

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/946

- Applicant** : Sam Tung Trading Company represented by Goldrich Planners & Surveyors Limited
- Site** : Lots 326 (Part), 327 S.A (Part), 327 S.A ss.1 (Part), 327 S.B (Part), 327 S.C (Part), 327 S.D (Part) and 328 (Part) in D.D.119, Shan Ha Tsuen, Yuen Long, New Territories
- Site Area** : 3,002.4m² (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 99.77%); and
“Village Type Development” (“V”) (about 0.23%)
[restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Open Storage of Recycled Goods (Used Electronic Appliances) with Ancillary Workshop and Site 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 recycled goods (used electronic appliances) with ancillary workshop and site office for a period of 3 years. The Site falls mainly within an area zoned “U” (about 99.77%) with a very minor portion within an area zoned “V” (about 0.23%) on the OZP (**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). A large part of the Site (about 98%) is currently occupied for the applied use with valid planning permission under application No. A/YL-TYST/846 up to 11.8.2020 (**Plans A-1b to 4b**).
- 1.2 The Site was the subject of 7 previous applications (No. A/YL-TYST/178, 243, 320, 448, 610, 661 and 846) for similar temporary open storage use with or without ancillary workshop and site office. The last application (No.

A/YL-TYST/846) for the same use as the current application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 11.8.2017. Details of the previous applications are at paragraph 6 and **Appendix III**. Compared with the last application, the current application is submitted by the same applicant for the same open storage use on a slightly larger site with modification of the site boundary, increase in site area, total floor area and six additional structures.

1.3 The Site is accessible via a local track from Shan Ha Road to its northwest (**Drawing A-1 and Plans A-2 and A-3**). According to the applicant, the workshop activities at the Site, which only involve packaging and sorting of used electronic appliances, would be confined under five open sheds. The non-electronic parts of the electronic appliances would be stored at the open area, and electronic parts would be stored under two open sheds. The applicant also undertakes that no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, would be allowed to enter/exit the Site. The trip generation and attraction rate is anticipated to be 4 per day. The applicant would preserve 16 existing trees on the Site and provide regular inspection and horticultural maintenance according to relevant guidelines, when necessary. Plans showing the vehicular access leading to the Site, the additional site area compared with previous planning permission No. A/YL-TYST/846, site layout, landscape and tree preservation proposal and drainage proposal submitted by the applicant are at **Drawings A-1 to A-5**.

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

Major Development Parameters	Previously Approved Application No. A/YL-TYST/846 (a)	Current Application No. A/YL-TYST/946 (b)	Difference (b)-(a)
Applied Use	Temporary Open Storage of Recycled Goods (Used Electronic Appliances) with Ancillary Workshop and Site Office for a Period of 3 Years		---
Zonings	“U”	“U” (about 99.77%) “V” (about 0.23%)	Minor portion encroaches onto the “V” zone
Site Area	About 2,955.4m ² • Uncovered Area: 2,158.4m ² (about) • Covered Area: 797m ² (about)	About 3,002.4m ² • Uncovered Area: 1,976.93m ² (about) • Covered Area: 1,025.47m ² (about)	+47m ² (+1.6%) -181.47m ² (-8.4%) +228.47m ² (+28.7%)
Total Floor Area (Non-domestic)	• About 931.06 m ²	• About 1,148.91 m ²	+217.85m ² (+23.4%)

No. of Structures	8 (for storage, workshop and site office uses)	14 (for storage, workshop and site office uses)	+6
Height of structures	2.6m to 5.2m (1 to 2 storeys)		---
Loading/Unloading 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		---

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

- (a) Application Form with an appendix and plans received on 17.1.2019 **(Appendix I)**
- (b) Further Information received on 13.2.2019 clarifying the trip generation and attraction rate of the applied use **(Appendix Ia)**
[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 detailed in Appendix I attached to the Application Form **(Appendix I)** and Further Information **(Appendix Ia)**. They can be summarised as follows:

- (a) 99.8% of the Site falls within “U” zone on the OZP and “Category 1” areas under the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E). The planning intention of “U” zone is to cater for the continuing demand for open storage which cannot be accommodated in conventional godown premises. “Category 1” areas of TPB PG-No. 13E are considered suitable for open storage and port back-up uses and favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comment and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. The application is in line with the TPB PG-No. 13E.
- (b) The Site is the subject of 7 previous applications (No. A/YL-TYST/178, 243, 320, 448, 610, 661 and 846) for temporary open storage uses. The Site area is increased by 1.6% (i.e. 47m²) when compared with the last approved application No. A/YL-TYST/846. Given the previously approved applications and that the planning circumstances had not significantly changed, approval of the current application is in line with the Committee’s previous decisions.
- (c) Different open storage and workshop uses are found to the south and east of the Site within the same “U” zone. The temporary nature of the applied use is considered compatible with the surrounding characteristics.

- (d) There will be no adverse impacts to the surrounding environment, which comprises mainly of open storage uses to the north, south and south-west of the Site and residential structures to the west of the Site. The heights of structures proposed at the Site range from 2.6m to 5.2m (equivalent to 1 to 2 storeys). Thus, no significant adverse visual impact is anticipated. Also, the landscape and drainage proposals have been revised from the previous planning permission No. A/YL-TYST/846 (**Drawings A-4 and A-5**). Besides, sufficient manoeuvring space will be provided within the Site. Hence, no vehicle queuing, reversing and manoeuvring of vehicles out of the Site is required. The trip generation and attraction rate remains the same as the previous planning permission No. A/YL-TYST/846, which is relatively low (4 per day). Significant adverse impact on the local road networks (i.e. Shan Ha Road) is not anticipated.
- (e) The applied use can provide employment opportunities to local residents.

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 at 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.13E) are relevant to the application. The Site falls largely within Category 1 areas (i.e. about 99.77% of the Site in the “U” zone) with a very minor portion falling within Category 4 areas (i.e. about 0.23% of the Site in the “V” zone) under TPB PG-No. 13E promulgated by the Board on 17.10.2008. 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 7 previous applications (No. A/YL-TYST/178, 243, 320, 448, 610, 661 and 846) for similar temporary open storage uses covering different extent 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 submitted by a different applicant were approved with conditions by the Committee for a period of 2 to 3 years on 8.11.2002, 17.7.2004, 16.6.2006 and 18.9.2009 respectively. However, the planning permission of application No. A/YL-TYST/178 was subsequently revoked on 8.2.2004 due to non-compliance with approval condition on provision of drainage facilities.

- 6.3 Applications No. A/YL-TYST/610 and 661 for temporary open storage of recycled goods (used electronic appliances) with ancillary workshop and site office submitted by the same applicant as the current application were approved with conditions by the Committee for a period of 3 years on 5.10.2012 and 7.2.2014 respectively. The last application (No. A/YL-TYST/846) for the same applied use submitted by the same applicant was approved with conditions by the Committee for a period of 3 years on 11.8.2017. The time-limited approval conditions regarding the provision of boundary fence, implementation of landscape and tree preservation proposal and fire service installations (FSIs) proposal have yet to be complied with.
- 6.4 Compared with the last application, the current application is submitted by the same applicant for the same open storage use on a slightly larger site with a modification of the site boundary, increase in site area, total floor area and six additional structures.

7. Similar Applications

- 7.1 A total of 133 similar applications for various types of temporary open storage uses with or without warehouse and/or ancillary workshop uses in this part of the “U” zone had been 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 these 133 similar applications, 131 were approved mainly on similar considerations that they were generally in line with TPB PG-No. 13E in that the developments were not incompatible with the surrounding open storage/warehouse uses and the concerns of relevant government departments could be addressed by imposing approval conditions. However, amongst these approved applications, 27 were 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 and the Board on review respectively mainly on the reasons, 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.

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 (**Plan A-3**);
 - (b) paved and fenced off; and

- (c) a large part of the Site (about 98%) is currently occupied by the applied use with valid planning permission under application No. A/YL-TYST/846.

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

- (a) comprise mainly of open storage yards intermixed with some warehouses, parking of vehicles, scattered residential structures (including a vacant Small House), some vegetation land and vacant land;
- (b) residential structures are found in the vicinity of the Site with the nearest one located at about 30m to its northwest. The main village clusters of Shan Ha Tsuen are located at about 200m to its further northwest;
- (c) there are six open storage yards located to the south, southwest, north and immediate north, which are operating with valid planning permissions under Applications No. A/YL-TYST/783, 810, 845, 835, 919 and 935 respectively; and
- (d) except for the aforementioned operations operating under valid permissions, the other open storage yards, warehouses 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 of 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 326 in D.D. 119 is covered by Short Term Waiver (STW) No. 3135 which permits the structure(s) erected thereon for the purpose of ‘storage and ancillary use’.
- (c) The Site is accessible from Shan Ha 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 planning application, the STW holder(s) will need to apply to her office for modification of the STW conditions where appropriate. The lot(s) owner(s) 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. 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(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.

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 13.2.2019 submitted by the applicant's representative from traffic engineering viewpoint.
- (b) The land status of the access road/path/track leading to the Site from Shan Ha Road shall be checked with the lands authority.
- (c) The management and maintenance responsibilities of the access road/path/track shall be clarified and consulted with the relevant management and maintenance authorities accordingly.
- (d) 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) The access arrangement should be commented by the Transport Department.
- (b) Adequate drainage measures should be provided at the site access 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 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 its northwest) (**Plan A-2**) with heavy vehicles involved; environmental nuisance is expected.
- (b) There was no environmental complaint concerning the Site received in the past 3 years.
- (c) The applicant should be reminded to implement mitigation measures to avoid water and soil contamination from the proposed use including the following as specified in Annex 1 of the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (Code of Practice):
 - (i) S(2) Bunds should be provided to contain any spillage of chemical storage and the chemical storage area should be properly hard-paved;
 - (ii) S(4) Drainage channels and an oil interceptor should be installed to reduce pollutants from the site run-off; and
 - (iii) S(5) Materials stored in the open area which may leak out oil or chemical waste should be placed on the non-slip heavy duty membrane and properly covered with water proofing sheet to avoid any soil contaminations.
- (d) For disposal of e-waste under the definition of the Waste Disposal Ordinance, the applicant should be reminded to apply for the necessary licence/ permit. It is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances and provide necessary mitigation measures.
- (e) Should the planning application be approved, the applicant should be advised to follow all relevant mitigation measures and requirements in the 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 proposed development from the public drainage point of view.

- (b) Based on the planning statement enclosed in the application, the applicant would maintain the same drainage facilities as those maintained under previous planning Application No. A/YL-TYST/846.
- (c) 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, and 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):

- (a) He has no objection in principle to the proposal subject to 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 be advised on the following points:
 - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iii) the good practice guidelines for open storage (**Appendix V**) should be adhered to.
- (c) Moreover, having considered the nature of the open storage, an approval condition for the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to his satisfaction shall be stipulated; and the applicant is advised to submit a valid fire certificate (FS 251) to his department for approval.
- (d) The applicant is reminded that should any structure(s) be proposed and are 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 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 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 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 and land filling) 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.

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, the Site mainly falls within areas zoned as "Special Residential – Public Rental Housing (with Commercial)" ("RSc"), "Local Open Space" ("LO") and "District Open Space" ("DO"), an area shown as 'Road', 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 Project Manager (West), CEDD (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 2. The YLS Development would provide land to meet the medium to long term housing needs of Hong Kong. The applicant shall be reminded that extension of the planning permission may not be supported in future when the detailed implementation programme of works in the Site under YLS Development - Stage 2 is formulated.

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 comment from the locals on the application.

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 25.1.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 15.2.2019, no public comment was received.

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage of recycled goods (used electronic appliances) with ancillary workshop and site office for a period of 3 years. The Site falls within an area mainly zoned "U" (about 99.77%) on the OZP, with only a very minor portion (about 0.23%) straddling the adjacent "V" zone. 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 "RSc", "LO" and "DO" 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. 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 areas comprise mainly of open storage yards intermixed with some warehouses, parking of vehicles, scattered residential structures, some vegetated land and vacant land. There are open storage yards operating with valid planning permissions in the vicinity of the Site. As such, the development is not incompatible with the surrounding uses.

12.3 According to TPB PG-No. 13E, the majority of 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 majority of the Site (about 99.77%) falls within Category 1 areas which are considered suitable for open storage and port back-up use; relevant proposals have been submitted to demonstrate that the proposed use would not generate adverse impacts; 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 heavy vehicles are involved; 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 applicant 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.

12.5 Given that the Committee has approved 7 applications for similar temporary open storage uses covering the Site and 131 similar applications have been approved for open storage with/without warehouse uses in the vicinity of the Site, approval of the subject application is considered in line with the Committee's previous decisions.

12.6 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 recycled goods (used electronic appliances) with ancillary workshop and site 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 8.3.2022. 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 7:00 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 heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, 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;
- (d) no repairing, cleaning, dismantling, cutting, grinding or other workshop activities, except for ancillary sorting and packaging, as proposed by the applicant, is allowed on 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 drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on the Site within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 8.6.2019;
- (h) the provision of boundary fence 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 8.9.2019;
- (i) the provision of fire extinguisher(s) with a 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 19.4.2019;

- (j) the submission of a 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 8.9.2019;
- (k) in relation to (j) 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 8.12.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory clauses

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

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

the 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 an appendix and plans received on 17.1.2019
- Appendix Ia** Further Information received on 13.2.2019 clarifying the trip generation and attraction rate of the applied use
- 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	Previous Applications covering the Site
Appendix IV	Similar applications in this part of the “U” zone on the OZP since the promulgation of TPB PG-No. 13E
Appendix V	The Good Practice Guidelines for Open Storage Sites
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Plan showing the vehicular access leading to the Site
Drawing A-2	Lot Index Plan showing the additional site area compared with the previous application No. A/YL-TYST/846
Drawing A-3	Proposed Layout Plan
Drawing A-4	Proposed Landscape and Tree Preservation Plan
Drawing A-5	Proposed Drainage Plan
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-4b	Site Photos

**PLANNING DEPARTMENT
MARCH 2019**