

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/448

<u>Applicant</u>	:	Mr. KO Kam Fai
<u>Site</u>	:	Lots 1040 S.A RP and 1040 S.A ss.1 S.A in D.D. 117, Yeung Ka Tsuen, Yuen Long, New Territories
<u>Site Area</u>	:	1,107 m ² (about)
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/16
<u>Zoning</u>	:	“Agriculture” (“AGR”)
<u>Application</u>	:	Temporary Open Storage and Warehouse of Construction Materials and Miscellaneous Goods, Agricultural Use and associated Filling of Land (about 0.2m) 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 and warehouse of construction materials and miscellaneous goods, agricultural use and associated filling of land (about 0.2m) for a period of 3 years (**Plan A-1**). According to the Notes of the OZP for the “AGR” zone, ‘Agricultural Use’ is a Column 1 use which is always permitted. Temporary use or development of any land or buildings not exceeding a period of 3 years within the zone requires planning permission from the Town Planning Board (the Board) notwithstanding that the use or development is not provided for under the Notes of the OZP (i.e. the subject open storage and warehouse use). Any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 or uses/developments always permitted under the covering Notes, requires planning permission from the Town Planning Board (the Board). About half of the Site is currently land-filled with cement. The Site is currently partly occupied by temporary structures, parking of vehicles and storage of construction materials without valid planning permission, and partly for agricultural use (**Plans A-2, A-4a to A-4c**).

1.2 The Site is currently fenced off and accessible from Pak Sha Shan Road via a local track (**Plan A-3**). According to the applicant, about 569m² of the Site (i.e. 51.4%) would be for agricultural use for the growing of fruit trees; the remaining about 538m² (i.e. 48.6%) has already been land-filled with cement (0.2m in depth) for open storage, warehouse and footpath use. The construction materials and miscellaneous goods to be stored on Site would include timber, metal frame and construction machinery, etc. No repairing, dismantling, cleansing, paint-spraying or any other workshop activities will be carried out on the Site. No parking spaces and loading/unloading spaces would be provided, and only one daily trip to/from the Site by light goods vehicle is expected. The Site would not be opened to the general public. Sufficient space would be provided within the Site for the manoeuvring of vehicles. The site layout plan submitted by the applicant is at **Drawing A-1**.

1.3 The major development parameters of the application are summarised as follows:

Major Development Parameters	Application No. A/YL-TT/448
Site Area	About 1,107 m ²
Total Floor Area (Non-domestic)	About 211 m ²
No. of Structures	6 (4 containers under 1 trellis for warehouse use, and 1 other container for warehouse use)
Height of Structures	2.6 – 5m (about) (1 storey)
Parking Space	--
Loading/Unloading Space	--
Operation Hours	10:00 a.m. to 4:00 p.m. Mondays to Fridays only

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

- (a) Application Form with plans received on 23.10.2018 (**Appendix I**)
- (b) Further Information received on 27.2.2019 responding to relevant departmental comments [*accepted and exempted from publication and recounting requirements*] (**Appendix Ia**)
- (c) Further Information received on 1.4.2019 clarifying the operation hours, items to be stored on site and restrictions on workshop activities [*accepted and exempted from publication and recounting requirements*] (**Appendix Ib**)

- 1.5 On 21.12.2018, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer a decision on the application for two months as requested by the applicant. On 27.2.2019, further information (**Appendix Ia**) was received and the application is submitted to the Committee for consideration at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Part 9 of the Application Form at **Appendix I** and Further Information at **Appendices Ia** and **Ib**. They can be summarised as follows:

- (a) The applicant purchased the Site in 2015 with the intention for recreational use. The Site was partly paved with asphalt and partly overgrown at the time of the land acquisition. In 2017, the Site was used for the storage of various materials without the applicant's consent. The occupier was subsequently evicted and all materials were removed. The applicant then fenced the Site off and reinstated half of the Site with soil for the planting of fruit trees and paved the rest of the Site with cement for open storage and warehouse use.
- (b) It is not the intention of the applicant to destroy the environment. The applicant simply wanted to use the land for planting and to utilise some of the Site for storage use. This is better than leaving the Site vacant. Since there are no residences nearby, there will be no nuisance to the public.
- (c) The containers on the Site would be transformed into greenhouses in a few years' time when the applicant retires.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for "Application for Open Storage and Port Back-up Uses" (TPB PG-No. 13E) are relevant to the application. The Site falls within Category 3 areas under TPB PG-No. 13E promulgated by the Board on 17.10.2008. The relevant extract of the Guidelines is attached at **Appendix II**.

5. Background

The Site is subject to planning enforcement action against unauthorised development (UD) involving filling of land. Enforcement Notice (EN) was issued to the concerned parties on 23.3.2018 requiring discontinuation of the UD. Upon expiry of the EN, the UD on site has been discontinued. Reinstatement Notice (RN) was

issued on 28.8.2018 requiring reinstatement of the concerned land. As the Site has not been reinstated upon expiry of the RN, prosecution action may be followed.

6. Previous Application

The Site was not involved in any previous application.

7. Similar Applications

7.1 Two similar applications (No. A/YL-TT/240 and 295) for temporary open storage or warehouse use within the same “AGR” zone had been considered by the Committee since the promulgation of TPB PG-No. 13E on 17.10.2008. Details of the applications are summarised at **Appendix III** and the locations of the sites are shown on **Plan A-1**.

7.2 Application No. A/YL-TT/240 for temporary open storage of electronic parts with ancillary recyclable workshop for a period of 3 years was rejected by the Board on review on 30.10.2009 on considerations that the proposed development was not in line with the planning intentions of the “AGR” and “Village Type Development” zones; incompatibility with the surrounding areas; no assessments were provided to ascertain the potential adverse environmental impacts; incompliance with TPB PG-No. 13E in that part of the Site fell within Category 3 and 4 areas; and approval of the application would set an undesirable precedent for other similar applications, which would result in a general degradation of the surrounding environment.

7.3 Application No. A/YL-TT/295 for similar temporary warehouse for building materials for a period of 3 years was rejected by the Committee on 16.12.2011 on similar considerations that the proposed development was not in line with the planning intention of the “AGR” zone; incompatibility with the surrounding areas; adverse environmental impact on surrounding residences; and approval of the application would set an undesirable precedent for other similar applications, which would result in a general degradation of the surrounding environment.

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

8.1 The Site is:

- (a) accessible from Pak Sha Shan Road to its west via a local track (**Plan A-3**);
- (b) fenced off and partially land-filled with cement; and
- (c) partly occupied by temporary structures, parking of vehicles and storage of construction materials without valid planning permission, and partly for agricultural use.

- 8.2 The surrounding areas have the following characteristics (**Plan A-2**):
- (a) predominantly rural in character comprising mainly cultivated and fallow agricultural land, with some scattered graves, a pigsty farm and unused land in the close vicinity;
 - (b) warehouses, open storage of vehicles and a residential structure can be found to its further northwest; and
 - (c) the aforementioned warehouses and open storage of vehicles in the vicinity of the Site are suspected UD subject to enforcement action taken by the Planning Authority.

9. Planning Intention

- 9.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 9.2 According to the Explanatory Statement of the OZP, permission from the Board is required for filling of land/pond within the “AGR” zone as these activities may cause adverse drainage and environmental impacts on the adjacent areas.

10. Comments from Relevant Government Departments

- 10.1 The following government departments have been consulted and their views on the application are summarised as follows:

Land Administration

- 10.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):
- (a) 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) The Site is accessible from Pak Sha Shan Road via Government Land (GL) and private land. Her office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site.
 - (c) The Site does not fall within Shek Kong Airfield Height Restriction Area.

- (d) Should planning approval be given to the planning application, the lot owner(s) will need to apply to her office to permit the structures to be erected or regularise any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by her department acting in the capacity as landlord or lessor at her sole discretion and there is no guarantee that such application will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by her department.

Traffic

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

- (a) Having reviewed the Further Information (**Appendix Ia**), he has no further comment on the application.
- (b) The operation hours **of the proposed development** should be **restricted** from 10:00 a.m. to 4:00 p.m. to avoid additional traffic loading to Kung Um Road during AM and PM peak periods. ~~on normal weekdays only in order to minimise the traffic impact to Kung Um Road which is already congested.~~
- (c) No medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, should be allowed to park or enter/exit the Site.
- (d) The applicant is reminded that sufficient space should be provided within the Site for manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road are allowed.

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

- (a) Having reviewed the Further Information (**Appendix Ia**), he has no further comment from highways maintenance point of view.
- (b) The access arrangement should be commented by the Transport Department.
- (c) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains.

- (d) His department shall not be responsible for the maintenance of any access connecting the Site and Pak Sha Shan Road.

Agriculture and Nature Conservation

- 10.1.4 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):
- (a) She does not support the application from agriculture point of view.
 - (b) The Site is paved and occupied by some containers. Nonetheless, agricultural activities in the vicinity are very active and agricultural infrastructures such as footpath and water source are available. The Site possesses potential for agricultural rehabilitation and can be used for greenhouse cultivation or plant nursery.

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 proposed development from the public drainage point of view.
 - (b) Should the Board consider that the application is acceptable from the planning point of view, approval conditions should be stipulated requiring the submission of a drainage proposal, especially showing the 0.2m filling of land would not affect the drainage condition of the Site and adjacent area (i.e. obstructing overland flow) and the implementation and maintenance of the drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the Board.

Environment

- 10.1.6 Comments of the Director of Environmental Protection (DEP):
- (a) The applicant is advised to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department to minimise any potential environmental nuisance.
 - (b) There was one substantiated environmental complaint concerning the Site received in the past 3 years. The complaint concerns the dumping of construction and

demolition waste on private lots, but was not related to environmental nuisance generated from the applied use.

Landscape

- 10.1.7 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):
- (a) She has reservations on the application from landscape planning perspective.
 - (b) With reference to the aerial photo of 2018, the Site is mainly hard paved area without any vegetation. The Site is situated in an area of rural landscape character comprise of some active agricultural activities but disturbed by open storage yards and temporary structures. The proposed use is not entirely compatible with the existing landscape character.
 - (c) Comparing with aerial photos of 1999 and 2010, it is observed that the Site was originally partly vegetated with groundcover and partly hard paved but the extent of hard paved area appears to have increased over the years.
 - (d) It is noted that the “AGR” zone is intended primarily to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. According to DAFC, agricultural land in the area is classified as good to fair.
 - (e) There is concern that approval of the application would set an undesirable precedent encouraging other similar application to form and fill the site prior to obtaining planning permission. The cumulative impact of which would undermine the integrity of the “AGR” zone, and the degradation of rural landscape character in general.
 - (f) In consideration of the site constraints, and that there is no prominent public frontage adjoining the Site, it is opined that landscape condition is not necessary in the event that the application be approved by the Board.

Fire Safety

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

- (a) He has no objection in principle to the proposal subject to fire service installations (FSIs) being provided to his

satisfaction.

- (b) In consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should 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 attached in **Appendix IV** should be adhered to.
- (c) Moreover, having considered the nature of the open storage, an approval condition requiring the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to his satisfaction should be stipulated. To address this approval condition, the applicant is required to submit a valid fire certificate (FS 251) to his department for approval.
- (d) 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) He has no comment to the proposed filling of land if it is not associated with any building construction.
- (b) The excavation works should be carried out under the supervision of a competent person.
- (c) Attention is drawn to Building (Minor Works) Regulation that excavation with a depth between 0.3m to 3m falls within the items of Class I or Class II minor works and subject to the Minor Work Control System. The excavation works should be supervised by competent persons, who are Professional and/or Prescribed Registered Contractor. The applicant may visit BD's website for details.

- (d) Adequate precautionary measures and suitable working procedures should be adopted in carrying out the subject works to safeguard the stability of any building, structure, land, street or services. Any precautionary measures, which involve new building works, are subject to paragraph 10.1.9 (h) below.
- (e) When any natural, formed or man-made land has due to any cause been rendered so dangerous or liable to become so dangerous that it will collapse, or be likely to collapse, and thereby will cause, or will be likely to cause, a risk of injury to any person or damage to any property, enforcement action may be taken by the BD.
- (f) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of BD, they are unauthorised building works (UBW) under the BO and should not be designated for any proposed use under the application.
- (g) 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.
- (h) Before any new building works (including containers/open sheds as temporary buildings, site formation works such as excavations on sloping land, filling) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (i) The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 5 and 41D of the Building (Planning) Regulation (B(P)R) respectively.
- (j) If the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.

Others

- 10.1.10 Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) Given that no new man-made slope feature will be formed by the proposed filling works according to the Further Information (**Appendix Ia**), he has no adverse geotechnical comment on the application.
- (b) It is noted from the applicant's response that hoarding has already been erected at the Site before filling works. The applicant is reminded to ensure that the erected hoarding should not affect public safety and details of such hoarding should be submitted to relevant government department(s) (e.g. BD, LandsD and others) for comment, if found necessary.

District Officer's Comments

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

The local consultation was completed and his office has not received any comments from the village representatives in the vicinity regarding the application.

10.2 The following government departments have no comment/no objection on the application:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Director of Electrical and Mechanical Services (DEMS);
- (c) Project Manager (West), CEDD (PM(W), CEDD); and
- (d) Commissioner of Police (C of P).

11. Public Comments Received During Statutory Publication Period

On 2.11.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 23.11.2018, four public comments were received from Kadoorie Farm and Botanic Garden Corporation (**Appendix V-1**), World Wild Fund for Nature Hong Kong (**Appendix V-2**), a member of the public (**Appendix V-3**) and The Hong Kong Bird Watching Society (**Appendix V-4**) objecting to the application mainly for the reasons that the development was not in line with the planning intention, it was not compatible with the surrounding residential and agricultural uses, the proposal would generate adverse environmental impact and approval of this "destroy first, develop/apply later" case would set an undesirable precedent.

12. Planning Considerations and Assessments

12.1 The subject application is for temporary open storage and warehouse of

construction materials and miscellaneous goods, agricultural use and associated filling of land (about 0.2m) for a period of 3 years at the Site zoned “AGR” on the OZP. The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. Nearly half of the Site (about 538m² or 48.6% of the site area) has been hard paved for open storage and warehouse of construction materials and miscellaneous goods, which is not in line with the planning intention of the “AGR” zone. In this regard, DAFC does not support the application from the agricultural point of view as the agricultural activities in the vicinity of the Site are very active and agricultural infrastructures such as footpath and water source are available; the Site possesses potential for agricultural rehabilitation. No strong planning justifications have been provided in the submission for a departure from the planning intention, even on a temporary basis.

12.2 The Site is situated in an area of rural landscape character comprising mainly fallow and cultivated agricultural land. CTP/UD&L, PlanD has reservations on the application as the proposed use is considered not entirely compatible with the surrounding environment and landscape character.

12.3 The Site falls within Category 3 areas under the TPB PG-No. 13E. The following considerations in the Guidelines are relevant:

Category 3 areas: applications would normally not be favourably considered unless the applications are on sites with previous planning approvals. Sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions.

The application does not comply with TPB PG-No. 13E in that the Site falls within Category 3 areas and no previous approval for similar open storage uses have been granted to the Site; and there are adverse comments from DAFC and CTP/UD&L, PlanD on the application.

12.4 The two similar applications (No. A/YL-TT/240 and 295) for open storage or warehouse uses within the same “AGR” zone were both rejected by the Committee or by the Board on review. Approval of the current application will set an undesirable precedent. The cumulative effect of approving such similar applications, even on a temporary basis, would result in a general degradation of the rural environment and landscape quality of the area.

12.5 There are four public comments received during the statutory publication

period objecting to the application for the reasons as summarised in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.4 above are relevant.

13. Planning Department's Views

13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments in paragraph 11 above, the Planning Department does not support the application for the following reasons:

- (a) the proposed development is not in line with the planning intention of the "AGR" zone which is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed development is not compatible with the surrounding areas comprising mainly fallow and cultivated agricultural land;
- (c) the development is not in line with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses in that no previous approval has been granted to the Site and there are adverse departmental comments on the application; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the "AGR" zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.

13.2 Alternatively, 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 12.4.2022. The following approval conditions and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no operation between 4:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no repairing, dismantling, cleansing, paint-spraying or any other workshop activities, as proposed by the applicant, shall be carried out on the Site at any time during the planning approval period;

- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing boundary fence on the Site shall be maintained at all times during the planning approval period;
- (g) 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 12.10.2019;
- (h) in relation to (g) above, 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 12.1.2020;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 24.5.2019;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 12.10.2019;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 12.1.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (i) 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;
- (n) if any of the above planning conditions (g), (h), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the 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 VI**.

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

15. Attachments

Appendix I	Application Form with plans received on 23.10.2018
Appendix Ia	Further Information received on 27.2.2019 responding to relevant departmental comments
Appendix Ib	Further Information received on 1.4.2019 clarifying the operation hours, items to be stored on site and restrictions on workshop activities
Appendix II	Relevant extract of the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E)
Appendix III	Similar Applications within the Same “AGR” Zone on the OZP since the Promulgation of TPB PG-No.
Appendix IV	The Good Practice Guidelines for Open Storage Sites
Appendices V-1 to 4	Public Comments Received During Statutory Publication Period
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Site Layout Plan
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
APRIL 2019**