

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/NE-TKL/605

- Applicant** : Cheung Shing Machinery Engineering Co. Ltd.
- Site** : Lot 2195 RP (Part) in D.D.76 and adjoining Government Land, Kwan Tei North Village, Fanling, New Territories
- Site Area** : About 709.14 m² (including about 89m² of Government land)
- Land Status** : (a) Block Government Lease (demised for agricultural use)
(b) Government land
- Plan** : Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14
- Zonings** : “Open Storage” (“OS”) (about 363.08m² or 51.2% of the site); and Area shown as ‘Road’ (about 346.06m² or 48.8% of the site)
- Application** : Renewal of planning approval for temporary open storage of metal products and materials and storage of metal and hardware products with ancillary workshop for a period of 3 years until 11.1.2022

1. The Proposal

- 1.1 On 31.10.2018, the applicant sought the renewal of planning permission to continue using the application site (the Site) for temporary open storage of metal products and materials and storage of metal and hardware products with ancillary workshop for a period of three years. The Site falls within an area partly zoned “OS” and partly shown as ‘Road’ on the approved Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/14 (**Plan A-1**). According to the Notes of the OZP, ‘Open Storage (not elsewhere specified)’, ‘Rural Workshop’ and ‘Warehouse (excluding Dangerous Goods Godown)’ are Column 1 uses which are always permitted within the “OS” zone. For area shown as ‘Road’ on the OZP, such uses require planning permission from the Town Planning Board (the Board). The Site is currently used for the applied use with valid permission until 11.1.2019.
- 1.2 The Site is the subject of two previous applications (No. A/NE-TKL/389 and 534) for the same applied use as the current application and submitted by the same applicant. (**Plan A-1**). The original application No. A/NE-TKL/389 was approved with conditions by the Rural and New Town Planning Committee (the Committee) on 11.1.2013 for a period of three years up to 11.1.2016. The applicant then submitted the renewal

application No. A/NE-TKL/534 for the same applied use which was approved with conditions by the Committee on 18.12.2015 for a period of three years up to 11.1.2019. The applicant has complied with all the approval conditions of the last approved application.

- 1.3 According to the applicant, there are a total of four temporary structures (with height ranging from about 2.5m to 6.8m), including an open shed (Structure A), four stacked-up containers (2-storey high) for office and storage uses (Structure B), a common room (Structure C) and a newly added metal structure (Structure D) (**Drawing A-1**). In comparison with the previously approved schemes (Application No. A/NE-TKL/389 and 534), the current development scheme (**Drawings A1 to A5**) has proposed minor changes to the layout (i.e. adding a temporary metal structure (i.e. Structure D) with a floor area of 37.5m and a height of 2.5m for the storage of metal materials). Due to the change, there is a slight increase in the total floor area from about 411.24 m² to 448.74 m² (i.e. +37.5 m²). No car parking space will be provided and only light goods vehicles (5.5 tonnes or below) will be used for loading/unloading purpose. The operation hours are between 8:00 a.m. and 6:00 p.m. Mondays to Saturdays and there will be no operation on Sundays and statutory holidays. A plan showing the site layout and floor plan of Structures A, B, C and D are shown at **Drawings A-1 to A-5**.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) application form with attachments received on 31.10.2018 (**Appendix I**)
 - (b) supplementary information received on 2.11.2018 (**Appendix Ia**)
 - (c) further information received on 4.12.2018 (**Appendix Ib**)

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in part 8 of the application form at **Appendix I**. They can be summarized as follows:

- (a) there has been no change to the applied use and operation hours;
- (b) during the past six years of operation, all the approval conditions granted by the Board in respect of the previous applications have been complied with, and the applicant is willing to comply with the approval conditions to be stipulated by the Board in the renewal application; and
- (c) Structure D (**Drawings A-1 and A-5**) has been added for the storage of increased amount of metal materials. Hence, the non-domestic floor area of the proposed development has been increased by 37.5m².

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31) by giving notification to the land owners on 19.10.2015. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

- 4.1 Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPG PG-No. 34B) are relevant to the application. The relevant assessment criteria are summarized below:
- (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land use zoning for the area) or a change in the land uses of the surrounding areas;
 - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
 - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
 - (d) whether the approval period sought is reasonable; and
 - (e) any other relevant considerations.
- 4.2 Under normal circumstances, the approval period for renewal application should not be longer than the original validity period of the temporary approval. In general, the Board is unlikely to grant an approval period exceeding three years unless there are strong justifications and the period is allowed for under the relevant statutory plans. Depending on the circumstances of each case, the Board could determine the appropriate approval period, which may be shorter than the time under request.
- 4.3 Part of the Site (about 51.2%) falls within Category 1 area under the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13E) promulgated on 17.10.2008. Relevant extract of the set of the Guidelines is attached at **Appendix II**.

5. Previous Applications

- 5.1 The Site is the subject of two previous applications (No. A/NE-TKL/389 and 534) for the same applied use as the current application and submitted by the same applicant. The original application (No. A/NE-TKL/389) was approved with conditions by the Committee on 11.1.2013 mainly on considerations that a major portion of the Site falls within Category 1 area under TPB PG-No. 13E and there was no development programme for the proposed road project where part of the site fell within; the development was considered not incompatible with the surrounding land uses; relevant departments in general had no objection to the application; and the technical concerns of Water Supplies Department and Environmental Protection Department could be addressed through the implementation of relevant approval conditions.
- 5.2 The subsequent renewal application (No. A/NE-TKL/534) was approved with conditions by the Committee on 18.12.2015 mainly on considerations that the application generally complies with the TPG PG-No. 34B on 'Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for

Temporary Use or Development’ as there has not been any material change in planning circumstances since the approval of the last application; there are no major adverse departmental comments against the renewal application; all the approval conditions for the last application have been complied with; and the approval period sought which is for the same as the last approval granted by the Board is not unreasonable. All the approval conditions stipulated by the Board have been complied with and the planning permission is valid until 11.1.2019.

- 5.3 Details of these previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

6. Similar Applications

- 6.1 There are 11 similar applications involving five sites in the vicinity of the Site for various storage / warehouse uses partly within “OS” zone and areas shown as ‘Road’ on the Ping Che and Ta Kwu Ling OZP (**Plan A-1**). Of the 11 similar applications, 10 were approved with conditions by the Committee between 2010 and 2018.
- 6.2 Applications No. A/NE-TKL/343, 476, 517 and 577 involving part of / entire same site for temporary warehouse for storage of metalware and vehicle parts / cables / spare parts and used electrical goods with ancillary workshop were approved with conditions by the Committee between September 2010 and November 2018 mainly on the considerations that the developments were in line with the planning intention of the “OS” zone; the developments would not frustrate the implementation programme of planned road and the future planning for the area; the proposed developments were considered not incompatible with the surrounding landscape character; the developments were unlikely to cause significant adverse traffic, drainage and landscape impacts on the surrounding area and previous applications for similar use had been approved by the Committee; the developments were unlikely to be accommodated in conventional flatted factories; and the traffic concerns could be addressed by imposing appropriate approval conditions.
- 6.3 Applications No. A/NE-TKL/363, 453 and 516 involving the same site for temporary warehouse for storage of furniture as well as temporary cold store were approved by the Committee between July 2011 and September 2015 mainly on considerations that the developments were not incompatible with the adjacent land uses; approval of the applications on a temporary basis would not frustrate the implementation programme of the proposed Road 5; and the developments were unlikely to cause adverse impacts on the surrounding area.
- 6.4 Applications No. A/NE-TKL/371, 417 and 535 involving the same site for temporary warehouse for storage of tools and dog kennel for a period of three years were approved with conditions by the Committee between December 2011 and January 2016 mainly on the considerations that majority of the site fell within the “OS” zone and the developments were in line with the planning intention of the “OS” zone; the developments were not incompatible with surrounding land uses; the proposed developments would not have adverse traffic, landscape and drainage impacts; and the approval of the applications on a temporary basis would not frustrate the implementation programme of proposed road.
- 6.5 One application No. A/NE-TKL/419 for temporary storage of electrical appliances and metalware related to engineering works and dog kennel for a period of three years was

rejected by the Committee in January 2013 mainly on the considerations that the development was not in line with the TPB PG-No.13E for Application for Open Storage and Port Back-up Uses in that there were adverse departmental comments on the application and the applicant had failed to demonstrate that the development would not generate adverse environmental and traffic impacts on the surrounding area.

6.6 Details of these similar applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1**.

7. The Site and Its Surrounding Areas (Plans A-1 and A-2, aerial photo on Plan A-3 and site photos on Plans A-4a to A-4c)

7.1 The Site is:

- (a) currently occupied by temporary structures / converted containers for the applied uses;
- (b) fenced, formed and hard-paved; and
- (c) accessible via a local track leading to Ping Che Road.

7.2 The surrounding areas have the following characteristics:

- (a) the Site is surrounded by temporary warehouses, open storage yards and workshop uses;
- (b) some temporary domestic structures are found to the north, and further northwest and south of the Site;
- (c) to the immediate south is a warehouse for temporary storage of engineering tools and dog kennel under planning application No. A/NE-TKL/535 approved with conditions by the Committee on 22.1.2016 (**Plan A-2**); and
- (d) there is a pond to the further west of the Site.

8. Planning Intentions

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

8.2 The area shown as ‘Road’ is intended for road development i.e. planned Road 1.

9. Comments from Relevant Government Departments

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

Land Administration

9.1.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, Lands D):

- (a) the Sites comprises a private lot and the adjoining Government land. The lot is an Old Schedule lot held under the Block Government Lease (demised for agriculture use) without any guarantee of right of vehicular access;
- (b) it is noted that the existing structures on the application lot were erected without approval from his office, and that some Government Land adjoining the application lot is occupied without approval from his office. The aforesaid structures and unauthorised occupation of Government Land are not acceptable. His office reserves the right to take lease enforcement and land control actions against the irregularities; and
- (c) the owners of the lot concerned shall apply to his office for a Short Term Waiver (STW) and a Short Term Tenancy (STT) to cover all the actual occupation area. The applications for STW/STT will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW/STT are approved, their commencement date would be backdated to the first date of occupation and they will be subject to such terms and conditions to be imposed including payment of waiver fee/rent and administrative fees as considered appropriate by his office.

Traffic

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

he has no comment on the application from the traffic engineering point of view.

9.1.3 Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

he has no comments on the application.

Project Interface

9.1.4 Comments of the Project Manager (New Territories East), Civil Engineering and Development Department (PM(NTE), CEDD):

- (a) he has no comment on the application form the project interface point of view; and
- (b) there is no development programme for the concerned road project, namely Road 1 (**Plan A-1**).

Environment

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

- (a) she has no objection to the application.

- (b) there are domestic structures about 15m away from the Site. Based on the site photos, it appears that the materials stored on site are not dusty in nature and the proposed use is not one of those mentioned in paragraph 5.3 of the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP') which may cause significant dust nuisance. Provided that the same approval condition on "no medium and heavy goods vehicles exceeding 5.5 tonnes is allowed" is imposed as in the two previous applications, the subject open storage use and acillary workshop are not expected to generate traffic of heavy vehicles (GVW equal to or above 5.5 tonnes) (**Plan A-2**) ;
- (c) there is no available public sewer connection. According to the S(1) of Notes to Annex I in 'CoP', 'In case of unavailability of public sewer, a septic tank and soakaway (STS) pit should be provided'. The toilet on Site (**Drawing A-1**) should be connected to STS and comply with requirements of ProPECC PN 5/93 Sections 8 & 9, and drainage serving the covered workshop should be connected to STS via petrol interceptor to comply with ProPECC PN 5/93 Sections 7(vii), 8 and 9. The applicant is reminded that the design, construction, operation and maintenance of STS should follow ProPECC PN 5/93 and be certified by Authorised Person; and
- (d) there was no record of environmental complaint for the Site for the past three years.

Building Matters

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

- (a) there is no record of approval by the Building Authority for the structures existing at the Site and BD is not in a position to offer comments on their suitability for the use related to the application;
- (b) if the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of BD, they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application;
- (c) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of BD should be obtained, otherwise they are UBW. An Authorised Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
- (d) for UBW erected on leased land, enforcement action may be taken by the 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;
- (e) the temporary converted containers for site office/storage are considered as temporary buildings subject to control under the Building (Planning) Regulations (B(P)Rs) Pt. VII;

- (f) 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 B(P)Rs respectively;
- (g) if the Site does not abut 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)Rs at the building plan submission stage; and
- (h) detailed comments under the BO will be provided at the building plan submission stage.

Drainage

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

- (a) he has no in-principle objection to the application;
- (b) Flooding in the vicinity was reported in the last few years. Hence, should the application be approved, a condition should be included to request the applicant to submit and implement a drainage proposal for the site to ensure that it will not cause adverse impact to the adjacent areas; and
- (c) the general requirements of the drainage proposal are appended in **Appendix VI**.

Water Supply

9.1.8 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) he has no objection to the application; and
- (b) part of the Site encroaches upon WSD's Waterworks Reserve (WWR) (**Plan A-2**) where no structure shall be erected over the waterworks reserve and such area shall not be used for storage purposes.

Fire Safety

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

- (a) he has no in-principle objection to the application subject to fire service installations (FSIs) and water supplies for fire-fighting being provided to the satisfaction of his department;
- (b) in consideration of the nature of the open storage use and approval condition on the provision of fire extinguisher(s) within 6 weeks from the date of planning approval is recommended for inclusion in the planning permission. To address this approval condition, the applicant should submit certificate(s) under Regulation 9(1) of the Fire Service (Installations and Equipment) Regulations (Chapter 95B) to his department for compliance of condition;
- (c) if covered structures (e.g. container-converted office, temporary warehouse

and temporary shed used as workshop) are erected within the Site, FSIs will need to be installed. In such circumstances, except where building plan is circulated to the Centralized Processing System of BD, the applicant is required to send the relevant layout plans to his department incorporated with the proposed FSIs for approval. In doing so, the applicant should note that:

- (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
 - (ii) the location of the proposed FSIs and the access for emergency vehicles should be clearly marked on the layout plans; and
- (d) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. The applicant will need to subsequently provide such FSIs according to the approved proposal.

Agriculture

9.1.10 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):
she has no comment on the application from nature conservation point of view.

Landscape Aspect

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

- (a) she has no objection to the application from the landscape planning point of view;
- (b) based on the aerial photo of 2018, the site is situated in an area of rural landscape character surrounded by temporary structures, tree groups to the east, and a large pond to the further west of the site. The proposed use is not incompatible with the landscape setting of the surrounding environment. Significant adverse impact arising from the temporary use under the application on existing landscape resources is not anticipated;
- (c) according to her site record, there is one existing tree located on the southern portion of the site which has not been indicated in the site layout plan and some miscellaneous objects were found in the tree planting areas to the eastern and southern portion of the site; and
- (d) since the site is surrounded by other temporary open storage sites and there is no major public frontage along the boundary, it is not necessary to impose a landscape condition as its effect on enhancing the quality of public realm is not apparent. Should the TPB approve this application, the applicant should be advised to maintain all the existing trees and landscape plantings within the site at all times during the planning approval period. The Applicant is also advised that the approval of the Landscape Proposal does not imply approval of tree works such as pruning, transplanting and felling under lease. Tree removal applications should be submitted direct to DLO for approval.

District Officer's Comments

9.1.12 Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

he has consulted the locals concerned. The Chairman of the Fanling District Rural Committee (FDRC) and the incumbent North District Council (NDC) member had no comment on the application.

10. Public Comments Received During Statutory Publication Period

On 9.11.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, two public comments were received (**Appendix V**). Chairman of Sheung Shui District Rural Committee and a NDC member indicate no comment on the application.

11. Planning Considerations and Assessments

11.1 A major portion (51.2%) of the Site falls within Category 1 areas under 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) promulgated by the Board on 17.10.2008. The following considerations in the Guidelines 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.

11.2 The Site falls partly within "OS" zone (about 51.2%) in which the temporary open storage and ancillary workshop uses are always permitted whereas a portion of the Site falls within an area shown as 'Road' (about 48.8%) (i.e. part of the Road 1 on the OZP) in which such development requires planning permission from the Board. The alignment of Road 1 has been designated on the OZP since 1994 for enhancing the accessibility within the "OS" zone. PM(N), CEDD advises that there is at present no development programme for Road 1. Approval of the application on a temporary basis for a period of three years would not frustrate the implementation programme of Road 1 and the future development in the area.

11.3 In comparison with the previously approved schemes (Application No. A/NE-TKL/389 and 534), the current development scheme (**Drawings A1 to A5**) has proposed minor changes to the layout i.e. a temporary metal structure (i.e. Structure D) has been added for the storage of metal materials. The development is considered not incompatible with the surrounding land uses which are surrounded by open storage yards, warehouses, workshops and temporary domestic structures (**Plan A-2**). Adverse landscape impact arising from the proposed development is not anticipated. In this connection, CTP/UD&L of PlanD has no objection to the application. Concerned government departments consulted, including C for T, CE/MN, DSD and CE/C, WSD have no objection to or no adverse comment on the application.

- 11.4 DEP has no objection to the application. With regard to the sensitive receivers, i.e. temporary domestic structures in the vicinity of the Site (**Plan A-2**), she opined that the materials stored on the Site are not dusty in nature which may cause significant dust nuisance. To address DEP's concern on traffic of heavy vehicles, approval condition restricting medium and heavy goods vehicles exceeding 5.5 tonnes is recommended. Besides, there was no record of environmental complaint regarding the Site in the past three years. Moreover, the applicant would be advised to follow the environmental mitigation measures as set out in the revised 'CoP'.
- 11.5 The application generally complies with the Town Planning Board Guidelines No. 34B on 'Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development' as there has not been any material change in planning circumstances since the approval of the last application; there are no major adverse departmental comments against the renewal application; all the approval conditions for the last application have been complied with; and the approval period sought which is for the same as the last approval granted by the Board is not unreasonable.
- 11.6 There are eleven similar applications for warehouse uses involving sites falling partly within areas shown as 'Road' in the vicinity of the Site. Of the eleven similar applications, ten were approved with conditions by the Committee between 2010 and 2018 mainly on the considerations that the applications were generally in line with the planning intention of "OS" zone; the proposed developments were compatible with the surrounding areas; approval of the applications on a temporary basis would not frustrate the implementation programme of the proposed Road 5; and the developments were unlikely to cause adverse impacts on the surrounding area. The planning circumstance of the current application is similar to those similar applications.
- 11.7 There is no local objection to the application and no adverse public comments have been received.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department considers that the temporary use under application could be tolerated for a period of 3 years.
- 12.2 Should the Committee decide to approve the renewal application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years, and be renewed from 12.1.2019 until 11.1.2022. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) no night time operation between 6:00p.m. and 8:00a.m., as proposed by the applicant, should be allowed on the Site during the planning approval period;
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, should be allowed on the Site during the planning approval period;
- (c) no medium and heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed for the operation of the

Site at any time during the planning approval period;

- (d) the peripheral fencing and paving of the Site should be maintained during the planning approval period;
- (e) the existing trees and landscape planting on Site shall be maintained at all times during the planning approval period;
- (f) the submission of drainage proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 12.7.2019;
- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 12.10.2019;
- (h) the provision of fire extinguisher(s) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 23.2.2019;
- (i) the submission of proposal for water supplies for fire-fighting and fire service installations within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 12.7.2019;
- (j) in relation to (i) above, the implementation of proposal for water supplies for fire-fighting and fire service installations within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 12.10.2019;
- (k) if any of the above planning conditions (a), (b), (c), (d) or (e) 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 (f), (g), (h), (i) or (j) 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**.

12.3 There is no strong reason to recommend rejection of the application.

13. Decision Sought

13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission for renewal of the planning permission.

13.2 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.

13.3 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.

14. Attachments

Appendix I	Application form with attachments received on 31.10.2018
Appendix Ia	Supplementary information received on 2.11.2018
Appendix Ib	Further information received on 4.12.2018
Appendix II	Relevant Extract of Town Planning Board Guidelines No. TPB PG-13E for Application for Open Storage and Port Back-up Uses
Appendix III	Previous s.16 Application
Appendix IV	Similar s.16 Applications partly within the “OS” Zone and partly within areas shown as ‘Road’ on the Ping Che and Ta Kwu Ling OZP
Appendix V	Public Comments
Appendix VI	Recommended Advisory Clauses
Drawings A-1	Site Layout Plan
Drawing A-2	Detailed Plan for Structure A
Drawing A-3	Detailed Plan for Structure B
Drawing A-4	Detailed Plan for Structure C
Drawing A-5	Detailed Plan for Structure D
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2018**