

RNTPC Paper No. A/YL-NTM/380
For Consideration by
the Rural and New Town
Planning Committee
on 1.2.2019

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-NTM/380

- Applicant** : Cheung Shing Motor Transportation Company represented by Top Bright Consultants Ltd.
- Site** : Lots 2790 (Part), 2798 RP (Part), 2799 (Part), 2800, 2801 and Adjoining Government Land (GL) in D.D. 102, Kwu Tung Road, Ngau Tam Mei, Yuen Long
- Site Area** : About 2,571 m² (including GL of about 457 m² (17.8%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ngau Tam Mei Outline Zoning Plan (OZP) No. S/YL-NTM/12
- Zoning** : “Open Storage” (“OS”)
- Application** : Temporary Container Vehicle Park with Ancillary Facilities (Including Site Offices and Staff Rest Rooms) 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 container vehicle park with ancillary facilities (including site offices and staff rest rooms) for a period of 3 years (**Plan A-1**). The Site falls within an area zoned “OS” on the approved Ngau Tam Mei OZP No. S/YL-NTM/12. According to the Notes for the “OS” zone, ‘container vehicle park’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently used for parking of container vehicles/tractors (**Plan A-2**) without valid planning permission.
- 1.2 The Site is subject of 2 previous applications (Nos. A/DPA/YL-NTM/26 and A/YL-NTM/326). The last application No. A/YL-NTM/326 submitted by the same applicant for the same use was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 4.12.2015 for a period of 3 years. The planning permission was revoked on 4.5.2018 due to non-compliance with conditions on the implementation of landscape proposal and drainage proposal, and the provision of fire service installations (FSIs).

- 1.3 The Site directly abuts on Kwu Tung Road with its ingress and egress located at the eastern and south-western boundaries of the Site respectively. The layout plan and landscape plan are at **Drawings A-1 and A-2** respectively. The development parameter of the current application is the same as the previously approved application (No. A/YL-NTM/326) and are summarised as follows:

	Major Development Parameters
Site Area	About 2,571 m ² (GL of about 457 m ²)
Applied Use	Temporary Container Vehicle Park with Ancillary Facilities (Including Site Offices and Staff Rest Rooms) for a Period of 3 Years
No. of Structures (No. of Storey, Building Height)	9
	<ul style="list-style-type: none">• 4 site offices and/or staff rest room (2 with canopies, 1-2 storey, 2.4m to 4.8m);• 3 container storage (2 with canopies, 1 storey, 2.4m); and• 2 storage sheds (1 storey, 2.4m)
Total Floor Area	About 390 m ²
No. of Parking Space	7 container vehicle parking spaces 4 staff/visitor car parking spaces
Operation Hours	7:00 a.m. to 7:00 p.m., weekdays and Saturdays, closed on Sundays and public holidays

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

- (a) Application form received on 14.12.2018 **(Appendix I)**
- (b) Supplementary Planning Statement with replacement pages **(Appendix Ia)**
- (c) Further Information (FI) dated 16.1.2019 providing responses to departmental comments **(Appendix Ib)**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Supplementary Planning Statement at **Appendix Ia**. They can be summarized as follows:

- (a) The proposed development which is temporary in nature is in line with the planning intention of the “OS” zone. It is not incompatible with the surrounding land uses which are mainly storage yards, container vehicle/tractor parks and vehicle repair workshops.

- (b) In accordance with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of Town Planning Ordinance (TPB PG-No. 13E), the Site falls within “Category 1 Areas” which are considered tolerable for open storage and port pack-up uses.
- (c) The Site is a preferred location for parking of container vehicles as it is easily accessible to the Mainland via the Lok Ma Chau Control Point. The ancillary facilities, including site offices and staff rest rooms, provide the much needed service for the cross-boundary vehicles owned by the applicant.
- (d) The proposal would not have adverse drainage, traffic, visual, noise or environmental impacts on the surrounding areas. As periphery drainage channels would be provided, no adverse drainage impacts are anticipated. No adverse traffic impact would be generated as the applied use with 7 container vehicle parking spaces is not a high traffic generating use. The delivery trips to and from the Site will be low (estimated to be around 3 or 4 trips per day). There is an existing 2.5m high corrugated metal fencing and planting of periphery trees would be carried out to minimize the visual impact and noise nuisance.
- (e) The recent approvals of similar applications within the same “OS” zone, including Applications No. A/YL-NTM/343, 348, 358, 363 and 370, indicate that the Site is suitable for the proposed use.

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

The applicant is not a “current land owner” of the Site 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 site notice and sending notice to San Tin 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 under Section 16 of the Town Planning Ordinance (TPB PG-No.13E) provides guidelines for open storage and port back-up uses. The Site falls within Category 1 areas under the guidelines. The following criteria are relevant:

Category 1 areas: 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.

5. Background

The use on the Site would be subject to planning enforcement action if sufficient evidences are collected.

6. Previous Applications

6.1 The Site is subject of 2 previously approved planning applications. Application No. A/DPA/YL-NTM/26 for open storage of plywood was approved with conditions by the Committee on 5.8.1994 when the site then fell within an “Unspecified Use” area on the approved Ngau Tam Mei Development Permission Area (DPA) Plan No. DPA/YL-NTM/2. The last application No. A/YL-NTM/326 for the same applied use as the current application was approved with conditions by the Committee on 4.12.2015 for a period of 3 years mainly for the reasons that the development was not incompatible with the land uses of the surrounding areas, and was unlikely to generate significant adverse traffic and environmental impacts on the area given the approval conditions requiring provision of mitigation measure. The permission was subsequently revoked on 4.5.2018 due to non-compliance with approval conditions related to the implementation of landscape proposal and drainage proposal, and the provision of FSIs.

6.2 Details of these applications are summarized at **Appendix II**. Their locations are shown on **Plan A-1**.

7. Similar Applications

7.1 There are 33 applications for similar temporary uses involving container vehicles/lorries/tractors/trailers park, cargo handling, forwarding facility, vehicle repair workshop, open storage of construction materials and related uses within the same “OS” zone on Ngau Tam Mei OZP. Of the 33 applications, 28 of them were approved with conditions by the Committee for reasons that the applied uses were generally in line with the planning intention of the “OS” use and TPB-PG-No. 13E; the developments at the sites were not incompatible with the surrounding uses; the approvals were in line with the Committee’s previous decisions; and relevant Government departments generally had no adverse comments on/objecting to the application. Of the 28 approved applications, 9 of them were subsequently revoked due to non-compliance with approval conditions.

7.2 The remaining 5 similar applications were rejected by the Committee mainly on grounds that there were no technical assessments to demonstrate that the developments would not have adverse environmental and traffic safety impacts on the surrounding areas; not in line with TPB-PG No. 13E in that there were adverse departmental comments and local objections; and a number of the previous planning permissions granted were revoked due to non-compliance with approval conditions.

7.3 Details of these 33 applications are summarized at **Appendix III**. Their locations are shown on **Plan A-1**.

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

8.1 The Site is:

- (a) accessible via Kwu Tung Road at its eastern boundary;
- (b) hard-paved and fenced; and
- (c) currently used for parking of container vehicles/tractors without valid planning permission.

8.2 The surrounding areas are intermixed with vehicle parks, warehouses, workshops, open storage yards, scattered residential dwellings, unused land and a nullah:

- (a) to its north are public vehicle park (including container vehicle) and ancillary tyre and repairing under approved application No. A/YL-NTM/348, and some unused land;
- (b) to its east across Kwu Tung Road are some unused land, nullah, warehouse and open storage of tyres and workshop;
- (c) to its immediate south is the shop and service use for sale of goods vehicles under approved application No. A/YL-NTM/344;
- (d) to its southeast across Kwu Tung Road are container vehicle parks and warehouse, unused land, and container tractor/trailer park under approved application No. A/YL-NTM/343;
- (e) to its southwest are open storage yards and some unused land. Further southwest are some residential dwellings (the nearest being about 20m away); and
- (f) to its west are open storage of recycling materials and container vehicles/lorries park.

9. Planning Intention

The planning intention of the “OS” zone is primarily for the provision of land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage use. It provides for the orderly development of land for open storage uses that cannot be accommodated in conventional godown premises.

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) Without recent inspection, his comments based on the applicant's information are as follows:

(i) 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;

(ii) the GL (about 456 m²) is covered by Short Term Tenancy No. 3018 (STT3018) for the purposes of temporary container vehicle park with ancillary facilities (including site offices and staff rest rooms);

(iii) the private lots which are covered by Short Term Waivers (STWs) are listed below:

Lot No(s). in D.D. 102	STW No.	Purposes
2790	4642	Temporary container vehicle park with ancillary facilities (including site offices and staff rest rooms)
2798 RP	4643	
2799	4644	
2801	4645	

(iv) the Site is accessible from Kwu Tung Road through GL and private lots. LandsD provides no maintenance works to the GL involved and does not guarantee any right-of-way over the GL to the Site; and

(v) the Site does not fall within Shek Kong Airfield Height Restriction Area.

(b) Should planning approval be given to the application, the STW/STT holders will need to apply to LandsD for modification of the STW/STT conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to LandsD for permitting the structures to be erected or to regularize any irregularities on site, if any. Given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) for any of

the above will be considered by LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application(s) 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 LandsD.

Traffic

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

- (a) The Site is connected to the public road network via a section of a local access which are not managed by Transport Department (TD). The land status of the local access road should be clarified with the LandsD by the applicant. The management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.
- (b) Should the application be approved, the following condition should be incorporated:

No vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period.

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

- (a) The proposed run-in may affect the sloping area along Kwu Tung Road. If the proposed run-in is agreed by TD, the construction details of the run-in should be submitted to the relevant authority for approval to ascertain that the slope stability will not be impaired. The applicant should construct a run in/out at the access point at Kwu Tung Road in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. The detail design of the run-in/out should be submitted to HyD for agreement before commencement of any works.
- (b) HyD does not and will not maintain any access connecting the Site and San Tam Road. The applicant should be responsible for his own access arrangement.
- (c) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.

10.1.4 Comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD 2-2, RDO, HyD):

The Site falls within the administrative route protection boundary of the possible long term extension of the proposed Northern Link to Lok Ma Chau. Noting the nature of the application, he has no comments on the subject application from railway development viewpoint.

Environment

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

- (a) He does not support the application as there are sensitive receivers in the vicinity of the Site (the nearest residential dwelling is located at about 20m southwest of the Site) and environmental nuisance is expected. The applicant is advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by DEP.
- (b) No environmental complaint pertaining to the Site has been received over the past 3 years.

Nature Conservation

10.1.6 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) Noting that the Site has been hard-paved and located within “Open Storage” zone, he has no objection to the application.
- (b) There are some mature trees on GL along the eastern boundary of the Site. Should the application be approved, the applicant is reminded that the proposed use should not damage or interfere with these trees on GL.

Fire Safety

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

- (a) He has no objection in principle to the application 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 D of FS for approval. 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; and

- (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans.
- (c) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (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) He has no in-principle objection under the Buildings Ordinance (BO) to the proposed use at the Site.
- (b) There is no record of approval by the Building Authority (BA) for the structures existing at the Site and his department is not in a position to offer comments on their suitability for the use related to the application.
- (c) The following issues should be observed by the applicant:
 - (i) if the existing structures are erected on leased land without approval of the BD, they are unauthorized under the BO and should not be designated for any approved use under the application;
 - (ii) before any new building works (including containers and open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BA should be obtained, otherwise they are unauthorized building works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by the BA 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 works or UBW on the Site under 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) Regulation (B(P)R) respectively; and
 - (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.

Drainage

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

- (a) He has no objection in principle to the application from drainage operation and maintenance point of view.
- (b) Should the application be approved, the applicant should be advised on the followings:
 - (i) he notes that the applicant obtained approval on the drainage proposal under previous planning application no. A/YL-NTM/326 which was later revoked in May 2018. The present application should be processed as a new application. The drainage information submitted by applicant (attached in the Planning Statement at **Appendix Ia**) is considered insufficient. In this respect, the applicant shall submit a drainage submission to demonstrate how he will collect, convey and discharge rain water falling onto or flowing to his site. A clear drainage plan showing full details of the existing drains and the proposed drains (e.g. cover and invert levels of pipes/catchpits/outfalls and ground levels justifying waterflow etc.) with supporting design calculations and charts should be included. (Guideline on preparation of the drainage proposal is available in DSD homepage at http://www.dsd.gov.hk/EN/Files/Technical_Manual/dsd_guideline/Drainage_Submission.pdf). Should additional drainage works be required, the applicant is reminded that approval of the drainage proposal must be sought prior to the implementation of drainage works on site;
 - (ii) after completion of the required drainage works, the applicant shall provide DSD for reference a set of record photographs showing the completed drainage works with corresponding photograph locations marked clearly on the approved drainage plan. DSD will inspect the completed drainage works jointly with the applicant with reference to the set of photographs;
 - (iii) the applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas;
 - (iv) no public sewerage maintained by his office is currently available for connection. For sewage disposal and treatment,

agreement from DEP shall be obtained;

- (v) the applicant is reminded that the proposed drainage works as well as the site boundary should not cause encroachment upon areas outside his jurisdiction;
- (vi) the applicant should consult DLO/YL regarding all the proposed drainage works outside the site boundary in order to ensure the unobstructed discharge from the Site in future; and
- (vii) all the proposed drainage facilities should be constructed and maintained by the applicant at his own cost. The applicant should ensure and keep all drainage facilities on site under proper maintenance during occupancy of the Site.

Landscaping

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

The Site falls within Category 1 area under TPB PG-No. 13E. Given that there are existing trees within the Site, the standard maintenance condition for landscape planning should be imposed in the approval condition.

Others

10.1.11 Comments of the Commissioner of Police (C of P):

He has no comment in principle subject to no activities in any form, whatsoever causing illegal parking at Kwu Tung Road, no parallel trading/general merchandise operations (GMO) or illicit refuelling activities involved.

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

- (a) If any Food and Environmental Hygiene Department (FEHD)'s facility is affected by the development, FEHD's prior consent must be obtained. Reprovisioning of the affected facilities by the project proponent up to the satisfaction of FEHD may be required. The project proponent should provide sufficient amount of additional recurrent cost for management and maintenance of the reprovisioned facilities to FEHD.
- (b) Proper license and/or permit issued by FEHD is required if there is any food business/catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and its subsidiary legislation and the operation of any business should not cause any obstruction.

- (c) If the proposal involves any commercial/trading activities, its state should not as to be a nuisance or injurious or dangerous to health and surrounding environment. For any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses.

District Officer's Comments

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

He has no comment on the application and no local comment has been received.

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

- (a) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (b) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Director of Electrical and Mechanical Services (DEMS); and
- (e) Director of Leisure and Cultural Services (DLCS).

11. Public Comments Received During Statutory Publication Period

On 21.12.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 11.1.2019, one objecting public comment from a Yuen Long District Council Member was received raising concern that the application had been revoked in May 2018, and revocation was anticipated unless conditions leading to rejection could be amended (**Appendix IV**).

12. Planning Considerations and Assessments

12.1 The Site falls within Category 1 areas under the TPB PG-No. 13E. The following considerations in the Guidelines are relevant:

The Category 1 areas: favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause

significant environmental and traffic concerns.

- 12.2 The application is for temporary container vehicle park with ancillary facilities (including site offices and staff rest rooms). The proposed use is generally in line with the planning intention of the “OS” zone which is intended primarily for the provision of land for appropriate open storage uses and to regularise the already haphazard proliferation of open storage uses. The proposed use is considered not incompatible with the surrounding land uses which are mostly open storage yards, container vehicle/lorry parks, warehouse, office and some unused land (**Plan A-2**).
- 12.3 The Site falls within Category 1 areas under the TPB PG-No. 13E where favorable considerations will normally be given to the application. The development is in line with the TPB PG-No. 13E in that there is generally no adverse comment from the concerned Government departments including C for T, DAFC, CE/MN of DSD, D of FS and CTP/UD&L of PlanD. The technical requirements from CTP/UD&L of PlanD, CE/MN of DSD and D of FS can be addressed by imposing the approval conditions recommended in paragraphs 13.2 (e) and (g) to (l) below should the Board decide to approve the application.
- 12.4 The application was not supported by DEP as there are sensitive receivers in vicinity of the Site (the nearest residential dwelling is located about 20m southwest of the Site) (**Plan A-2**), and environmental nuisance is expected. Nevertheless, there was no environmental complaint against the Site in the past 3 years. To address DEP’s concern and mitigate any potential environmental impacts, approval conditions restricting the operation hours, traffic arrangement, prohibiting workshop activities on the Site and requiring the maintenance of existing trees and fencing have been recommended in paragraphs 13.2 (a) to (f) below. Any non-compliance with these approval conditions would result in revocation of the planning permission and unauthorized development on-site would be subject to enforcement action by the Planning Authority. Besides, the applicant will also be advised to follow the latest ‘Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses’ to minimize the possible environmental impacts on the adjacent areas.
- 12.5 The Site is subject of a previously approved application (No. A/YL-NTM/326) for the same applied use at the Site. The Committee has also approved 28 similar applications for temporary container vehicle park and related uses within the same “OS” zone based on similar considerations. Approval of the subject application is in line with the previous decisions of the Committee. Nevertheless, as the last approved application (No. A/YL-NTM/326) was revoked on 4.5.2018 due to non-compliance with approval conditions related to the implementation requirement, should the application be approved, shorter compliance periods are recommended for close monitoring of the progress on compliance with the approval conditions. The applicant will also be advised that should he fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further application. The applicant has submitted that he would commit to comply with the approval conditions should the application be approved.

- 12.6 There is one objecting public comment received raising concern that the previous application had been revoked. In response to this, shorter compliance periods are recommended for close monitoring of the progress on compliance with the approval conditions.

13. Planning Department's Views

- 13.1 Based on the assessments in paragraph 12 and having taken into account the public comment mentioned in paragraph 11, the Planning Department has no objection to the application.
- 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 1.2.2022. 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. on Mondays to Saturdays, 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 vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (d) no cutting, dismantling, cleaning, repairing, compacting and workshop activity, including container repair and vehicle repair, is allowed on the Site during the planning approval period;
- (e) the existing trees on the Site shall be maintained at all times during the planning approval period;
- (f) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a drainage proposal 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 1.5.2019;
- (h) in relation to (g) above, the implementation of the drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 1.8.2019;

- (i) the submission of landscape proposal within **3** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 1.5.2019;
- (j) in relation to (i) above, the implementation of the landscape proposal within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 1.8.2019;
- (k) the submission of fire service installations proposal within **3** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 1.5.2019;
- (l) in relation to (k) above, the provision of fire service installations 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 1.8.2019;
- (m) 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
- (n) if any of the above planning conditions (g), (h), (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 attached at **Appendix V**.

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

the development is not in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses No. TPB PG-No.13E, in that there are adverse comments from concerned Government departments and the applicant has failed to demonstrate that the proposed development would not cause 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 14.12.2018
Appendix Ia	Supplementary Planning Statement
Appendix Ib	Letter dated 16.1.2019 providing responses to departmental comments
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Landscape Plan
Plan A-1	Location Plan with Similar/Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos