

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

**APPLICATION NO. A/YL-ST/580**

<b><u>Applicant</u></b>	: POON Chi On represented by Goldrich Planners and Surveyors Limited
<b><u>Site</u></b>	: Lots 250 S.B RP (Part), 252 RP (Part), 271, 272, 273, 274, 275 and 276 S.B ss.1 in D.D. 99 and Adjoining Government Land (GL), San Tin, Yuen Long
<b><u>Site Area</u></b>	: About 1,780 m <sup>2</sup> (including GL of about 62 m <sup>2</sup> (about 3.5%))
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<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, Construction Materials and Machineries and Public Vehicle Park (Excluding Container Vehicles) with Ancillary Site Office and Guard Room 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, construction materials and machineries and public vehicle park (excluding container vehicles) with ancillary site office and guard room 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 as the applied use with valid planning permission.
- 1.2 The Site (in whole or in part) is the subject of 6 previously approved applications for temporary vehicle park use and/or open storage use (**Plan A-1b**). For the last two applications, No. A/YL-ST/542 was submitted by another applicant for temporary open storage of construction materials at the southern part of the Site and No. A/YL-ST/543 was submitted by the current applicant for temporary open

storage of general goods and public vehicle park (private cars only) at the western part of the Site. Both applications were approved by the Board for a period of 3 years respectively on 17.5.2019 and 31.5.2019. Most of the approval conditions for both applications have been complied with. According to the applicant, the sites under these two applications are amalgamated in the current application so that one drainage system can be provided and the space for car parking could be used more economically. The general goods under the application are household goods such as electronics, fans, shampoo, tissue paper, detergent, towel and food products. (**Appendix Ia**)

- 1.3 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:

Structure (Building height)	9 one or two-storey structures of 2.6m to 6m high for storage, ancillary site office and guard room use.
Total floor area	431 m <sup>2</sup>
No. of parking spaces and loading/unloading (L/UL) spaces	- 10 for private cars - 2 L/UL spaces for light goods vehicle (LGV)
Operation hours	- 24 hours daily for the public vehicle park - 9:00 a.m. to 6:00 p.m. daily for the open storage including Sundays and public holiday

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

- (a) Application Form received on 20.10.2020 with replacement pages received on 28.10.2020 (**Appendix I**)
- (b) Further Information (FI) received on 8.12.2020 # (**Appendix Ia**)

# *exempted from publication requirement*

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FI at **Appendices I and 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 (NOL) railway system. Approval of the proposed temporary development would not jeopardize the long term planning intention of the area. It is compatible with the surrounding land uses which are mainly public car parks, open storages and port pack-up uses.
- (b) The Site is the subject of previous approved applications for temporary public vehicle park (for private cars/excluding container vehicles) and open storage of general goods. The current application is an amalgamation of the sites of two previous applications (No. A/YL-ST/542 and 543) for more economic use. A

number of applications for similar uses in the same “U” zone have been approved by the Board.

- (c) The Site falls within Category 1 areas of Town Planning Board Guidelines (TPB Guidelines) No. 13F and is considered suitable for open storage and port back-up uses. It also falls within the Wetland Buffer Area (WBA) and the current application complies with the relevant requirements of TPB Guidelines No. 12C in that open storage uses located close to the Lok Ma Chau crossing and without involving pond filling might be sympathetically considered by the Board in view of the genuine need to facilitate cross-boundary movements of goods in the area.
- (d) The Site is directly accessible from Lok Ma Chau Road. No vehicle exceeding 5.5 tonnes is allowed to enter the Site. Space is allowed for vehicles to manoeuvre within the Site. Existing trees within the Site will be preserved (**Drawing A-2**). There are existing drainage channels with catch-pits at the eastern, western and southwestern sides of the Site. A 375mm U-channel and a last catch-pit are proposed at the southeastern site boundary (**Drawing A-3**). No filling of pond will be involved. No adverse traffic, visual, environmental and drainage impacts are expected.

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

The applicant is not the “current land owner” of the private lots within the Site 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 the San Tin Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “owner’s consent/notification” requirements are not applicable.

### 4. Town Planning Board Guidelines

*Town Planning Board 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 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 and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds;
  - (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 exempted from the requirement of EcoIA; and

- (c) applications for new open storage or container back-up uses including workshops within WBA, whether temporary or permanent, would normally not be allowed in view of the adverse disturbances of such activities on birds, in particular for such uses involving filling of contiguous ponds. However, open storage or container back-up uses located close to the Lok Ma Chau crossing and without involving pond filling might be sympathetically considered by the Board in view of the genuine need to facilitate cross-boundary movements of goods in the area.

***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. 13F)***

- 4.2 According to TPB PG-No. 13F, the Site falls within 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, such as container trailer/tractor park and open storage of chemical products/dangerous goods etc., may cause significant environmental and traffic concerns.

**5. Background**

The Site is not subject to planning enforcement action.

**6. Previous Applications**

- 6.1 The Site (in whole or in part) is involved in 7 previous temporary applications, of which 6 were approved by the Committee and one was rejected by the Board (**Plan A-1b**).
- 6.2 Application No. A/YL-ST/158 for temporary public car park for private cars was rejected by the Board upon review on 11.5.2001 mainly on the grounds that the Site fell within the scheme boundary of the Spur Line rail project; there was insufficient information in the submission to demonstrate that the development would not cause adverse drainage and environmental impacts on the surrounding areas; and approval of the application would set an undesirable precedent for other similar applications.
- 6.3 For the other 6 approved applications, Applications No. /YL-ST/202, 314, 380 and 427 submitted by the current applicant for temporary public vehicle park use (excluding container vehicle) were approved by the Board upon review or the Committee between 2002 and 2012 for a period of 3 years each mainly on considerations that the applicant had committed to excising 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); the developments were not incompatible with the surrounding land uses; and previous planning approval for

similar uses on the sites had been given (for No. A/YL-ST/314, 380 and 427 only).

6.4 For the last two applications, Application No. A/YL-ST/542 covered the southern part whereas Application No. A/YL-ST/543 covered the western part of the Site under the current application (**Plan A-1b**). Application No. A/YL-ST/542 was submitted by another applicant for temporary open storage of construction materials and No. A/YL-ST/543 was submitted by the same applicant as the current application for temporary open storage of general goods and public vehicle park (private cars only) with ancillary site office. They were approved by the Committee for a period of 3 years respectively on 17.5.2019 and 31.5.2019 mainly on considerations that the applied uses were considered not incompatible with the surrounding land uses, they could meet some parking demand of local villagers/ residents and satisfy some of the demand for parking and open storage uses for cross-boundary travellers, and approval of the applications was in line with the previous decisions of the Committee. Most of the planning conditions of the last two applications have been complied with (including submission of drainage proposal, provision of fire extinguishers and boundary fence, and submission and implementation of fire service installations (FSIs) proposal for No. A/YL-ST/542; and provision of fire extinguishers and boundary fence, and submission of FSIs proposal for No. A/YL-ST/543. The outstanding conditions are implementation of drainage proposal for A/YL-ST/542 by 17.2.2021, and submission and implementation of the drainage proposal and provision of FSIs for A/YL-ST/543 by 28.2.2021.

6.5 Details of these applications are summarized at **Appendix II**.

## **7. Similar Applications**

7.1 Since the promulgation of TPB PG-No. 13E in 2008, there are 19 applications for similar temporary public vehicle park and/or open storage uses within the same “U” zone, amongst which 18 were approved by the Committee between 2009 and 2020 mainly on considerations 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 18 approved applications, 2 of them were subsequently revoked due to non-compliance with approval conditions.

7.2 The remaining similar application (No. A/YL-ST/417) was rejected by the Board in 2013 mainly on grounds that the development was not in line with the planning intention of the “Green Belt” (“GB”) zone it encroached upon and TPB Guidelines No. 10 and 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; and approval of the application would set an undesirable precedent for other similar applications within the “GB” zone.

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-4c)**

8.1 The Site is:

- (a) accessible at the east off Lok Ma Chau Road;
- (b) located within the WBA; and
- (c) paved, fenced off and currently used for the applied use as per the approved Applications No. A/YL-ST/542 and No. A/YL-ST/543.

8.2 The surrounding areas mainly comprise vehicle parks, storage yards and vehicle repairing workshops:

- (a) to its immediate west and northwest are two public car parks with planning approvals;
- (b) areas to its further west and south are a large yard with temporary planning permission for public vehicle park for private cars, container vehicles, heavy good vehicles (with ancillary facilities including vehicle repair), storage of metal ware and construction materials, and cargo handling and forwarding facilities;
- (c) to its further south across an existing nullah is a temporary vehicle park with open storage of containers with planning approval; and
- (d) to its immediate east is a piece of unused land. To its further east across Lok Ma Chau Road are a plant nursery and some vacant/unused land with graves.

## **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 NOL 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 facilities and 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 (OSAL) and GL. The OSAL is 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) The private lots of the Site covered by Short Term Waiver (STW) are:

Lot No. (in DD 99)	STW No.	Purposes
252 RP	3274	Ancillary use to temporary car park with ancillary office
271 (Portion)	3078	Motor vehicle park (excluding heavy goods vehicles and container vehicles) with ancillary office

- (c) 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)”.
- (d) Should planning approval be given to the application, the lot owner(s) of the lot(s) without STW will need to apply to his office for permitting the structures to be erected or to regularize any irregularity on site, if any. The STT/STW holders will need to apply to his Office for modification of the STT/STW conditions where appropriate. 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 rent or fee, as may be imposed by LandsD.

### Traffic

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

- (a) He has the following comments from the traffic engineering point of view:

- (i) only private cars and light goods vehicles are allowed to access the Site; and
    - (ii) no vehicle is allowed to queue back to or reverse onto/ from the Site at any time during the planning approval period.
  - (b) Should the application be approved, paragraphs 10.1.2 (a)(i) and 10.1.2 (a)(ii) above should be incorporated as approval conditions.
- 10.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):
- (a) HyD shall not be responsible for the maintenance of any access connecting the Site and Lok Ma Chau Road.
  - (b) 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):
- (a) Part of the Site falls within the area of influence (AOI) of the proposed NOL, which is a recommended railway scheme under the Railway Development Strategy 2014. Although the programme and the alignment of the proposed NOL are still under review, those areas within the AOI may be required to be vacated at the time for the construction of the NOL and subject to nuisance, such as noise and vibration, of the NOL.
  - (b) He has no objection in principle to the application from the railway development point of view provided that the applicant is satisfied with the surrounding condition of nuisance taking into account the future construction, operation and maintenance of the NOL.

### **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 application from the drainage operation and maintenance point of view.
  - (b) The applicant should re-submit the drainage proposal to address his detailed comments in **Appendix VI**.



- (c) The applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas.
- (d) No public sewerage maintained by CE/MN, DSD is currently available for connection. For sewage disposal and treatment, agreement from DEP shall be obtained.
- (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) The applicant should consult DLO/YL, LandsD regarding all the proposed drainage works outside the site boundary in order to ensure unobstructed discharge from the Site in future.
- (g) 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 the Site under proper maintenance during occupancy of the Site.

### **Landscape**

- 10.1.6 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 Category 1 area in TPB PG-No. 13F. Given that some existing trees outside the Site act as landscape buffer to the main road, it is considered not necessary to impose a landscape condition should the application be approved by the Board.

### **Environment**

- 10.1.7 Comments of the Director of Environmental Protection (DEP):

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 to minimize potential environmental impacts on the surrounding area.

### **Nature Conservation**

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

As the Site is paved and disturbed, he has no comment on the application from nature conservation point of view.

## **Fire Services**

### 10.1.9 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 Fire Services Department (FSD) for approval. In addition, the applicant should be advised of 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 FSD 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**

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

- (a) As there is no record of approval granted 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) If the existing structures (not being a New Territories Exempted

House) are erected on leased land without the approval of BA, they are unauthorized building works (UBW) under BO and should not be designated for any proposed use under the application.

- (c) 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 BO.
- (d) Before any new building works (including containers/open sheds as temporary buildings and land filling, etc.) are to be carried out on the Site, prior approval and consent of BA 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 BO.
- (e) 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.
- (f) 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 B(P)R at the building plans submission stage.
- (g) Any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings which are subject to the control of Part VII of B(P)R. Detailed checking under BO will be carried out at the building plans submission stage.

### **Environmental Hygiene**

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

He has no adverse comment on the application. His detailed comments are at **Appendix VI**.

### **Engineering and Development Project**

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

He has no adverse comment on the application. His detailed comments are at **Appendix VI**.

### **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 the local comments should be submitted to the Board directly, if any.

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

- (a) Commissioner of Police (C of P);
- (b) Head of Geotechnical Engineering Office (H(GEO), 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 30.10.2020, the application was published for public comments. During the first 3 weeks of the statutory publication period, 2 public comments (**Appendix V**) were received from two individuals objecting to the application mainly on the grounds that the applied use would increase traffic flow and affect road safety and living quality of the local residents; and the intention of the applicant in amalgamating two sites and submitting a new application without fulfilling the planning conditions of previous approved applications should be questioned.

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

12.1 The application is for temporary open storage of general goods, construction materials and machineries and public vehicle park (excluding container vehicles) with ancillary site office and guard room for a period of 3 years at the Site zoned "U". The Site is currently used for the applied use with valid planning permissions granted under Applications No. A/YL-ST/542 and 543 till 17.5.2022 and 31.5.2022. According to the applicant, the sites under the above two previous applications are amalgamated in the current application for more economic use.

12.2 The "U" zoning for the Site is for the planning and development of the Sheung Shui to Lok Ma Chau Spur Line and the proposed NOL railway system. The

programme and alignment of NOL are still under review. CE/RD 2-2 of HyD has no objection in principle to the application from railway development viewpoint. Moreover, the applied use is considered not incompatible with the surrounding land uses which are predominantly vehicle parks, storage yards and vehicle repairing workshops.

- 12.3 The Site falls within the WBA of TPB PG-No.12C. The guidelines specify that planning applications for temporary uses are exempted from the requirement of EcoIA, and that open storage uses located close to the Lok Ma Chau crossing and without involving pond filling might be sympathetically considered in view of the genuine need to facilitate cross-boundary movements of goods in the area. From nature conservation perspective, DAFC has no comment on the application as the Site is paved and disturbed.
- 12.4 The Site falls within Category 1 areas which are considered suitable for open storage and port back up uses. The application is in line with TPB PG-No. 13F in that adverse traffic, environmental and infrastructure impacts on the surrounding areas are not anticipated and there are no adverse departmental comments. 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 of C for T, CE/MN of DSD and D of FS could be addressed by imposing the approval conditions recommended in paragraphs 13.2 (b) to (i) below. To mitigate potential environmental impacts on the surrounding area, approval conditions restricting the operation hours of the applied open storage use and requiring maintenance of the boundary fencing are recommended in paragraph 13.2 (a) and (j) below. 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 (in part or whole) is the subject of 6 previously approved applications since 2002 as detailed in paragraphs 6.3 and 6.4 above, including the two applications for the current use at the Site. The Committee has also approved 18 applications for similar temporary public vehicle park and/or open storage uses within the “U” zone as detailed in paragraph 7.1 above. Approval of the current application is in line with the previous decisions of the Committee. Most of the planning conditions of the currently valid approvals on the Site have been complied with, except for implementation of drainage proposal for A/YL-ST/542 by 17.2.2021, and submission and implementation of drainage proposal and provision of FSIs for A/YL-ST/543 by 28.2.2021. The applicant has included a drainage proposal for the amalgamated site in the current submission.
- 12.6 There are 2 public comments objecting to the application as stated in paragraph 11. The planning assessment and departmental comments above are relevant.

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

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, the Planning Department has

no objection to the temporary open storage of general goods, construction materials and machineries and public vehicle park (excluding container vehicles) with ancillary site office and guard room.

- 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 18.12.2023. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no operation for the open storage use 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 vehicle other than private car and light goods vehicle is allowed to access the Site at any time 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) the submission of a revised 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 18.6.2021;
- (e) in relation to (d) above, the implementation of the revised 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 18.9.2021;
- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) 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 29.1.2021;
- (h) the submission of 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 18.6.2021;
- (i) in relation to (h) above, 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 18.9.2021;
- (j) the maintenance of boundary fencing on the Site at all times during the planning approval period;
- (k) if any of the above planning conditions (a), (b), (c), (f) or (j) 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

- (l) if any of the above planning conditions (d), (e), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory clauses

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

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

the 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 the proposed Northern Link railway system.

**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**

<b>Appendix I</b>	Application Form and replacement pages received on 20.10.2019 and 28.10.2020 respectively
<b>Appendix Ia</b>	FI received on 8.12.2020
<b>Appendix II</b>	Previous s.16 applications covering the 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>	Public comments received during the publication period
<b>Appendix VI</b>	Recommended advisory clauses
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Tree Preservation Proposal
<b>Drawing A-3</b>	Drainage Proposal
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications

<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to 4c</b>	Site Photos

**PLANNING DEPARTMENT  
DECEMBER 2020**