

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

APPLICATION NO. A/YL-TYST/944

<u>Applicants</u>	: Wing Shing Caisson & Foundation Limited and Thousand Bay Industries Limited
<u>Site</u>	: Lots 1231 S.A ss. 1 (Part) and 1231 S.B RP (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long, New Territories
<u>Site Area</u>	: 1,230m ² (about)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/12
<u>Zoning</u>	: “Undetermined” (“U”)
<u>Application</u>	: Renewal of Planning Approval for Temporary “Open Storage of Construction Machinery” for a Period of 3 Years

1. The Proposal

- 1.1 The applicants seek renewal of planning approval for temporary open storage of construction machinery at the application site (the Site) for a further period of 3 years (**Plan A-1**). According to the Notes of the OZP for the “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 for the applied use with valid planning permission under application No. A/YL-TYST/777 up to 1.3.2019.
- 1.2 The Site was involved in 7 previous applications (No. A/YL-TYST/233, 279, 314, 420, 581, 631 and 777) for the same applied use on the same site. Except for application No. A/YL-TYST/279 which was rejected by the Rural and New Town Planning Committee (the Committee) of the Board, the other 6 applications were approved with conditions by the Committee or the Board on review each for periods ranging from 18 months to 3 years (**Plan A-1**). All the time-limited approval conditions of the last application (No. A/YL-TYST/777) have been complied with. Details of the previous applications are at paragraph 6 below and **Appendix IV**. Compared with the last application, the current application is submitted by the same applicants for the same use on the same site, and the

development parameters and site layout largely remain unchanged (except for a central open parking area within the Site to serve for parking and loading/unloading arrangement in the current application).

- 1.3 The Site is accessible from Kung Um Road to its east via a local track (**Plan A-3** and **Drawing A-1**). According to the applicants, there is no covered structure within the Site except for a steel frame at the western portion of the Site. The types of goods transported and stored on-site include machines and associated accessories and tools for construction use. An average of 1 to 2 vehicular trips would be generated per day. As proposed by the applicants, no parking, queuing and reverse movement of vehicles on public road will be allowed. Plans showing the vehicular access leading to the Site, layout plan, landscape plan, drainage plan and fire services installation (FSIs) proposal submitted by the applicants are at **Drawings A-1 to A-5**.
- 1.4 The major development parameters of the previously approved application and the current application are largely the same and summarised as follows:

Major Development Parameters	Previously Approved Application No. A/YL-TYST/777	Current Application No. A/YL-TYST/944
Site Area	1,230m ² (about)	
Total Floor Area (Non-domestic)	Nil	
No. of Structure	1 (uncovered steel frame)	
Parking Space and Loading/ Unloading Space	---	A central open parking area within the Site
Operation Hours	8:00 a.m. to 6:00 p.m. with no operation on Sundays and public holidays	

- 1.5 In support of the application, the applicants have submitted the following documents:

- (a) Application Form received on 2.1.2019 **(Appendix I)**
- (b) Further Information received on 29.1.2019 providing responses to the Commissioner for Transport's comments **(Appendix Ia)**
[accepted and exempted from publication and recounting requirements]
- (c) Further Information received on 14.2.2019 providing a revised landscape plan and clarifying the types of construction machinery stored on the Site **(Appendix Ib)**
[accepted and exempted from publication and recounting requirements]

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in Part 8 of the Application Form at **Appendix I** and the Further Information at **Appendices Ia and Ib**. They can be summarised as follows:

- (a) The Site is the subject of a previous application which was approved with conditions by the Committee for a period of 3 years on 5.2.2016. The applicants wish to continue the applied use at the Site and hence submit the current renewal application.
- (b) The temporary open storage use at the Site has contributed significantly to the applicants' business operation. The applicants' business would be affected if they are not allowed to continue the open storage use at the Site.
- (c) The estimated daily traffic flow is 1 to 2 vehicles while the hourly traffic flow is around 0.1 to 0.2 vehicles only. Only machines and associated accessories and tools for construction will be transported into the Site.
- (d) There will be a central open parking area within the Site to serve for parking and loading/unloading arrangement. The applicants pledge that no parking, queuing and reverse movement of vehicles on public road will be allowed.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicants are the sole "current land owners". 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. 13E) are relevant to the application. The Site falls within Category 1 areas under TPB PG-No. 13E promulgated by the Board on 17.10.2008. 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. 34B) are also relevant to the application. The relevant assessment criteria are attached at **Appendix III**.

5. Background

Since the Site is covered by a valid planning permission, it is not subject to any planning enforcement action. Follow-up investigation will be taken upon expiry of the current planning permission if the subjection application is not approved by the Board.

6. Previous Applications

- 6.1 The Site was involved in 7 previous applications (No. A/YL-TYST/233, 279, 314, 420, 581, 631 and 777) for the same applied use for a period of 3 to 5 years

covering the same site. Except for application No. A/YL-TYST/279 which was rejected by the Committee of the Board, the other 6 applications were approved with conditions by the Committee or the Board on review for periods ranging from 18 months to 3 years. Details of the applications are summarised in **Appendix IV** and the boundaries of the Site are shown on **Plan A-1**.

- 6.2 Application No. A/YL-TYST/233 for temporary open storage of construction machinery for a period of 3 years was approved with conditions by the Board on review on 6.8.2004 for a period of 18 months. The subsequent application (No. A/YL-TYST/279) for minor amendments to the scheme under application No. A/YL-TYST/233 involving the addition of an egress point at the southeast of the site was rejected by the Committee on 4.3.2005 mainly on the consideration that the proposed arrangement would induce additional vehicular traffic along the access track to the southeast of the site, thereby generating adverse environmental impact on the residential structures located along the access track.
- 6.3 Applications No. A/YL-TYST/314, 420, 581, 631 and 777 for temporary open storage of construction machinery covering the same site were approved with conditions by the Committee each for a period of 3 years on 28.4.2006, 27.3.2009, 30.3.2012, 1.3.2013 and 5.2.2016 respectively. However, the planning permission of application No. A/YL-TYST/581 was subsequently revoked on 30.9.2012 due to non-compliance with the approval condition on the submission of FSIs proposal. For the last application (No. A/YL-TYST/777), all the time-limited conditions have been complied with and the permission is valid up to 1.3.2019.
- 6.4 Compared with the last application, the current application is submitted by the same applicants for the same use on the same site with largely the same site layout.

7. Similar Applications

- 7.1 A total of 45 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 had been considered by the Committee since the promulgation of TPB PG-No. 13E on 17.10.2008. Details of the applications are summarised in **Appendix V** and the locations of the sites are shown on **Plan A-1**.
- 7.2 Out of the 45 similar applications, 44 of which 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, amongst these approved applications, 17 were revoked due to non-compliance with approval conditions.
- 7.3 One similar application (No. A/YL-TYST/472) was rejected by the Committee on 7.5.2010, mainly on the grounds that the development, which involved storage of electronic parts with ancillary workshop, did not comply with TPB PG-No. 13E in that it was not compatible with the surrounding residential/rural uses; there were adverse departmental comments on the application; and there was insufficient information to demonstrate no adverse environmental impact on the surrounding areas.

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

8.1 The Site is:

- (a) accessible from Kung Um Road to its east via a local track (**Plan A-3**);
- (b) paved and partly fenced off with a steel frame structure occupying part of the Site; and
- (c) currently occupied for the applied use with valid planning permission under application No. A/YL-TYST/777 up to 1.3.2019.

8.2 The surrounding areas have the following characteristics (**Plan A-2**):

- (a) comprise mainly of warehouses intermixed with some open storage yards, vehicle repair workshops, scattered residential structures, parking of vehicles, some sites with works in progress and vacant structures/land;
- (b) there are existing residential structures in its vicinity with the nearest one located about 25m away to its east (**Plan A-2**);
- (c) there are three warehouses located to the southeast, east and southwest, as well as an open storage yard to the immediate southeast, which are operating with valid planning permissions under Applications No. A/YL-TYST/831, 879, 920 and 898 respectively; and
- (d) except for the aforementioned operations operating under valid permissions, the other warehouses, open storage yards, vehicle repair workshops and parking of vehicles in the vicinity of the Site are suspected unauthorised development (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) Within the Site, Lots 1231 S.A ss.1 and 1231 S.B RP in D.D. 119 are covered by Short Term Waivers (STWs) No. 3219 and 3220 respectively permitting structures erected thereon for the purpose of storage of construction machinery and ancillary use.
- (c) The Site is accessible from Kung Um Road via government land (GL) and private land. Her office does not provide maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site.
- (d) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (e) Should planning approval be given to the subject 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. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by her department acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by her department.

Traffic

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

- (a) He has no comment on the further information (**Appendix Ia**) received on 29.1.2019 submitted by the applicants from traffic engineering viewpoint.
- (b) No medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailers, should be allowed to park or enter/exit the Site.
- (c) The land status of the access road/path/track leading to the Site from Kung Um Road should be checked with the lands authority.
- (d) The management and maintenance responsibilities of the access road/path/track should be clarified and consulted with the relevant management and maintenance authorities accordingly.
- (e) The applicants are 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) The access arrangement to the Site from Kung Um Road should be commented by the Transport Department.
- (b) Adequate drainage measures should be provided at the Site to prevent surface water flowing from the Site to nearby public roads/drains.
- (c) 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 are sensitive receivers of residential use in the vicinity (with the nearest one situated about 25m to its immediate east) (**Plan A-2**) and environmental nuisance is expected.
- (b) There was no environmental complaint concerning the Site received in the past 3 years.
- (c) Should the planning application be approved, the applicants should be advised to follow the relevant mitigation measures and requirements in the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (Code of Practice).

Landscape

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

- (a) The Site, located in Tong Yan San Tsuen, falls within an area zoned “U” on the OZP. The application seeks renewal of planning approval for temporary open storage of construction machinery for a period of 3 years. The Site is subject to 6 previously approved applications (No. A/YL-TYST/233, 314, 420, 581, 631 and 777) for the same open storage uses.
- (b) The site area is about 1,230 m². With reference to the information submitted, the temporary open storage is already in use and some existing trees along the eastern boundary are proposed to be preserved. Significant landscape impact arising from the continuous use on the area is not anticipated. Therefore, she has no objection to the application from the landscape planning perspective.
- (c) The applicant is advised that the approval of the landscape proposal does not imply approval of tree works such as pruning,

transplanting and felling under lease. Tree removal applications should be submitted direct to DLO for approval.

- (d) The applicant is reminded of the importance of undertaking proper tree care for the existing trees. Useful information published by the Greening, Landscape & Tree Management Section, Development Bureau on general tree maintenance and tree risk management is available for reference in the following links:
- (i) Pictorial Guide for Tree Maintenance (護養樹木的簡易圖解):
http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf
 - (ii) Handbook on Tree Management (樹木管理手冊):
https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html
 - (iii) Tree Risk Assessment and Management Arrangement (樹木風險評估及管理安排):
https://www.greening.gov.hk/tc/tree_care/tra_arrangements.html
 - (iv) Minimising Tree Risks (護養樹木保障安全):
http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Chinese_Leaflet_Big_font_size_v1_2012_03_29.pdf
 - (v) Pictorial Guide for Tree Maintenance to Reduce Tree Risks (減低樹木風險的樹木護養簡易圖解):
[http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk\(eng\).pdf](http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk(eng).pdf)

Drainage

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

- (a) Based on the drainage proposal (**Drawing A-4**) enclosed in the application, apparently the applicant would maintain the same existing drainage facilities as those implemented under previous planning application No. A/YL-TYST/777.
- (b) He has no objection in principle to the applied development from the drainage point of view. Should the Board consider that the application is acceptable from the planning point of view, approval conditions requiring the maintenance of the existing drainage facilities implemented under application No. A/YL-TYST/777 and submission of a condition record of the existing drainage facilities on the Site to the satisfaction of the

Director of Drainage Services or of the Board should be stipulated.

Fire Safety

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

- (a) He has no objection to the renewal application as relevant fire safety requirements are deemed to be complied with.
- (b) The applicants should be advised to adhere to the good practice guidelines for open storage attached in **Appendix VI**.
- (c) The applicants are 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

10.1.8 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 applicants' 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 Buildings Department (BD), 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 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 are to be carried out on the Site, prior approval and consent of BD should be obtained, otherwise they are UBW. An Authorised Person (AP) 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.

Others

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

- (a) CEDD and PlanD jointly commissioned the “Planning and Engineering Study for Housing Sites in Yuen Long South (YLS) – Investigation” (the Study). According to the Recommended Outline Development Plan (RODP) of YLS promulgated on 8.8.2017, the Site mainly falls within an area zoned as “Residential – Zone 2(with Commercial)” (“R2c”).
- (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.

10.1.10 Comments of Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD):

- (a) His department has no objection to the subject application.
- (b) However, the Site falls within the project boundary of the proposed YLS Development - Stage 3. The YLS Development would provide land to meet the medium to long term housing needs of Hong Kong and its detailed implementation programme with phasing and packaging of works for YLS Development is being formulated.

District Officer’s Comments

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

The local consultation was completed and his office has not received any comment from the village representatives in the vicinity.

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

- (a) Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);

- (c) Director of Electrical and Mechanical Services (DEMS); and
- (d) Commissioner of Police (C of P).

11. Public Comment Received During the Statutory Publication Period

On 11.1.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 1.2.2019, no public comment was received.

12. Planning Considerations and Assessments

12.1 The subject application is for renewal of planning permission under previous application No. A/YL-TYST/777 for temporary “open storage of construction machinery” for a period of 3 years at a site zoned “U” 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, C for T has no adverse comment on the application. While the Site falls within an area zoned as “R2c” on the RODP of YLS promulgated on 8.8.2017, CE/CID of PlanD does not raise objection to the application and PM(W) of CEDD has no objection to the proposed temporary use for 3 years. Approval of the application on a temporary basis would not jeopardise the long-term development of the area.

12.2 The surrounding areas comprise mainly of warehouses intermixed with some open storage yards, vehicle repair workshops, and similar uses are found in the vicinity of the Site (**Plan A-2**). As such, the development is not incompatible with the surrounding uses in the subject “U” zone comprising similar open storage uses.

12.3 According to TPB PG-No. 13E, the Site 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. 13E in that the Site falls within Category 1 areas which are considered suitable for open storage and port back-up use; and the technical concerns of relevant government departments could be addressed through the implementation of approval conditions.

12.4 The application is generally in line with TPB PG-No. 34B in that there has been no material change in planning circumstances since the granting of the previous approval under application No. A/YL-TYST/777; the approval conditions have been complied with; and the 3-year approval period sought is of the same timeframe as the previous approval.

- 12.5 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 25m to its east (**Plan A-2**), and environmental nuisance is expected. However, there has been no environmental complaint concerning the Site received in the past 3 years. To address the concerns on the possible environmental nuisances generated by the temporary use and to address the technical requirements of other concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. 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 applicants will also be advised to follow the Code of Practice in order to minimise any potential environmental impact, and to keep the Site clean and tidy at all times.
- 12.6 Given that six previous approvals for the same applied use has been granted to the Site and 44 similar applications have been approved in this part of the “U” zone, approval of the current application is in line with the Committee’s previous decisions.
- 12.7 There is no public comment received on the application during statutory publication period.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above, the Planning Department considers that the temporary open storage of construction machinery 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 further period of 3 years from 2.3.2019 to 1.3.2022. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicants, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicants, is allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road, as proposed by the applicants, at any time during the planning approval period;

- (e) no repairing, dismantling, maintenance, cleaning or any other workshop activities are allowed on the Site at any time during the planning approval period;
- (f) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) all existing trees within 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 2.6.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) 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 (a), (b), (d), (e), (h), (i), (j) and (k) are the same as those under the permission for application No. A/YL-TYST/777, while conditions (c), (f) and (g) are updated and conditions related to FSI proposals are deleted to accord with the departments' 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 Members' reference:

the applicants fail 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 applicants.

15. Attachments

Appendix I	Application Form received on 2.1.2019
Appendix Ia	Further Information received on 29.1.2019 providing responses to the Commissioner for Transport's comments
Appendix Ib	Further Information received on 14.2.2019 providing a revised landscape plan and clarifying the types of construction machinery stored on the Site
Appendix II	Relevant extract of the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13E)
Appendix III	Relevant extract of 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. 34B)
Appendix IV	Previous Applications covering the Site
Appendix V	Similar applications in this part of the "U" zone on the OZP since the promulgation of TPB PG-No. 13E
Appendix VI	The Good Practice Guidelines for Open Storage Sites
Appendix VII	Recommended Advisory Clauses
Drawing A-1	Plan showing the vehicular access leading to the Site
Drawing A-2	Proposed Layout Plan
Drawing A-3	Revised Landscape Plan
Drawing A-4	Proposed Drainage Plan
Drawing A-5	Fire Service Installations Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4a to A4-b	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2019**