

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-ST/543**

<b><u>Applicant</u></b>	: POON Chi On represented by Top Bright Consultants Limited
<b><u>Site</u></b>	: Lots 250 S.B RP (Part), 252 RP (Part), 271 (Part), 272, 274, 276 S.B ss.1 and 279 S.B RP (Part) in D.D. 99 and Adjoining Government Land (GL), San Tin, Yuen Long
<b><u>Site Area</u></b>	: About 1,049 m <sup>2</sup> (including GL of about 83 m <sup>2</sup> (about 7.9%))
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use) (no structures are allowed to be erected without prior approval of the Government)
<b><u>Plan</u></b>	: Approved San Tin Outline Zoning Plan (OZP) No. S/YL-ST/8
<b><u>Zoning</u></b>	: “Undetermined” (“U”)
<b><u>Application</u></b>	: Temporary Open Storage of General Goods and Public Vehicle Park (Private Cars only) with Ancillary 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 general goods and public vehicle park (private cars only) with ancillary site office for a period of 3 years (**Plan A-1a**). According to the covering Notes of the OZP, all uses or developments falling within area zoned “U”, except those specified, require permission from the Town Planning Board (the Board). The Site is currently used for the applied use without valid planning permission.
- 1.2 The Site forms part of the application sites of 4 approved previous applications (Nos. A/YL-ST/202, 314, 380 and 427) all for temporary vehicle park uses (**Plan A-1b**). The last application No. A/YL-ST/427 covering a larger site submitted by the same applicant was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 7.12.2012 for 3 years. All

the approval conditions have been complied with. The planning permission lapsed on 8.12.2015.

- 1.3 According to the applicant, the general goods refer to daily products including shampoo, body wash, skin care products and cosmetic products packed in paper boxes. As shown on the layout plan at **Drawing A-1**, the Site is accessible from Lok Ma Chau Road. The major parameters of the application are as follows:

Applied use	Temporary open storage of general goods and public vehicle park (private cars only) with ancillary site office for a period of 3 years
Site area	About 1,049 m <sup>2</sup>
Structure (Building height)	- 2 one-storey open sided storage canopies (3m each) - 2 one-storey storage tents (5m each) - 1 two-storey structure and container for storage and staff rest room (5m) - 1 two-storey ancillary site office (5m)
Total floor area	558 m <sup>2</sup>
No. of parking spaces and loading/ unloading (L/UL) spaces	- 5 for private cars - 1 L/UL space for light goods vehicle (LGV)
Operation hours	9:00 a.m. to 6:00 p.m., Mondays to 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 2.4.2019 **(Appendix I)**
- (b) Supplementary Planning Statement **(Appendix Ia)**
- (c) Further Information (FI) received on 24.4.2019 with responses to departmental comments and clarification on the types of general goods stored at the Site **(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 Site falls within “U” zone under the OZP which is reserved for the Spur Line and the proposed Northern Link railway system. Approval of the proposed temporary development would not jeopardize the long term planning intention of land use in the area. It is not incompatible with the surrounding land uses which are mainly public car parks, open storage and port pack-up uses.

- (b) The Site is the subject of an approved previous application No. A/YL-ST/427 and all the approval conditions have been complied with. A number of applications for similar uses in the same “U” zone were approved by the Board.
- (c) The Site falls within Category 1 areas of Town Planning Board Guidelines (TPB Guidelines) No. 13E and is considered suitable for open storage and port back-up uses. The current application complies with the relevant requirements of the TPB Guideline in that significant environmental and traffic impacts would not be envisaged, and the concerns of the departments and local residents could be addressed through implementation of approval conditions.
- (d) The Site has been hard-paved with perimeter fencing, proposed landscaping and served by existing drainage facilities. No filling of pond and heavy vehicles will be involved. As such, no adverse visual, drainage, environmental and traffic impacts will be anticipated.

### **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 TPB 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. Detailed information would be deposited at the meeting for Members’ inspection. For GL, the requirements as set out in TPB PG-No. 31A are not applicable.

### **4. Town Planning Board Guidelines**

#### ***TPB Guidelines for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C)***

- 4.1 According to TPB PG-No. 12C, the Site falls within the Wetland Buffer Area (WBA). The relevant assessment criteria are summarized as follows:
  - (a) the intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area (WCA) and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds; and
  - (b) within the WBA, for development or redevelopment which requires planning permission, an ecological impact assessment (EcoIA) would need to be submitted. However, some local and minor uses (including temporary uses) are however exempted from the requirement of EcoIA.

#### ***TPB Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13E)***

- 4.2 According to TPB PG-No.13E, the Site falls within Category 1 areas. The following criteria are relevant:

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 Site is subject to planning enforcement action against unauthorized development (UD) involving uses for shop and services, place for parking of vehicles and storage use. Enforcement Notice was issued on 13.12.2018 requiring discontinuation of the UD. Recent site inspection revealed that the UD still continued upon expiry of the notice, prosecution action may be taken.

## 6. **Previous Applications**

- 6.1 The Site is the subject of 4 approved previous applications Nos. A/YL-ST/202, 314, 380 and 427 on larger sites and all for temporary vehicle park use (**Plan A-1b**).
- 6.2 Application Nos. A/YL-ST/202, 314 and 380 for temporary public vehicle park use (excluding container vehicle) on larger sites were approved by the Board upon review or the Committee on 15.11.2002, 21.7.2006 and 18.12.2009 respectively for periods of 3 years mainly on grounds that the applicant had committed to excise an area from the application site which would be resumed for the construction of the Spur Line project (for application No. A/YL-ST/202 only); and the developments were not incompatible with the surrounding land uses; and previous planning approval for similar uses on the sites had been given.
- 6.3 The last application No. A/YL-ST/427 for temporary public vehicle park (excluding container vehicle) covering a larger site submitted by the same applicant was approved by the Committee on 7.12.2012 for a period of 3 years mainly on grounds that the development was not incompatible with the surrounding land uses and previous planning approval for similar uses on the Site had been given. All the approval conditions including those in relation to the submission of record of existing drainage facilities; the submission of fire service installations (FSIs) proposals and the provision of FSIs; the submission and implementation of parking layout plan; and provision of boundary fencing had been complied with during the planning approval period.
- 6.4 Details of these applications are summarized at **Appendix II** and their locations are shown on **Plan A-1b**.

## **7. Similar Applications**

- 7.1 Since 2008, within the “U” zone on the OZP, there are 17 applications for similar temporary public vehicle park or open storage uses, amongst which 16 were approved by the Committee between 2009 and 2019 mainly on consideration that the developments were not incompatible with the surrounding land uses and the concerns of Government departments could be addressed by imposing approval conditions; the applications were in line with relevant TPB Guidelines; and approval of the applications were in line with previous decisions of the Committee on similar applications within the same “U” zone. Of the 16 approved applications, 2 of them were subsequently revoked due to non-compliance with approval conditions.
- 7.2 The remaining similar application was rejected by the Board on 10.5.2013 mainly on grounds that the development was not in line with TPB Guidelines No. 13E; the applicant failed to demonstrate that the development would not have adverse landscape, traffic and drainage impacts on the surrounding area; there were adverse comments from Government departments; approval of the application would set an undesirable precedent for other similar applications; and the cumulative effect of approving such similar applications would result in general degradation of the environment of the area.
- 7.3 Details of these applications are summarized at **Appendix III** and their locations are shown on **Plan A-1a**.

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

- 8.1 The Site is:
- (a) accessible at the east off Lok Ma Chau Road;
  - (b) located within the WBA; and
  - (c) currently used for the applied use without valid planning permission.
- 8.2 The surrounding areas mainly comprise of vehicle parks, open storage yards, vehicle repair workshops and storage yards. Some storage yards, vehicle parks and vehicle repairing workshops are suspected UD subject to enforcement action by the Planning Authority:
- (a) to its immediate west and northwest are two public car parks approved under application Nos. A/YL-ST/530 and 513 respectively. To its further west and northwest are open storage yard for metalware, vehicle repairing workshop, warehouse, grave and some unused land;
  - (b) to its immediate northeast is a piece of unused land. To its further northeast across Lok Ma Chau Road are storage yard, grave and some unused land;

- (c) to its east and southeast across Lok Ma Chau Road are plant nursery, pond and some unused land; and
- (d) to its immediate southeast is an open storage yard for construction materials approved under application No. A/YL-ST/542. To its further southwest and south is a public vehicle park with ancillary facilities approved under application No. A/YL-ST/501, a vehicle park with open storage yard for containers approved under application No. A/YL-ST/497, vehicle repairing workshop, canteen and storage yard for vehicles.

## 9. **Planning Intention**

The area zoned “U” is for the planning and development of the Sheung Shui to Lok Ma Chau Spur Line and the proposed Northern Link railway system. Under the “U” zone, any developments or redevelopments, except those permitted under the covering Notes of the OZP, require planning permission from the Board so as to ensure that the environment would not be adversely affected and that infrastructure, Government, Institution or Community (GIC) facilities, open space would be adequately provided. The proposed development should also take into account the railway alignments. To realize a built-form which is compatible with the surroundings, the development intensity should take into account the rural characteristics of the surrounding areas.

## 10. **Comments from Relevant Government Departments**

10.1 The following Government departments have been consulted and their views on the application are summarized as follows:

### **Land Administration**

10.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government.
- (b) A portion of GL with an area of about 62 m<sup>2</sup> of the Site is covered by a Short Term Tenancy (STT) No. 2642 for the purpose of “Public Vehicle Park (Excluding Container Vehicle)”.
- (c) No permission is given for occupation of the remaining GL with an area of about 21 m<sup>2</sup> (subject to verification) included in the Site. The act of occupation of the remaining GL without Government’s prior approval is not allowed.

- (d) The private land of Lot No. 271 in D.D. 99 is covered by Short Term Waiver (STW) No. 3078 to permit structures for the purpose of “Motor Vehicle Park (Excluding Heavy Goods Vehicles and Container Vehicles) with Ancillary Office”.
- (e) The private land of Lot No. 252 RP in D.D. 99 is covered by STW No. 3274 to permit structures for the purpose of “Ancillary Use to Temporary Car Park with Ancillary Office”.
- (f) The Site is accessible from Lok Ma Chau Road through GL. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over GL to the Site.
- (g) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (h) Should approval be given to the application, the STT/STW holders will need to apply to his office for modification of the STT/STW conditions where appropriate. The applicant has to either exclude the remaining GL from the Site or apply for a formal approval prior to the actual occupation of the remaining GL. Moreover, the lot owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularity on site, if any. Given the applied 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. Applications 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 applications will be approved. If such applications are 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) He has no comment on the application.
- (b) Should the application be approved, the following conditions should be incorporated:
  - (i) Only private car and light goods vehicle are allowed to access the Site.
  - (ii) 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 access arrangement of the Site from Lok Ma Chau Road should be commented by the Transport Department (TD).
- (b) HyD does not and will not maintain any access connecting the Site and Lok Ma Chau Road. The applicant should be responsible for his own access management. The relevant departments will provide their comments, if any.
- (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 area of influence of the possible long term extension of the proposed Northern Link to Lok Ma Chau. He has no comment on the application from railway development viewpoint noting the nature of the application.

**Landscape**

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

It is noted that the applied uses fall within the Category 1 area in accordance with TPB PG-No. 13E. It is noted that some existing trees outside the Site act as landscape buffer to the main road. It is opined that the landscape condition is not recommended, should the application be approved by the Board.

**Environment**

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

In accordance with the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”, he has no objection to the application.

**Nature Conservation**

10.1.7 Comments from Director of Agriculture, Fisheries and Conservation (DAFC):

He has no comment on the application from nature conservation point of view as the Site is paved and disturbed.

## **Fire Services**

### 10.1.8 Comments of the Director of Fire Services (D of FS):

- (a) He has no in principle objection 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 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 FSIs to be installed should be clearly marked on the layout plans; and
  - (iii) the good practice guidelines for open storage (**Appendix IV**) should be adhered to.
- (c) Having considered the nature of the open storage, the following approval condition shall be added:

The provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of D of FS.
- (d) The applicant is advised to submit a valid fire certificate (FS 251) to his Department for approval to address the above approval condition.
- (e) 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**

### 10.1.9 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of BD, they are unauthorized building works (UBW) under the BO and should not be designated for any proposed use under the application.
- (b) 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.

- (c) 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 Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (d) 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 respectively.
- (e) 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 Building (Planning) Regulation at the building plan submission stage.

### **Drainage**

#### 10.1.10 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) He notes that the applicant implemented the drainage facilities on site under previous application No. A/YL-ST/427. However, the development parameter of the previous application differs from that of the current application. 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](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.
- (c) 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.

- (d) The applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas.
- (e) The applicant is reminded that the proposed drainage works as well as the site boundary should not cause encroachment upon areas outside his jurisdiction.
- (f) No public sewerage maintained by CE/MN, DSD is currently available for connection. For sewage disposal and treatment, agreement from DEP shall be obtained.
- (g) The applicant is reminded that the proposed drainage works as well as the Site boundary should not cause encroachment upon areas outside his jurisdiction.
- (h) The applicant should consult DLO/YL, LandsD regarding all the proposed drainage works outside the Site boundary in order to ensure the unobstructed discharge from the Site in future.
- (i) 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 at during occupancy of the Site.

### **Others**

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

- (a) He has no comment on the application.
- (b) The applicant is reminded to adopt sufficient security measures at the Site and no obstruction caused to the vicinity would be tolerated.

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

If the proposal involves any commercial/trading activities, its state should not be a nuisance or injurious or dangerous to health and surrounding environment. Also, 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):

His office has no comment on the application and the local comments shall be submitted to the Board directly, if any.

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

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

## **11. Public Comment Received During Statutory Publication Period**

On 9.4.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 30.4.2019, no public comment was received.

## **12. Planning Considerations and Assessment**

- 12.1 The application is for temporary open storage of general goods and public vehicle park (private cars only) with ancillary site office for a period of 3 years. The Site falls within "U" zone on the OZP which is for the planning and development of the Sheung Shui to Lok Ma Chau Spur Line and the proposed Northern Link railway system. Noting the nature of the application, CE/RD 2-2, RDO, HyD has no comment on the application from railway development viewpoint. The applied use is considered not incompatible with the surrounding land uses which are predominantly vehicle parks, open storage yards, vehicle repair workshops and storage yards.
- 12.2 The Site falls within the WBA of the TPB PG-No.12C and the guidelines specify that planning applications for temporary uses are exempted from the requirement of EcoIA. DAFC has no comment on the application as the Site is paved and disturbed.

- 12.3 The application is in line with the TPB PG-No. 13E. The Site falls within Category 1 areas which are considered suitable for open storage and port back up uses. The Site is located in the vicinity of the cross-boundary bus terminus in San Tin and the Lok Ma Chau Control Point, and complies with the Guidelines which mention that suitable sites in San Tin area may be considered for cross-boundary parking facilities based on individual merits. Apart from meeting some parking demand of local villagers/ residents, the applied use could satisfy some of the demand for parking and open storage uses for cross-boundary travellers.
- 12.4 Adverse environmental, traffic and infrastructural impacts on the surrounding areas are not anticipated. Concerned Government departments, including C for T, DEP, D of FS, CE/MN of DSD and CTP/UD&L of PlanD, have no objection to or no adverse comment on traffic, environmental, fire safety, drainage and landscape aspects respectively. The technical requirements from CE/MN of DSD and D of FS could be addressed by imposing the approval conditions recommended in paragraphs 13.2 (e) to (j) below. To mitigate potential environmental impacts on the surrounding area, approval conditions restricting the operation hours and the type of vehicles to access the Site, and requiring the provision of boundary fencing are recommended in paragraph 13.2 (a) to (d) and (k) below. Non-compliance with any of the approval conditions would result in revocation of the planning permission and UD on-site would be subject to enforcement action by the Planning Authority. Besides, the applicant should be advised to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”.
- 12.5 The Site is the subject of 4 approved previous applications (Nos. A/YL-ST/202, 314, 380 and 427) for temporary vehicle park uses. The last application No. A/YL-ST/427 for temporary public vehicle park (excluding container vehicle) covering a larger site submitted by the same applicant was approved by the Committee on 7.12.2012 for a period of 3 years, with all approval conditions complied with during the planning approval period. The Committee has approved 16 applications for similar temporary public vehicle park or open storage for vehicle uses within the “U” zone. Approval of the current application is in line with the previous decisions of the Committee.
- 12.6 There is no public comment received during the statutory publication period.

### **13. Planning Department’s Views**

- 13.1 Based on the assessment made in paragraph 12, 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 31.5.2022. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

#### Approval conditions

- (a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle other than private car and light goods vehicle are allowed to access the Site at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the Site at all times during the planning approval period;
- (e) the submission of a 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 30.11.2019;
- (f) in relation to (e), the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 29.2.2020;
- (g) in relation to (f), the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the provision of fire extinguisher(s) 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 12.7.2019;
- (i) the submission of fire service installations proposals 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 30.11.2019;
- (j) in relation to (i), the provision of fire service installations 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 29.2.2020;
- (k) the provision of boundary fencing 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 30.11.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (g) 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;
- (m) if any of the above planning conditions (e), (f), (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; and
- (n) upon the expiry of the planning permission, the reinstatement of the

application site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

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 applied use is not in line with the planning intention of the "U" zone which is for the planning and development of the Sheung Shui to Lok Ma Chau Spur Line and other railway proposals.

**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 reasons for rejection should be given to the applicant.

**15. Attachments**

<b>Appendix I</b>	Application Form received on 2.4.2019
<b>Appendix Ia</b>	Supplementary Planning Statement
<b>Appendix Ib</b>	Further Information received on 24.4.2019
<b>Appendix II</b>	Previous s.16 applications covering the application site
<b>Appendix III</b>	Similar s.16 applications within the "U" zone on the approved San Tin Outline Zoning Plan No. S/YL-ST/8
<b>Appendix IV</b>	Good practice guidelines for open storage sites
<b>Appendix V</b>	Recommended advisory clauses
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Landscape Plan

<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Application Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a &amp; 4b</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2019**