

RNTPC Paper No. A/YL-TYST/1001  
For Consideration by  
the Rural and New Town  
Planning Committee  
on ~~30.3.2020~~ 26.5.2020

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**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-TYST/1001**

- Applicant** : Mr. WONG Chor Yiu represented by Goldrich Planners and Surveyors Limited
- Site** : Lots 326 (Part), 327 S.A, 327 S.A ss.1 (Part), 327 S.B (Part), 327 S.B ss.1, 327 S.C, 327 S.D, 328 (Part) and 338 RP in D.D. 119, Shan Ha Tsuen, Yuen Long, New Territories
- Site Area** : 6,095 m<sup>2</sup> (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/12
- Zonings** : “Undetermined” (“U”) (about 96.5%)  
“Village Type Development” (“V”) (about 3.5%)  
*[restricted to a maximum building height of 3 storeys (8.23m)]*
- Application** : Temporary Open Storage of Construction Machinery and Materials with Ancillary Workshop and Office for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for temporary open storage of construction machinery and materials with ancillary workshop and office for a period of 3 years (**Plan A-1a**). According to the Notes of the OZP for “U” zone, all uses or development except those specified in the Notes require permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use without valid planning permission (**Plans A-2, A-4a and A-b**).
- 1.2 The Site was involved in 8 previous approved applications (No. A/YL-TYST/178, 243, 320, 448, 610, 661, 846 and 946) for various temporary open storage uses (**Plan A-1a**). The last application for temporary open storage of recycled goods (used electronic appliances) with ancillary workshop and site office was approved with conditions for a period of 3 years by the Rural and New Town Planning Committee (the Committee) of the Board on 8.3.2019. Details of the previous applications are summarised at paragraph 6 and **Appendix III**. Compared with the

last application, the current application is submitted by a different applicant for similar open storage use on a larger site with different site layout and development parameters.

1.3 According to the applicant, the proposal is for open storage of construction machinery and inflammable materials (including iron bars, ceramic pipes, tiles, and cement blocks, etc.). Ancillary workshop activities, including inspection and minor repairs of faulty construction machineries, are confined within structure No. 6 (**Drawing A-2**). No other heavy repair works will be carried out at the Site. The applicant also undertakes that all existing trees/drainage facilities within the Site will be preserved/maintained at his own expense. Furthermore, no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, will be allowed to enter the Site. Plans showing the vehicular access leading to the Site, site layout, landscape and tree preservation proposal and drainage proposal submitted by the applicant are at **Drawings A-1 to A-4** respectively.

1.4 The major development parameters of the previously approved application and the current application are summarised as follows:

<b>Major Development Parameters</b>	<b>Previous Approved Application No. A/YL-TYST/946 (a)</b>	<b>Current Application No. A/YL-TYST/1001 (b)</b>	<b>Difference (b)-(a)</b>
Applied Use	Temporary Open Storage of Recycled Goods (Used Electronic Appliances) with Ancillary Workshop and Site Office for a Period of 3 Years	Temporary Open Storage of Construction Machinery and Materials with Ancillary Workshop and Office for a Period of 3 Years	Change in Stored Items
Site Area	3,002.4 m <sup>2</sup> (about)	6,095 m <sup>2</sup> (about)	+3,092.6 m <sup>2</sup> (+103%)
Total Floor Area (non-domestic)	1,148.9 m <sup>2</sup> (about)	1,484 m <sup>2</sup> (about)	+335.1 m <sup>2</sup> (+29.2%)
No. and Height of Structures	14 <ul style="list-style-type: none"> <li>• two open sheds for storage (2.6-4.2m, 1 storey)</li> <li>• five open sheds for workshop (2.6-5.2m, 1 storey)</li> <li>• four for storeroom (2.6-5.2m, 1-2 storey(s))</li> <li>• two for site office (2.6-5.2m, 1-2 storey(s))</li> <li>• one for storeroom-cum-site office (5.2m, 2 storeys)</li> </ul>	13 <ul style="list-style-type: none"> <li>• six open sheds for storage (6m, 1 storey)</li> <li>• seven for site office and their extended shed (3m, 1 storey)</li> </ul>	-1 (- 7.1%)
No. of Parking Space	Nil	3 (5m x 2.5m) (for private cars)	+3

No. of Loading/ Unloading (L/UL) Space	1 (11m x 3.5m) (for medium goods vehicle)		---
Operation Hours	7:00 a.m. to 7:00 p.m., with no operation on Sundays and Public Holidays	8:00 a.m. to 7:00 p.m., with no operation on Sundays and Public Holidays	Shorter Operation Hours

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

- (a) Application Form with executive summary, appendix and plans received on 23.12.2019 (**Appendix I**)
- (b) Supplementary Information received on 2.1.2020 providing a replacement page of the Application Form (**Appendix Ia**)
- (c) Further Information (FI) dated 10.2.2020 providing clarifications on the operation (**Appendix Ib**)  
*[accepted and exempted from publication and recounting requirements]*
- (d) FI dated 14.2.2020 providing revised layout plan and landscape proposal (**Appendix Ic**)  
*[accepted and exempted from publication and recounting requirements]*

1.6 In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 21.2.2020 for consideration of the application has been rescheduled, and the Board has agreed to defer consideration of the application. ~~***The application is now scheduled for consideration by the Committee at this meeting.***~~ ***Again, the meeting on 30.3.2020 has been rescheduled and the application is now scheduled for consideration by the Committee at this meeting.***

## 2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are mainly detailed in the submitted appendix and FIs (**Appendices I and Ib**). They can be summarised as follows:

- (a) The Site is the subject of previous planning permissions for open storage uses. The operation under valid planning permissions No. A/YL-TYST/846 and 946 was damaged in a recent fire accident. The current application is submitted to effect a new proposal involving a larger site. As there is no significant change in planning circumstances, approval of the current application is in line with the Committee's previous decisions.
- (b) The applied use will not frustrate the long-term planning intention of the Site. Part of the Site falling within the "V" zone is used as ingress/egress with no open storage activities involved.
- (c) According to the *then* Town Planning Board Guidelines for "Application for Open Storage and Port Back-up Uses" (TPB PG-No.13E), the Site falls within Category 1 areas and is considered suitable for open storage and port back-up uses.

- (d) A number of open storage yards and workshops within the “U” zone have been approved by the Board. Therefore, the development is compatible with the surrounding environment.
- (e) There will be no adverse traffic, visual, landscape and drainage impacts arising from the proposal. The development would not generate queuing, reversing and manoeuvring of vehicles outside the Site and adequate space for manoeuvring of vehicles will be provided. It can also provide employment opportunities for the local population.

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

The applicant is not a “current land owner” 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 outside the Site and sending the notice to the Ping Shan 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” (TPB PG-No.13~~EF~~) are relevant to the application. The Site falls largely within Category 1 areas (i.e. the area zoned “U” (96.5%)) with a minor portion falling within Category 4 areas (i.e. the area zoned “V” (3.5%)) under TPB PG-No. 13~~EF~~ promulgated by the Board on ~~17.10.2008~~ 27.3.2020. The relevant extract of the Guidelines is attached at **Appendix II**.

### **5. Background**

The Site is currently not subject to planning enforcement action.

### **6. Previous Applications**

- 6.1 The Site was involved in 8 previous approved applications (No. A/YL-TYST/178, 243, 320, 448, 610, 661, 846 and 946) for various temporary open storage uses covering different extents of the Site. Details of the applications are summarised in **Appendix III** and the boundaries of the sites are shown on **Plan A-1b**.
- 6.2 Applications No. A/YL-TYST/178, 243, 320 and 448 for temporary open storage of marble and applications No. A/YL-TYST/610, 661, 846 and 946 for temporary open storage of recycled goods (used electronic appliances) with ancillary workshop and site office were all approved with conditions for periods ranging from 2 to 3 years by the Committee between 2002 and 2019, mainly on the considerations that the applications were generally in line with the then ~~prevailing~~ TPB PG-No. 13 (or its latter versions); the development was not incompatible with the surrounding uses in the subject “U” zone; approval of the applications on a temporary basis would not frustrate the long-term development of the area; and the

concerns of relevant government departments could be addressed by imposing approval conditions. However, planning approvals No. A/YL-TYST/178, 610, 846 and 946 were subsequently revoked on 8.2.2004, 5.4.2014, 11.1.2020 and 8.3.2020 respectively due to non-compliance with time-limited approval conditions.

- 6.3 Compared with the last application (No. A/YL-TYST/946), the current application is submitted by a different applicant for similar open storage use on a larger site with different site layout and development parameters.

## 7. Similar Applications

- 7.1 There are ~~142~~ **143** similar applications for various types of temporary open storage uses with or without warehouse and/or ancillary workshop/site office uses in this part of the “U” zone considered by the Committee or the Board on review since ~~the promulgation of TPB PG No. 13E on~~ 17.10.2008. Details of the applications are summarised in **Appendix IV** and the locations of the sites are shown on **Plan A-1a**.
- 7.2 Out of the ~~142~~ **143** similar applications, ~~140~~ **141** were approved mainly on similar considerations that the developments were not incompatible with the surrounding open storage/warehouse uses and the concerns of relevant departments could be addressed by imposing approval conditions. However, planning permissions for 29 of them were subsequently revoked due to non-compliance with approval conditions.
- 7.3 The remaining two applications (No. A/YL-TYST/542 and 564) were rejected by the Committee in 2011 and the Board on review in 2012 respectively mainly on the reasons, amongst others, that approval of the application with repeated non-compliances with approval conditions would set an undesirable precedent for other similar planning permissions for temporary uses, thus nullifying the statutory planning control system.
- 7.4 For Members’ information, application No. A/YL-TYST/1002 for proposed temporary open storage of metal, scrap metal and paper with ancillary workshop for a period of 3 years ~~and~~, application No. A/YL-TYST/1003 for temporary open storage of construction machinery and materials, recycling materials and used electrical appliances with ancillary workshop **and application No. A/YL-TYST/1005 for temporary open storage of construction machinery, construction materials and ancillary office and repair workshop for a period of 3 years** within the subject “U” zone on the OZP will also be considered at this meeting (**Plan A-1a**).

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

- 8.1 The Site is:
- (a) accessible via a local track leading from Shan Ha Road to its northwest (**Drawing A-1, Plans A-2 and A-3**);
  - (b) largely paved and fenced-off; and
  - (c) currently occupied by the applied use without valid planning permission.
- 8.2 The surrounding areas have the following characteristics (**Plan A-2**):
- (a) predominantly open storage/storage yards and warehouses intermixed with some residential structures, parking of vehicles, shrubland and vacant land/structures;

- (b) there are residential structures in the vicinity with the nearest one located about 30m to its northwest in the subject “V” zone;
- (c) to its east is a nullah flanked by Lam Tai West Road and Lam Tai East Road;
- (d) there are three open storage yards located to the north and southwest of the Site which are operating with valid planning permissions under applications No. A/YL-TYST/931, 919 and 845 respectively; and
- (e) except for the aforementioned operations with valid planning permissions, the other open storage/storage yards, warehouses and parking of vehicles in the vicinity are suspected unauthorised developments (UD) subject to enforcement action taken by the Planning Authority.

## **9. Planning Intention**

The planning intention of the “U” zone is to cater for the continuing demand for open storage, which cannot be accommodated in conventional godown premises. However, Kung Um Road is insufficient to cater for the heavy goods vehicular traffic generated from the proposed development. The area is therefore zoned “U” pending further detailed studies on the infrastructural impacts and the preparation of detailed layout plan.

## **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) 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.
- (b) Lot No. 326 in D.D. 119 within the Site is covered by Short Term Waiver (STW) No. 3135 to permit structures erected thereon for the purpose of “Storage and Ancillary Use”.
- (c) There is no Small House application approved/under processing within the Site.
- (d) Should planning approval be given to the application, the STW holder(s) will need to apply to her office for modification of the STW conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to her office to permit the structures to be erected or regularise any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Applications for any of the above

will be considered by her department acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by her department.

### **Traffic**

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

- (i) The land status of the access road/path/track leading to the Site from Shan Ha Road shall be checked with the lands authority.
- (ii) The management and maintenance responsibilities of the access road/path/track should be clarified and consulted with the relevant management and maintenance authorities accordingly.
- (iii) The applicant is reminded that sufficient space should be provided within the Site for manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road are allowed.

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

- (a) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains.
- (b) His department shall not be responsible for the maintenance of any access connecting the Site and Shan Ha Road.

### **Environment**

#### 10.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) DEP does not support the application as there are sensitive receivers of residential use in the vicinity (with the nearest one situated about 30m to the northwest of the Site) (**Plan A-2**) and the applied use will cause traffic of heavy vehicles; environmental nuisance is expected.
- (b) There was no substantiated environmental complaint concerning the Site received in the past 3 years.
- (c) Should the planning application be approved, the applicant should be advised to follow relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Use” (Code of Practice) to minimise any potential environmental nuisances to the surrounding areas.

### **Drainage**

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

- (a) He has no objection in principle to the development from the public drainage point of view.
- (b) His detailed comments on the submitted drainage proposal (**Appendix I** and **Drawing A-4**) are at **Appendix V**.
- (c) Should the Board consider that the application is acceptable from the planning point of view, approval conditions requiring the submission of a revised drainage proposal, and the implementation and maintenance of the drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the Board should be stipulated.

**Fire Safety**

10.1.6 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 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 his department for approval. In addition, 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.
  - (iii) The good practice guidelines for open storage attached in **Appendix VI** should be adhered to.
- (c) Moreover, 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 should be incorporated if the application is approved. To address this approval condition, the applicant is required to submit a valid fire certificate (FS 251) to his department for approval.
- (d) However, the applicant is 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.

**Building Matters**



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

- (a) As there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) The applicant's attention is drawn to the following points:
  - (i) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BA, they are unauthorised building works (UBW) under the BO and should not be designated for any proposed use under the application.
  - (ii) For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO.
  - (iii) Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
  - (iv) 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.
  - (v) The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.

**Others**

10.1.8 Comments of the Chief Engineer/Cross-Boundary Infrastructure and Development, Planning Department (CE/CID, PlanD):

- (a) The Civil Engineering and Development Department (CEDD) and PlanD jointly commissioned the "Planning and Engineering Study for Housing Sites in Yuen Long South (YLS) – Investigation". According to the Recommended Outline Development Plan (RODP) of YLS promulgated on 8.8.2017, majority of the Site falls within areas zoned as "Special Residential - Public Rental Housing (with Commercial)" ("RSc"), "District Open Space" ("DO") and "Local Open Space" ("LO") as well as areas shown as 'Road', whereas the

remaining part of the Site falls outside the development areas of YLS.

- (b) The objective of YLS is to transform the degraded rural land predominantly occupied by brownfield operations including open storage yards, warehouses and rural industrial uses into housing and other uses with supporting infrastructure and community facilities, and to improve the existing environment. It is noted that the application is for temporary use for a period of 3 years. In considering the application for temporary uses, due consideration should be given on the possible implication on land clearance which would affect the future implementation of YLS.

10.1.9 Comments of the Project Manager (West), CEDD (PM(W), CEDD):

- (a) He has no objection to the application.
- (b) The Site falls within the project boundary of YLS development - Stage 2. The land resumption and clearance programme of the project is subject to Executive Council's authorisation on land resumption and Finance Committee's funding approval of the project. Land clearance operation is tentatively targeted to commence in 2024. Thus, the applicant shall be reminded that extension of the planning permission may not be supported in future and shall be advised not to carry out any substantial works in view of the planned YLS development - Stage 2.

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

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

His office has not received any feedback from the locals.

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

- (a) Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Director of Electrical and Mechanical Services (DEMS);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (d) Commissioner of Police (C of P).

### **11. Public Comment Received During the Statutory Publication Period**

On 3.1.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 24.1.2020, no public comment was received.

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

12.1 The subject application is for temporary open storage of construction machinery and materials with ancillary workshop and office for a period of 3 years at a site predominately zoned "U" (about 96.5%) with a minor portion zoned "V" (about

3.5%) on the OZP. The applied use is not in conflict with the planning intention of the “U” zone which is generally intended for open storage use but is designated with this zoning mainly due to concerns of the capacity of Kung Um Road. In this regard, the vehicular access to the Site is from Shan Ha Road and C for T has no adverse comment on the application. While the Site mainly falls within areas zoned as “RSc”, “DO” and “LO” as well as areas shown as ‘Road’ on the RODP of YLS promulgated on 8.8.2017, CE/CID, PlanD does not raise objection to the application and PM(W), CEDD has no objection to the proposed temporary use for 3 years. As such, approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area.

- 12.2 The surrounding area comprises predominantly open storage/storage yards and warehouses (**Plan A-2**). Although there are residential structures nearby, with the nearest one situated about 30m to its northwest, the proposal is generally not incompatible with the surrounding uses in the subject “U” zone.
- 12.3 According to TPB PG-No. 13~~EF~~, the Site predominantly falls within Category 1 areas. The following guidelines are relevant:

Category 1 areas are considered suitable for open storage and port back-up uses. 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.

The application is generally in line with TPB PG-No. 13~~EF~~ in that the vast majority of the Site falls within Category 1 areas which are considered suitable for open storage and port back-up use; there are no local objections on the application; and the technical concerns of relevant government departments could be addressed through the implementation of approval conditions.

- 12.4 There is no adverse comment on the application from concerned government departments, except DEP. DEP does not support the application as there are sensitive receivers of residential use in the vicinity of the Site (with the nearest one located about 30m to its northwest) (**Plan A-2**), and the applied use will cause traffic of heavy vehicles; environmental nuisance is expected. However, there has been no substantiated environmental complaint concerning the Site received in the past 3 years. Furthermore, relevant approval conditions are recommended in paragraph 13.2 below to minimise any potential environmental nuisances or to address the technical requirements of other concerned government departments. Any non-compliance with the approval conditions will result in revocation of the planning permission and UD on the Site will be subject to enforcement action by the Planning Authority. Should the planning application be approved, the applicant will also be advised to keep the Site clean and tidy at all times and to follow the latest Code of Practice to minimise any potential environmental impact on the surrounding areas.
- 12.5 Given that 8 previous approvals for open storage uses have been granted to the Site and ~~140~~ 141 similar applications have been approved in this part of the “U” zone since ~~the promulgation of TPB PG-No. 13E 2008~~, approval of the current application is generally in line with the Committee’s previous decisions. There were two similar applications in this part of the “U” zone rejected mainly on the

grounds, amongst others, that approval of the application with repeated non-compliances would set an undesirable precedent for other similar planning permissions for temporary uses, thus nullifying the statutory planning control system. However, such considerations are not applicable to the current application, which is for a fresh proposal covering a larger site.

12.6 There is no public comment received on the application during the statutory publication period.

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

13.1 Based on the assessments made in paragraph 12, the Planning Department considers that the temporary open storage of construction machinery and materials with ancillary workshop and office could be tolerated for a 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 until ~~30.3.2023~~ 26.5.2023. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### Approval conditions

- (a) no operation between 7:00 p.m. and 8:00 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) no workshop activities, except at structure No. 6, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees within the Site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (g) the provision of boundary fencing on 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 ~~30.9.2020~~ 26.11.2020;
- (h) the submission of a revised 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 ~~30.9.2020~~ 26.11.2020;

- (i) in relation to (h) above, the implementation of the revised 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 ~~30.12.2020~~ **26.2.2021**;
- (j) in relation to (i) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (k) the provision of fire extinguisher(s) with valid fire certificate (FS 251) 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 ~~11.5.2020~~ **7.7.2020**;
- (l) 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 ~~30.9.2020~~ **26.11.2020**;
- (m) in relation to (l) above, the implementation of the fire service installations proposal 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 ~~30.12.2020~~ **26.2.2021**;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (j) 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
- (o) if any of the above planning conditions (g), (h), (i), (k), (l) or (m) 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 at **Appendix VII**.

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

The applicant fails to demonstrate that the development would not generate adverse environmental impact on the surrounding areas.

#### **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 with executive summary, appendix and plans received on 23.12.2019
<b>Appendix Ia</b>	Supplementary Information received on 2.1.2020 providing a replacement page of the Application Form
<b>Appendix Ib</b>	FI dated 10.2.2020 providing clarifications on the operation
<b>Appendix Ic</b>	FI dated 14.2.2020 providing revised layout plan and landscape proposal
<b>Appendix II</b>	Relevant extract of TPB PG-No. 13 <del>EF</del>
<b>Appendix III</b>	Previous applications covering the Site
<b>Appendix IV</b>	Similar applications in this part of the “U” zone on the OZP since <del>the promulgation of TPB PG-No. 13E 17.10.2008</del>
<b>Appendix V</b>	Detailed Comments of CE/MN, DSD
<b>Appendix VI</b>	The Good Practice Guidelines for Open Storage Sites
<b>Appendix VII</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Site Layout Plan
<b>Drawing A-3</b>	Landscape and Tree Preservation Proposal
<b>Drawing A-4</b>	Drainage Proposal
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos

**PLANNING DEPARTMENT**  
***MARCH MAY 2020***