (No. A/YL-ST/497). The Site is not subject to planning enforcement action.

## 6. Previous Applications

- 6.1 The Site (in whole or in part) is the subject of 8 previous applications for container vehicle park and open storage of containers uses which were all approved (**Plan A-1b**), of which three were approved with conditions by the Committee/the Board on review between 1993 and 2000 for temporary periods of 3 years mainly on the grounds that the applied uses were not incompatible with the surrounding land uses; there being no adverse impacts and the concerns of Government departments could be addressed by imposing approval conditions. One of the planning permissions was revoked by the Board on 22.6.2003 due to non-compliance with approval conditions.
- 6.2 The remaining 5 previous applications submitted by the same applicant for the same use as the applied use were approved with conditions by the Committee/the Board on review between 2004 and 2016 for temporary periods of 3 years mainly on similar grounds as stated in para. 6.1 above. All approval conditions of the last approved application have been complied with within the specified time limit.
- 6.3 Details of these applications are summarized at **Appendix II**. Their locations are shown on **Plan A-1b**.

## 7. Similar Applications

- 7.1 Since 2009, there are 23 applications for similar container vehicle park and open storage of containers uses within the same “U” zone on the OZP. 22 applications were approved by the Committee mainly on similar grounds as stated in para. 6.1 above. The remaining application A/YL-ST/417 (mainly within “Green Belt” (“GB”) and partly within “U” zone) was rejected by the Board on review mainly for the reason that the development was not in line with the planning intention of the “GB” zone, and the applicant had failed to provide strong planning justification for departing from the planning intention, even on a temporary basis.
- 7.2 Details of these 23 applications are summarized at **Appendix III**. Their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) accessible at the south-east of the Site via a local track off Lok Ma Chau Road leading from Castle Peak Road – Chau Tau;

- (b) paved and sandwiched between the boundary of the Mass Transit Railway (MTR) (Sheung Shui to Lok Ma Chau Spur Line) and a nullah; and
- (c) located within the WBA of Deep Bay Area.

8.2 The surrounding areas are predominated by open storage yards, vehicle parks and vacant and unused land. Some of the vehicle parks and open storage yards are suspected unauthorized developments subject to enforcement action by the Planning Authority:

- (a) to its north across a nullah are a temporary public vehicle park with ancillary facilities, storage of construction materials and metalwares, and an approved cargo handling and forwarding facilities, and the approved temporary open storage of construction materials, general goods and public vehicle park with ancillary site office. To the further north is an approved temporary public car park with ancillary office;
- (b) to its south and southwest across the MTR (Sheung Shui to Lok Ma Chau Spur Line) are vacant land, unused land, an approved temporary public vehicle park with ancillary facilities and San Sham Road;
- (c) to its east is an open storage yard for construction machinery; and
- (d) to its further northeast across the Lok Ma Chau Road are plant nurseries, vacant and unused land, and some vacant structures.

## **9. Planning Intention**

The area zoned “U” is for the Lok Ma Chau Spur Line and the proposed Northern Link railway system. Under the “U” zone, any developments or redevelopments, except those permitted under the covering Notes of the OZP, require planning permission from the Board so as to ensure that the environment would not be adversely affected and that infrastructure, Government, Institution or Community (GIC) facilities, open space would be adequately provided.

## **10. Comments from Relevant Government Departments**

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

### **Land Administration**

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

- (a) The Site comprises Old Scheduled Agricultural Lot held under Block Government Lease which contains the restriction that no

structures are allowed to be erected without the prior approval of the Government.

- (b) No permission is given for occupation of the GL of about 61 m<sup>2</sup> in area (subject to verification) included in the Site. The act of occupation of GL without Government's prior approval is not allowed. With the implementation of the tightened arrangements for handling regularization applications, LandsD will no longer accept application for regularization of new or extension of unlawful occupation of GL or erection of new structures which is found commenced on or after 28 March 2017.
- (c) The private land of Lot No. 372 S.D RP in D.D. 99 is covered by Short Term Waivers (STW) to permit structures for the purpose of "Temporary Vehicle Park (including Container Vehicles), Container Storage Area, Storage of New Unlicensed Container Tractors, Storage of Construction Materials, Tyre Repair, Shop and Services (Sale of Container Vehicles and the Related Parts/Accessories), Vehicle Repair and Services, and Ancillary Offices", "Temporary Public Vehicle Park (including Private Cars, Container Vehicles and Heavy Goods Vehicles) with Ancillary Facilities (including Vehicle Repair Area, Site Offices and Canteen), Storage of Metal Ware and Construction Material, and Cargo Handling and Forwarding Facilities" and "Temporary Public Vehicle Park (For Private Cars and Lok Ma Chau – Huanggang Cross Boundary Shuttle Buses Only) with Ancillary Facilities (Including a Refreshment Kiosk)".
- (d) The Site is accessible from Lok Ma Chau Road through both GL and private land. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over GL to the Site.
- (e) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (f) Should planning approval be given to the application, the STW holders will need to apply to his office for modification of the STW conditions where appropriate. Besides, 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 applications will be approved. If such applications are 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) The Site is connected to the public road network via a section of a local access which is not managed by TD. The land status of the local access road should be clarified with the LandsD by the applicant. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.

(b) Should the application be approved, the following conditions should be incorporated:

No vehicle is allowed to queue back to or reverse onto/from the Site to the public road 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) He has no comment to the renewal application from highways maintenance point of view.

(b) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Lok Ma Chau Road.

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

(a) The Site falls within the railway protection boundary of East Rail Line (Lok Ma Chau Spur Line). As the operation of the existing railway system is not under the jurisdiction of his office, he has no comment on the application from railway development viewpoint. However, with reference to the procedures in Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-24, the applicant should consult MTR Corporation Limited with respect to operation, maintenance, safety and future construction of the existing railway network.

(b) The Site also falls within the area of influence of the possible long term extension of the proposed Northern Link to Lok Ma Chau, which is a recommended railway scheme under the Railway Development Strategy 2014. Although the programme and the alignment of the proposed Northern Link are still under review, those areas within the area of influence may be required to be vacated at the time for the construction of Northern Link and subject to nuisance, such as noise and vibration of the proposed Northern Link. He has no objection in principle to the application from development point of view of the Northern Link, provided that the applicant is satisfied with the surrounding condition of nuisance



taking into account the future construction, operation and maintenance of Northern Link.

### **Environment**

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

- (a) In accordance with the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”, he has no comment on the application.
- (b) There is no environmental complaint case related to the Site in the past three years.

### **Nature Conservation**

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

He has no comment on the application from nature conservation point of view.

### **Landscape**

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

It is noted that the proposed uses fall within the Category 1 area in accordance with TPB PG-No. 13E. As such, he has no comment from the landscape planning perspective.

### **Fire Safety**

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

- (a) He has no objection in principle to the proposal subject to fire service installations (FSIs) being provided to the satisfaction of the D of FS.
- (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 his Department 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 FSI to be installed should be clearly marked on the layout plans; and
  - (iii) good practice guidelines for open storage should be adhered to (**Appendix IV**).
- (c) Having considered the nature of the open storage, an approval condition requiring the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the D of FS shall be added. To address this approval condition, the applicant is advised to submit a valid fire certificate (FS251) to his Department 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.

### **Buildings Matters**

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

- (a) There is no record of approval by the Building Authority (BA) for the structures existing at the Site and BD is not in a position to offer comments on their suitability for the use related to the application.
- (b) If the existing structures are erected on leased land without approval of the BD (not being New Territories Exempted Houses), they are unauthorized under the BO and should not be designated for any approved use under the application.
- (c) Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (d) 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.
- (e) 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.

- (f) 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.

### **Drainage**

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

- (a) He has no objection in principle to the application from drainage operation and maintenance point of view.
- (b) He notes that the applicant has implemented the drainage facilities on site under the previous planning application No. A/YL-ST/497. The relevant drainage proposal and implementation works were considered satisfactory at that time. The applicant is asked to provide DSD with a set of latest record photographs showing the completed drainage works (including the internal condition of the drains) with the corresponding photograph locations marked clearly on the approved drainage plan. The photos included in the Planning Statement by the applicant is considered insufficient for the purpose.
- (c) His detailed comments are at **Appendix VI**.

### **District Officer's Comments**

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

His office has no comment on the application and the local comments should be submitted to the Board directly, if any.

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

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

## **11. Public Comments Received During Statutory Publication Period**

On 29.11.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, one objecting public comment was received from the San Tin Rural Committee raising concerns that the applied use would further aggravate the traffic congestion problem of the nearby Lok Ma Chau Road and Castle Peak Road and create road safety problem for vehicles and pedestrians (**Appendix V**).

## **12. Planning Considerations and Assessments**

12.1 The application is for renewal of planning approval for temporary container vehicle park, open storage of containers and public car park under Application No. A/YL-ST/497 for a further period of 3 years. The Site falls within “U” zone on the OZP for the Lok Ma Chau Spur Line and the proposed Northern Link railway system. CE/RD2-2, RDO, HyD has no objection to the temporary application from railway development viewpoint. The applied temporary use will not jeopardise the long-term land uses of the areas and is considered not incompatible with the surrounding land uses which include vehicle parks and open storage yards.

12.2 The renewal is in line with TPB PG-No. 34C in that there has been no major change in planning circumstances, Government departments concerned have no objection to or adverse comment on the application, adverse impacts arising from the renewal of the planning approval are not envisaged, all the approval conditions under the previous approval had been complied with, and the 3-year approval period sought is the same as in the previous application.

12.3 Although the Site falls within the WBA of the TPB PG-No. 12C, the guidelines also specify that planning applications for temporary uses are exempted from the requirement of EcoIA. DAFC has no comment on the application from nature conservation point of view. Moreover, the guidelines also state that container back-up uses located close to the Lok Ma Chau crossing and without involving pond filling might be sympathetically considered by the Board in view of the genuine need to facilitate cross-boundary movement of goods in the area.

12.4 The TPB PG-No. 13E is applicable to this application. The Site falls within Category 1 areas. The following criteria are relevant:

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.

12.5 The application is in line with the TPB PG-No. 13E in that the Site falls within Category 1 areas where 8 previous planning approvals for the same or similar

uses have been granted since 1993, the applicant has complied with all the approval conditions under previously approved applications, government departments concerned including C for T, DEP, D of FS, CE/MN, DSD and CTP/UD&L, PlanD have no objection to or adverse comment on traffic, environmental, fire safety, drainage and landscape aspects respectively; and the concerns of relevant Government departments could be addressed through the imposition of approval conditions. There is no environmental complaint case related to the Site in the past three years. To mitigate potential environmental impacts on the surrounding area and to address their requirements, approval conditions restricting the operation hours and activity on-site, and on technical requirements are recommended in paragraphs 13.2 (a) to (k) below.

- 12.6 The Site is the subject of 8 previous approvals for similar uses. Moreover, since 2009, the Committee has approved a total of 22 applications for temporary public vehicle parks involving private cars, container vehicles and heavy goods vehicles and open storage uses within the same “U” zone. Approval of the current application is in line with the previous decisions of the Committee.
- 12.7 There is one objecting public comment on grounds of possible adverse traffic impacts and road safety problem. The planning assessments and departmental comments above are of relevance.

### **13. Planning Department’s Views**

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comment mentioned in paragraph 11, the Planning Department considers that the temporary container vehicle park, open storage of containers and public car park could be tolerated for a further period of 3 years.
- 13.2 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, and be renewed from 29.1.2020 until 28.1.2023. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

#### *Approval Conditions*

- (a) no operation between 11:00p.m. and 7:00a.m. for container vehicles and handling/loading/unloading of containers, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site at any time during the planning approval period;
- (d) the containers stacked within 5m of the periphery shall not exceed the height

- of the boundary fence at any time during the planning approval period;
- (e) the stacking height of containers stored at any other location within the Site shall not exceed 8 units at any time during the planning approval period;
  - (f) the maintenance of paving and boundary fencing on the Site at all times during the planning approval period;
  - (g) the maintenance of existing drainage facilities on the Site at all times during the planning approval period;
  - (h) the submission of an as-built drainage plan and photographic records of the existing drainage facilities within **3** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 29.4.2020;
  - (i) the provision of fire extinguisher(s) within **6** weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 11.3.2020;
  - (j) the submission of fire service installations proposal within **6** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 29.7.2020;
  - (k) in relation to (j) above, the implementation of fire service installations proposal within **9** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 29.10.2020;
  - (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) 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;
  - (m) if any of the above planning conditions (h), (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; and

[Except for conditions relating to the submission and implementation of tree preservation proposal and site reinstatement which have been deleted to accord with the latest circumstances/departmental comments, all the other conditions are same as those imposed under the previous application No. A/YL-ST/497.]

Advisory Clauses

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

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the continued occupation of the Site for the applied use is not in line with the planning intention of the “U” zone which is for the Spur Line and the proposed Northern Link railway system. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

#### **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 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.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

#### **15. Attachments**

<b>Appendix I</b>	Application Form received on 21.11.2019
<b>Appendix Ia</b>	Planning Statement
<b>Appendix Ib</b>	Supplementary Information received on 27.11.2019
<b>Appendix II</b>	Previous applications covering the application site
<b>Appendix III</b>	Similar s.16 applications within the same “U” zone on the approved San Tin OZP No. S/YL-ST/8
<b>Appendix IV</b>	Good Practice Guidelines for Open Storage Issued by the D of FS
<b>Appendix V</b>	Public comment received during publication period
<b>Appendix VI</b>	Recommended advisory clauses
<b>Drawing A-1</b>	Layout Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Application Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo

**Plan A-4a and 4b**

Site Photos

**PLANNING DEPARTMENT  
JANUARY 2020**