

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/994

<u>Applicant</u>	: Hang Sing Limited represented by Metro Planning and Development Company Limited
<u>Site</u>	: Lot 1662 RP (Part) in D.D. 121, Sha Ha Tsuen, Yuen Long, New Territories
<u>Site Area</u>	: 1,670 m 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>	: Temporary Open Storage of Construction Materials and Recycled Materials (Metal) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for temporary open storage of construction materials and recycled materials (metal) for a period of 3 years (**Plan A-1a**). 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 by the applied use without valid planning permission. (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site was involved in 5 previous applications (No. A/YL-TYST/146, 364, 501, 650 and 817) (**Plan A-1b**) for various open storage uses. The last application for temporary open storage of construction materials and recycled materials (including metal, paper and plastic goods) was approved with conditions for a period of 3 years by the Rural and New Town Planning Committee (the Committee) of the Board on 9.12.2016. All approval conditions under the last application had been complied with and the planning permission had lapsed recently on 10.12.2019. 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 similar open storage use (i.e. change in stored recycled materials to exclude

paper and plastic goods) on the same site with identical development parameters and site layout.

1.3 According to the applicant, the proposal is for open storage of construction materials (including pipes and sanitary wares) and recycled metal. The recycled metal will be stored within an open shed. No repairing, cleaning, dismantling, other workshop activities and handling/storage of computer parts (including cathode-ray tubes) and electronic wastes will be carried out at the Site. Also, no heavy goods vehicles exceeding 24 tonnes, including container tractor/trailer, will be allowed to enter the Site. The applicant also undertakes that all existing trees/drainage facilities within the Site will be preserved/maintained at his own expense. Plans showing the vehicular access leading to the site, site layout, landscape and tree preservation proposal and as-built drainage facilities submitted by the applicant are at **Drawings A-1 to A-4** respectively.

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

Major Development Parameters	Previously Approved Application No. A/YL-TYST/817 (a)	Current Application No. A/YL-TYST/994 (b)	Difference (b)-(a)
Applied Use	Temporary Open Storage of Construction Materials and Recycled Materials (including Metal, Paper and Plastic Goods) for a Period of 3 Years	Temporary Open Storage of Construction Materials and Recycled Materials (Metal) for a Period of 3 Years	Change in Stored Items
Site Area	About 1,670 m ²		---
Total Floor Area (Non-domestic)	827 m ²		---
No. and Height of Structure	3 <ul style="list-style-type: none"> • one for storage (6.5m, 1 storey) • one for toilet (2.5m, 1 storey) • one for site office (6m, 2 storeys) 		---
No. of Parking Spaces	2 (one each for private car (5m x 2.5m) and light goods vehicle (7m x 3.5m))		---
No. of Loading/Unloading Space	1 (11m x 3.5m) (for light/medium goods vehicle)		---
Operation Hours	7:00a.m. to 7:00p.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 received on 14.10.2019 **(Appendix I)**
- (b) Supplementary Planning Statement **(Appendix Ia)**

- (c) Further Information (FI) dated 4.12.2019 providing (**Appendix Ib**) a replacement paragraph of the Supplementary Planning Statement and clarifications on the stored items
[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 Section 3 of the Supplementary Planning Statement at **Appendix Ia** and the FI at **Appendix Ib**. They can be summarised as follows:

- (a) The Site was the subject of previous planning permissions. All planning conditions imposed to the last application (No. A/YL-TYST/817) had been complied with. There is no material change in planning circumstances since the last approval.
- (b) According to the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No.13E), the Site falls within Category 1 areas and is considered suitable for open storage and port back-up uses.
- (c) The proposed development is in line with the planning intention of the “U” zone. A number of open storage yards and warehouses have been approved by the Board in the vicinity of the Site. Therefore, the development is compatible with the surrounding environment. Besides, there is a shortage of land for open storage purpose in Tong Yan San Tsuen.
- (d) There will be minimal traffic, environmental, visual and drainage impacts arising from the proposal. The development would not generate queuing of traffic outside the Site and adequate space for manoeuvring of vehicles and loading/unloading activities will be provided. The Site has been paved and fenced-off to reduce environmental impacts. The applicant undertakes to follow the environmental mitigation measures in the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Use” (Code of Practice), where applicable.

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting a notice of the application outside the Site and sending the notice to the Ping Shan Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No.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**.

5. Background

The Site is currently not subject to planning enforcement action.

6. Previous Applications

- 6.1 The Site was involved in 5 previous applications (No. A/YL-TYST/146, 364, 501, 650 and 817) for various temporary open storage uses covering different extents of the Site. Details of the applications are summarised in **Appendix III** and the boundaries of the sites are shown on **Plan A-1b**.
- 6.2 Application No. A/YL-TYST/146 for temporary storage of building materials for a period of 3 years covering a much larger site was rejected by the Committee on 7.9.2001 mainly on the considerations that there was insufficient information to demonstrate that the development would not generate adverse environmental and drainage impacts; and the vehicular access arrangement was not clearly indicated.
- 6.3 Applications No. A/YL-TYST/364, 501 and 650 for temporary open storage of construction materials and recycled materials (including metal, paper and plastic goods) submitted by the same applicant as the current application were all approved with conditions each for a period of 3 years by the Committee on 28.9.2007, 10.12.2010 and 22.11.2013 respectively, mainly on the considerations that the applications were generally in line with the then/prevaling TPB PG-No.13; the proposals were generally in line with the planning intention of the “U” zone; the proposals were generally not incompatible with the surrounding areas; and departmental concerns could be addressed by imposing approval conditions.
- 6.4 The last application (No. A/YL-TYST/817) for temporary open storage of construction materials and recycled materials (including metal, paper and plastic goods) for a period of 3 years was approved with conditions by the Committee on 9.12.2016 mainly on similar considerations as those stated in paragraph 6.3 above. All the time-limited approval conditions under the last application had been complied with and the planning permission had lapsed recently on 10.12.2019.
- 6.5 Compared with the last application, the current application is submitted by the same applicant for similar open storage use (i.e. change in stored recycled materials to exclude paper and plastic goods) on the same site with identical development parameters and site layout.

7. Similar Applications

- 7.1 A total of 142 similar applications for various types of temporary open storage and/or warehouse uses with/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 the promulgation of TPB PG-No. 13E on 17.10.2008. Details of

the applications are summarised in **Appendix IV** and the locations of the sites are shown on **Plan A-1a**.

- 7.2 Out of the 142 similar applications, 140 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, 30 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 grounds, amongst others, that approval of the application with repeated non-compliances would set an undesirable precedent for other similar planning permissions for temporary uses, thus nullifying the statutory planning control system.
- 7.4 For Members' information, application No. A/YL-TYST/995 for proposed temporary open storage of vehicle parts for a period of 3 years to the south of the Site within the subject "U" zone on the OZP will also be considered at this meeting (**Plan A-1a**).

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

- 8.1 The Site is:
- (a) accessible via a local track leading from Shan Ha Road to its northwest (**Plan A-3**);
 - (b) paved and fenced off; and
 - (c) currently occupied by the applied use without valid planning permission.
- 8.2 The surrounding areas have the following characteristics (**Plan A-2**):
- (a) predominantly open storage/storage yards intermixed with scattered residential structures, a warehouse, parking of vehicles, a chicken shed, agricultural land, shrubland, unused land and vacant land;
 - (b) there are residential structures in the vicinity with the nearest one located about 50m to its southwest (**Plan A-2**);
 - (c) to its east is a nullah bisected by Lam Tai East Road and Lam Tai West Road;
 - (d) to its west is an area zoned "Village Type Development" ("V") on the OZP; and
 - (e) there are six open storage yards located to the northwest, further northwest, southwest, south, southeast and northeast of the Site which are operating with valid planning permissions under applications No. A/YL-TYST/897, 895, 937, 826, 830 and 925 respectively; and

- (f) except for the aforementioned operations operating under valid planning permissions, the other open storage/storage yards, warehouse, parking of vehicles and chicken shed in the vicinity 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 and the public comment, 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 an Old Schedule Agricultural Lot 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, Lot 1662 RP in D.D. 121 is covered by Short Term Waiver (STW) No. 4239 to permit structures erected thereon for the purpose of “Temporary Open Storage of Construction Materials and Recycled Materials (including Metal, Paper and Plastic Goods)”.
- (c) The Site is accessible from Shan Ha Road via Government land (GL) and private land. Her office does not provide maintenance works for 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. 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.

- (f) The programme of land resumption would follow the project office's programme notwithstanding the validity 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 Shan Ha Road should be checked with the lands authority.
- (b) The management and maintenance responsibilities of the access road/path/track should be clarified and consulted 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 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 50m to the southwest of the Site) (**Plan A-2**) and the applied use will cause traffic of heavy vehicles; 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 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 (**Drawing A-4** and **Appendix Ia**) enclosed in the application, apparently the applicant would maintain the same drainage facilities as those implemented under the previous planning application No. A/YL-TYST/817.
- (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/817 and submission of records of the existing drainage facilities on the Site to the satisfaction of the Director of Drainage Services or of the Board should be stipulated.
- (d) Regarding the public comment at **Appendix VI**, while he noted that there were some existing drainage facilities at the Site, he will further arrange inspection to check if the drainage facilities comply with the agreed drainage proposal once the applicant submitted the condition record.

Food and Environmental Hygiene

10.1.6 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) His department's facilities will not be affected and the proposal shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding.
- (b) Proper licence/permit issued by his department is required if there is any catering service/activities regulated by him under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislations.
- (c) For any waste generated from the proposal, the applicant should arrange disposal properly at their own expenses.

Fire Safety

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

- (a) He has no objection in principle to the proposal subject to fire service installations (FSIs) being provided to his satisfaction.
- (b) In consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should also be advised on the following points:
 - (i) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy.
 - (ii) The location of where the proposed FSI to be installed should be clearly marked on the layout plans.
 - (iii) The good practice guidelines for open storage attached in **Appendix V** should be adhered to.
- (c) Moreover, having considered the nature of the open storage, an approval condition requiring the provision of fire extinguisher(s) within 6 weeks from the date of planning approval should be incorporated if the application is approved. To address this approval condition, the applicant is required to submit a valid fire certificate (FS 251) to his department for approval.
- (d) However, the applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Building Matters

10.1.8 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 (BA) for the existing structures at the site, he is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) The applicant's attention is drawn to the following points:
 - (i) If the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of BA, they are unauthorised building works (UBW) under 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, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with BO.
- (iv) The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively.
- (v) The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.

Others

10.1.9 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 an area zoned as "Local Open Space" ("LO") and an area shown as 'Road' and partly falls within areas zoned as "Residential – Zone 6" ("R6") and "Special Residential – Public Rental Housing (with Commercial)" ("RSc").
- (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 the Project Manager (West), CEDD (PM(W), CEDD):

- (a) The Site falls within the project boundary of the proposed YLS Development - Stage 1 (the project). To meet the target first population intake under the project by Q3 of 2028, land clearance is planned to commence in Q1 of 2022 subject to Executive Council's authorisation on land resumption and Finance Committee's funding approval of the project by mid-2021 and Q4 2021 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 which might take place at any time before the expiry of the temporary planning permission and no substantial work shall be carried out in view of the project' 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 relevant department(s) for early termination of the Site if his works commence early.

District Officer's Comments

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

His office has not received any feedback from the locals.

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

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

11. Public Comment Received During the Statutory Publication Period

On 22.10.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 12.11.2019, one public comment (**Appendix VI**) was received from a village representative of Shan Ha Tsuen raising concerns that approval of the development would hinder the land resumption programme of YLS; the proposal would have environmental (dust and noise) impact on the surrounding and create fire safety and flooding concerns; long

vehicles (over 12m in length) would be attracted to the Site; and the proposal would worsen congestion and overload the local track leading to the Site.

12. Planning Considerations and Assessments

12.1 The subject application is for temporary open storage of construction materials and recycled materials (metal) 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, the vehicular access to the Site is from Shan Ha Road and local tracks and C for T has no adverse comment on the application. While the Site mainly falls within an area zoned as “LO” and an area shown as ‘Road’ and partly falls within areas zoned as “R6” and “RSc” on the RODP of YLS promulgated on 8.8.2017, CE/CID, PlanD does not raise objection to the application and PM(W), CEDD has no objection to the proposed temporary use for 3 years. The programme of land resumption would also follow the project office’s programme. 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 predominantly open storage/storage yards (**Plan A-2**). Although there are residential structures nearby, with the nearest one situated about 50m to the southwest of the Site, the proposal is generally not incompatible with the surrounding uses in the subject “U” zone.

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 and local residents 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 50m its southwest) (**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 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 latest Code of Practice to minimise any potential environmental impact on the surrounding area.

- 12.5 Given that 4 previous approvals for similar open storage uses have been granted to the Site and 140 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. There was one previous application (No. A/YL-TYST/146) for temporary storage of building materials for a period of 3 years rejected by the Committee in 2001 mainly on the considerations that there was insufficient information to demonstrate that the development would not generate adverse environmental and drainage impacts; and the vehicular access arrangement was not clearly indicated. However, the current application indicates that the Site will be accessed from Shan Ha Road via a local track (**Drawing A-1**); relevant approval conditions are recommended to minimise any potential environmental and drainage impacts; and there was no adverse comment from C for T and CE/MN, DSD on the application as mentioned in paragraph 12.4 above. There were also two similar applications in this part of the “U” zone rejected mainly on the grounds, amongst others, that approval of the application with repeated non-compliances would set an undesirable precedent for other similar planning permissions for temporary uses, thus nullifying the statutory planning control system. However, such considerations are not applicable to the current application as all the approval conditions of the last application had been complied with.
- 12.6 There was one public comment raising concerns on the application received during the statutory publication period as summarised in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.5 are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12, and having taken into account the public comment as summarised in paragraph 11, the Planning Department considers that the temporary open storage of construction materials and recycled materials (metal) 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 13.12.2022. 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 repairing, cleaning, dismantling, other workshop activities and handling/storage of computer parts (including cathode-ray tubes) and electronic wastes, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (f) all existing trees within the Site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time 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 records 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 13.3.2020;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within **6** weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 24.1.2020
- (k) 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 13.6.2020;
- (l) in relation to (k) 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 13.9.2020;
- (m) 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
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory clauses

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

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

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

14. Decision Sought

14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

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

15. Attachments

Appendix I	Application Form received on 14.10.2019
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI dated 4.12.2019 providing a replacement paragraph of the Supplementary Planning Statement and clarifications on the stored items
Appendix II	Relevant extract of 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	Public Comment receiving the Statutory Publication Period
Appendix VII	Recommended Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Drawing A-3	Tree Preservation Proposal
Drawing A-4	As-built 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 and A-4b Site Photos

**PLANNING DEPARTMENT
DECEMBER 2019**