

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

APPLICATION NO. A/YL-TYST/1023

- Applicant** : Mr. TANG Mo Pun represented by Metro Planning and Development Company Limited
- Site** : Lots 2406, 2407, 2408 (Part), 2409 S.B (Part) and 2419 (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long, New Territories
- Site Area** : 3,510 m² (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%)
“Village Type Development” (“V”) (about 4%)
[restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Renewal of Planning Approval for Temporary Open Storage of Construction Machinery, Construction Material, Metal Ware and Vehicle Spare Parts and Ancillary Site Office for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary open storage of construction machinery, construction material, metal ware and vehicle spare parts and ancillary site office for a period of 3 years at the application site (the Site) (**Plan A-1a**). According to the covering Notes of the OZP for “U” zone, all uses or development except those specified in the covering Notes require permission from the Town Planning Board (the Board). The Site is currently mainly occupied by the applied use with valid planning permission under application No. A/YL-TYST/848 until 11.8.2020 and partly with vehicle repairing activities without valid planning permission (**Plans A-2, A-4a to A-4c**).
- 1.2 The Site involves 8 previous applications (No. A/YL-TYST/359, 509, 572, 639, 692, 744, 792 and 848) for various temporary open storage with/without ancillary office uses (**Plan A-1b**). The last application (No. A/YL-TYST/848) was

approved with conditions for a period of 3 years by the Rural and New Town Planning Committee (the Committee) of the Board on 11.8.2017. All the time-limited approval conditions under the last application had been complied with and the planning permission is valid until 11.8.2020. Compared with the last application, the current application is submitted by the same applicant for the same use with largely the same layout and development parameters covering the same site, albeit for shorter operation hours and different parking provision.

- 1.3 According to the applicant, the Site is currently partitioned into 6 compartments with main ingress/egress at the western periphery; another ingress/egress leading from/to adjoining lots is located at its south-western periphery (**Plan A-2** and **Drawing A-2**). The proposal is mainly for open storage of construction machinery (such as electronic generators and elevated platforms), construction materials (such as pipes and metal scaffoldings), metal ware and vehicle spare parts. No workshop activities and storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste will be allowed at the Site. Also, no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, will be allowed to enter the Site. Plans showing the vehicular access leading to the Site, site layouts, landscape and tree preservation proposal, as-built drainage facilities and fire service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1** to **A-6** respectively.
- 1.4 The major development parameters of the previously approved application No. A/YL-TYST/848 are largely the same as the current application, which are summarised as follows:

Major Development Parameters	Previously Approved Application No. A/YL-TYST/848 (a)	Current Application No. A/YL-TYST/1023 (b)	Difference (b)-(a)
Applied Use	Temporary Open Storage of Construction Machinery, Construction Material, Metal Ware and Vehicle Spare Parts and Ancillary Site Office for a Period of 3 Years		---
Site Area	About 3,510 m ²		---
Total Floor Area (Non-domestic)	About 726 m ²		---
No. and Height of Structures	13 <ul style="list-style-type: none"> • two for rain shelters with/without converted containers (6m, 1 storey) • six for converted containers for site office (3-6m, 1-2 storey(s)) • four for converted containers for storage (3m, 1 storey) • one for toilet (3m, 1 storey) 		---
No. of Parking Space	4 (for private cars/light goods vehicles (LGV)) (5m x 2.5m)	4 (for LGV) (7m x 3.5m)	Change in Type of Parking Spaces

No. of Loading/ Unloading Space	1 (for medium goods vehicle) (11m x 3.5m)		---
Operation Hours	7:00 a.m. to 7:00 p.m., with no operation on Sundays and Public Holidays	9:00 a.m. to 5:00 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 annex and plans received on 8.5.2020 **(Appendix I)**
- (b) Supplementary Information received on 14.5.2020 clarifying the proposed operation with revised plan and replacement pages of the Application Form **(Appendix Ia)**
- (c) Further Information (FI) received on 28.5.2020 clarifying the proposed operation hours **(Appendix Ib)**
- (d) FI received on 4.6.2020 providing clarifications on site layout and proposed use as well as a FSIs proposal with fire certificate **(Appendix Ic)**
- (e) FI received on 18.6.2020 clarifying the proposed operation **(Appendix Id)**
[(c) to (e) accepted and exempted from publication and recounting requirements]

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are mainly detailed in Part 7 of the Application Form, Supplementary Information and the FIs **(Appendices I to Id)**. They can be summarised as follows:

- (a) The Site has been subject to planning permissions since 2007. All approval conditions under the last application (No. A/YL-TYST/848) had been complied with.
- (b) The proposal was in line with the then Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No.13E), as the Site fell within Category 1 areas.
- (c) The proposal of a temporary nature would not jeopardise the long-term planning intention of the area. A number of open storage yards and port back-up uses have been approved by the Board in the vicinity of the Site, and their planning circumstances were similar to that of the current application. Therefore, the development is compatible with the surrounding environment. Besides, there is a shortage of land for port back-up purpose in Tong Yan San Tsuen.

- (d) There will be minimal traffic, environmental and drainage impacts arising from the proposal. Adequate space for loading/unloading and manoeuvring of vehicles will be provided.

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 notice of the application outside the Site and sending the notice to the Shap Pat Heung Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

- 4.1 The Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13F) are relevant to the application. The majority of the Site within the “U” zone falls within Category 1 areas under TPB PG-No. 13F promulgated by the Board on 27.3.2020. The relevant extract of the Guidelines is attached at **Appendix II**.
- 4.2 The Town Planning Board Guidelines for “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development” (TPB PG-No. 34C) are also relevant to the application. The relevant assessment criteria are attached at **Appendix III**.

5. Background

The Site is currently not subject to planning enforcement action.

6. Previous Applications

- 6.1 The Site involves 8 previous applications (No. A/YL-TYST/359, 509, 572, 639, 692, 744, 792 and 848) for various temporary open storage with/without ancillary office uses. Details of the previous applications are summarised in **Appendix IV** and the boundaries of the sites are shown on **Plan A-1b**.
- 6.2 Application No. A/YL-TYST/358 for proposed temporary open storage of construction machinery/materials and metal ware and applications No. A/YL-TYST/509, 572, 639, 692, 744 and 792 for temporary open storage of construction machinery, construction materials, metal ware and vehicle spare parts with/without ancillary site office were all approved with conditions by the Committee between 2007 and 2016 each for a period ranging from 1 to 3 years, mainly on the considerations that the proposals were generally in line with the then TPB PG-No. 13E; approval of the application on a temporary basis would not frustrate the long-term development of the area; the proposals were not incompatible with the surrounding uses; and the concerns of relevant government departments could be addressed by imposing approval conditions. However, the

planning permissions under applications No. A/YL-TYST/692 and 792 were subsequently revoked in 2015 and 2017 respectively due to non-compliance with approval conditions.

- 6.3 The last application (No. A/YL-TYST/848) for the same use as the current application was approved with conditions for a period of 3 years by the Committee on 11.8.2017 mainly on similar considerations as those stated in paragraph 6.2 above. All the time-limited approval conditions under the last application had been complied with and the planning permission is valid until 11.8.2020. Compared with the last application, the current application is submitted by the same applicant for the same use with largely the same layout and development parameters covering the same site, albeit for shorter operation hours and different parking provision.

7. Similar Applications

- 7.1 A total of 146 similar applications for various types of temporary open storage and/or warehouse uses with or without ancillary workshop/site office uses in this part of the “U” zone had been considered by the Committee or the Board on review since 17.10.2008. Details of the applications are summarised in **Appendix V** and the locations of the sites are shown on **Plan A-1a**.
- 7.2 Out of the 146 similar applications, 144 were approved mainly on similar considerations that the developments were not incompatible with the surrounding uses and the concerns of relevant departments could be addressed by imposing approval conditions. However, the planning permissions for 31 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 grounds, amongst others, that approval of 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.

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

- 8.1 The Site is:
- (a) accessible via a local track leading from Kung Um Road to its east (**Drawing A-1, Plans A-2 and A-3**);
 - (b) partly paved and largely fenced off; and
 - (c) currently mainly occupied by the applied use with valid planning permission under application No. A/YL-TYST/848 until 11.8.2020 and partly with vehicle repairing activities without valid planning permission.
- 8.2 The surrounding areas have the following characteristics (**Plans A-2 and A-3**):

- (a) predominately open storage/storage yards and warehouses with scattered residential structures, workshops, parking of vehicles, car service, shrubland, agricultural land and vacant land/structures;
- (b) there are residential structures in the vicinity of the Site with the nearest one located to its immediate northeast;
- (c) to the southeast is an area zoned “V” on the OZP; and
- (d) except for two open storage/storage yards (one with ancillary repair workshop) and two warehouses operating with valid planning permissions (Applications No. A/YL-TYST/840, 882, 841 and 962 respectively), the other open storage/storage yards, warehouses, parking of vehicles and car service 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 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 and the public comments, where relevant, 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) Within the Site, Lots 2406, 2407, 2408 (Portion), 2409 S.B (Portion) and 2419 (Portion) in D.D. 120 are currently covered by Short Term Waivers (STWs) No. 3592 to 3596 respectively to permit the structures erected thereon for the purpose of “Open Storage of Construction Machinery, Construction Materials, Metal Ware and Vehicle Spare Parts and Ancillary Use”.
- (c) 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. 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(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by her department.

- (d) There is no Small House application approved/under processing within the Site.
- (e) The programme of land resumption would follow the agreed programme among relevant departments notwithstanding the validity period of the planning permission to be granted.

Traffic

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

- (a) The land status of the access road/path/track leading to the Site from Kung Um Road should be checked with the lands authority.
- (b) The management and maintenance responsibilities of the access road/path/track should be clarified with the relevant management and maintenance authorities accordingly.
- (c) 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 Kung Um Road.

Environment

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

- (a) DEP does not support the application as there is residential use in the vicinity (with the nearest one located to the immediate northeast 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 three years.

- (c) Regarding the public comment (**Appendix VI-1**) on potential land contamination, paragraph 5.5 of the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Use” (Code of Practice) states that open storage uses shall incorporate the environmental measures for both the design and operation in accordance with Annex I of the Code of Practice – “Environmental Measures for Incorporation into Open Storage Sites”. In particular, the following environmental measures are relevant to potential land contamination:
- (i) Bunds should be provided to contain any spillage of chemical storage and the chemical storage area should be properly hard-paved.
 - (ii) Drainage channels and an oil interceptor should be installed to reduce pollutants from the site run-off.
 - (iii) Materials stored in the open area which may leak out oil or chemical waste should be placed on non-slip heavy duty membrane and properly covered with water proofing sheet to avoid any soil contaminations.
- (d) Should the planning application be approved, the applicant should be advised to follow the relevant mitigation measures and requirements in the latest Code of Practice to minimise any potential environmental nuisances.

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.
- (b) Based on the drainage proposal/planning statement enclosed in the application (**Drawing A-5** and **Appendix I**), apparently the applicant would maintain the same drainage facilities as those implemented under previous application No. A/YL-TYST/848.
- (c) Should the Board consider that the application is acceptable from the planning point of view, approval conditions requiring the maintenance of the drainage facilities implemented under application No. A/YL-TYST/848 and the submission of records of the existing drainage facilities on site 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):

He has no objection in principle to the renewal application subject to the existing FSIs implemented on the Site being maintained in efficient working order at all times.

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 by the Building Authority 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 approval of BD, they are unauthorised building works (UBW) under the Buildings Ordinance (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 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.
 - (iii) Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of BD 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) 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.

Long-Term Development

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 Revised Recommended Outline Development Plan (RODP) of YLS promulgated in May 2020, the Site mainly falls within areas zoned as “Special Residential - Zone 1 - Public Rental Housing (with Commercial)” (“RS(1)c”) and “Local Open Space” (“LO”), and partly falls outside the development area 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) The Site falls within the boundary of YLS Development - Stage 1 (the project). To meet the target first population intake under the project by Q4 of 2028, land clearance is planned to commence in mid-2022 subject to Executive Council’s authorisation on land resumption and Finance Committee’s funding approval of the project by Q4 2021 and Q1 2022 respectively.
- (b) He has no objection to the application for temporary use for three years on the understanding that the programme of land resumption would follow the project programme notwithstanding the validity period of the planning permission to be granted and an advisory clause that ‘the Site might be subject to land resumption for the implementation of the YLS development – Stage 1 which might take place at any time before the expiry of the temporary planning permission and thus the applicant shall be advised not to carry out any substantial works in view of the planned YLS development – Stage 1’ is incorporated to remind the applicant that the land might be resumed at any time during the planning approval period. He will give sufficient notice to the relevant department(s) for early resumption of the Site if his works commence early.

District Officer’s Comments

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

Her office has not received any comment from the village representatives in the vicinity regarding the application.

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

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

11. Public Comments Received During the Statutory Publication Period

On 15.5.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period, two public comments were received from two individuals (**Appendices VI-1** and **VI-2**). The first individual indicated that he would support the application if potential land contamination issue and fire safety concern could be satisfactorily resolved (**Appendix VI-1**). The second individual questioned the long-term development plans for the area (**Appendix VI-2**).

12. Planning Considerations and Assessments

12.1 The application is for renewal of the planning permission under previous application No. A/YL-TYST/848 for temporary open storage of construction machinery, construction material, metal ware and vehicle spare parts and ancillary site office for a period of 3 years at a site mainly zoned “U” (about 96%) with a minor portion zoned “V” (about 4%) on the OZP. The applied use is not in conflict with the planning intention of the “U” zone which is generally for open storage use but is designated with this zoning mainly due to concerns of the capacity of Kung Um Road. In this regard, C for T has no adverse comment on the application. Whilst the Site mainly falls within areas zoned as “RS(1)c” and “LO” on the Revised RODP of YLS promulgated in May 2020, 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. 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 areas comprise predominantly open storage/storage yards and warehouse (**Plan A-2**). While there are residential structure in the vicinity, the development is generally not incompatible with the surrounding uses in the “U” zone.

12.3 According to TPB PG-No. 13F, the majority of the Site within the “U” zone 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.

- 12.4 The application is generally in line with TPB PG-No. 13F 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; and the local concerns and technical concerns of the relevant government departments could be addressed through the implementation of approval conditions.
- 12.5 The application is also generally in line with TPB PG-No. 34C in that there has been no material change in planning circumstances since the granting of the previous approval under application No. A/YL-TYST/848; the approval conditions under the previous application No. A/YL-TYST/848 had been complied with; and the 3-year approval period sought is reasonable and of the same timeframe as the previous approval.
- 12.6 There is no adverse comment on the application from concerned government departments, except DEP. DEP does not support the application as there are sensitive receiver of residential use in the vicinity of the Site (with the nearest one located to its immediate northeast) (**Plan A-2**), and the applied use will cause traffic of heavy vehicles; environmental nuisance is expected. However, there has been no 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 local concerns and 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 follow the relevant environmental mitigation measures in the latest Code of Practice in order to minimise any potential environmental impact on the surrounding areas, to keep the Site clean and tidy at all times, and to note that the planning permission does not condone any other development/use that currently exist on the Site but not covered by the application.
- 12.7 Given that eight previous approvals for open storage uses have been granted to the Site and 144 similar applications have been approved in this part of the “U” zone since 2008, approval of the renewal application is in line with the Committee’s previous decisions. There were two similar applications rejected mainly on the grounds, amongst others, that approval of 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 as all time-limited approval conditions under the last application (No. A/YL-TYS/848) had been complied with.
- 12.8 There were two public comments received during the statutory publication period as summarised in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.7 are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12, and having taken into account the public comments as mentioned in paragraph 11 above, the Planning

Department considers that the temporary open storage of construction machinery, construction material, metal ware and vehicle spare parts and ancillary site office 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 from 12.8.2020 to 11.8.2023. 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 9:00 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 and storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the Site 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) the existing trees within the Site shall be maintained at all times during the planning approval period;
- (g) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the Site 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 12.11.2020;
- (j) the existing fire service installations implemented on the Site should be maintained in efficient working order at all times during the planning approval period;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) 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

- (l) if the above planning condition (i) 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.

[Approval conditions (b), (d), (e), (h) and (i) are the same as those under the permission for application No. A/YL-TYST/848, conditions (a), (c), (f) and (j) have been updated, condition (g) is inserted, the clear width requirement is deleted as per the current proposal, and the reinstatement clause is deleted to accord with the department's latest requirements.]

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

Appendix I	Application Form with annex and plans received on 8.5.2020
Appendix Ia	Supplementary Information received on 14.5.2020
Appendix Ib	FI received on 28.5.2020
Appendix Ic	FI received on 4.6.2020
Appendix Id	FI received on 18.6.2020
Appendix II	Relevant extract of TPB PG-No. 13F
Appendix III	Relevant extract of TPB PG-No. 34C
Appendix IV	Previous Applications covering the Site

Appendix V	Similar Applications in this Part of the “U” zone on the OZP since 17.10.2008
Appendices VI-1 and VI-2	Public Comments received during the Statutory Publication Period
Appendix VII	Recommended Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawings A-2 and A-3	Site Layout Plans
Drawing A-4	Landscape and Tree Preservation Proposal
Drawing A-5	As-built Drainage Plan
Drawing A-6	FSIs Proposal
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
JUNE 2020**