

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

**APPLICATION NO. A/YL-TYST/1041**

- Applicant** : Wing Kei Development Limited represented by Metro Planning and Development Company Limited
- Site** : Lots 1937 (Part), 1945 (Part), 1946 (Part), 1947 (Part), 1948, 1954 (Part), 1955, 1956 (Part) and 1957 (Part) in D.D. 117 and Adjoining Government Land (GL), Tong Yan San Tsuen, Yuen Long, New Territories
- Site Area** : 4,164 m<sup>2</sup> (about) (including about 370 m<sup>2</sup> of GL or 7.8 %)
- Lease** : Block Government Lease (demised for agricultural use)
- Plans** : Draft Tong Yan San Tsuen (TYST) Outline Zoning Plan (OZP) No. S/YL-TYST/13 currently in force  
  
Approved TYST OZP No. S/YL-TYST/12 at the time of submission
- Zonings** : “Other Specified Uses” annotated “Sewage Treatment Works” (“OU(STW)”) on the draft TYST OZP No. S/YL-TYST/13 currently in force  
*[Restricted to a maximum building height of 35mPD]*  
  
“Undetermined” (“U”) on the then approved TYST OZP No. S/YL-TYST/12 at the time of submission
- Application** : Temporary Warehouse for Storage of Home Appliance and Furniture 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 warehouse for storage of home appliance and furniture for a period of 3 years (**Plan A-1a**). The Site falls within an area zoned “OU(STW)” on the draft TYST OZP No. S/YL-TYST/13 currently in force. According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years 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. The Site is currently occupied by the applied use without valid planning permission (**Plans A-2 and A-4**).

- 1.2 The Site involves 7 previous applications (No. A/YL-TYST/20, 34, 48, 118, 618, 756 and 865) for various temporary warehouse and/or open storage with or without ancillary office uses (**Plan A-1b**). The last application (No. A/YL-TYST/865) for the same use as the current application was approved with conditions for a period of 3 years by the Rural and New Town Planning Committee (the Committee) of the Board on 22.12.2017. However, the planning permission was revoked on 22.5.2020 due to non-compliance with the time-limited approval conditions on implementation of landscape and fire service installations (FSIs) proposals. Compared with the last application, the current application is submitted by a different applicant for the same use on the same site with similar development parameters but change in number of structures.
- 1.3 According to the applicant, the proposed warehouse is for storage of home appliance (including washing machines and refrigerators) and furniture (such as tables, chairs, desks, cabinets and wardrobes). No workshop activities will be carried out at the Site. Also, no container tractor/trailer will be allowed to enter the Site. Plans showing the vehicular access leading to the Site, site layout, landscape and tree preservation proposal, as-built drainage facilities and FSIs proposal submitted by the applicant are at **Drawings A-1 to A-5** respectively.
- 1.4 The major development parameters of the previously approved application and the current application are summarised as follows:

<b>Major Development Parameters</b>	<b>Previously Approved Application No. A/YL-TYST/865 (a)</b>	<b>Current Application No. A/YL-TYST/1041 (b)</b>	<b>Difference (b)-(a)</b>
Applied Use	Temporary Warehouse for Storage of Home Appliance and Furniture for a Period of 3 Years		---
Site Area	About 4,164 m <sup>2</sup> (including GL of about 400 m <sup>2</sup> )	About 4,164 m <sup>2</sup> (including GL of about 370 m <sup>2</sup> )	---
Total Floor Area (Non-domestic)	3,180 m <sup>2</sup>	3,264 m <sup>2</sup>	+84 m <sup>2</sup> (+2.6%)
No. and Height of Structures	1 • one for warehouse (11m, 1 storey)	5 • one for warehouse (11m, 1 storey) • one for site office (6m, 2 storeys) • one for water tank (3m, 1 storey) • one for pump room (3m, 1 storey) • one for toilet (3m, 1 storey)	+4 (+400%)
No. of Parking Space	Nil		---
No. of Loading/Unloading Space	1 (for medium/heavy goods vehicle) (11m x 3.5m)		---

Operation Hours	7:00 a.m. to 7:00 p.m., with no operation on Sundays and Public Holidays	9:00 a.m. to 5:00 p.m., with no operation on Sundays and Public Holidays	Shorter Operation Hours
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1.5 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with annex and plans received on 24.6.2020 (**Appendix I**)
- (b) Supplementary Information received on 29.6.2020 (**Appendix Ia**) clarifying the GL of the site with replacement pages of the Application Form
- (c) Supplementary Information received on 30.6.2020 (**Appendix Ib**) clarifying the proposed operation
- (d) Further Information (FI) received on 9.7.2020 providing a FSIs proposal and justifications for non-compliance with approval conditions of the previous application (**Appendix Ic**)
- (e) FI received on 10.8.2020 clarifying operation hours (**Appendix Id**)  
*[(d) and (e) exempted from publication and recounting requirements]*

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

The justifications put forth by the applicant in support of the application are mainly detailed in the Application Form, Supplementary Information and FI (**Appendices I to Id**). They can be summarised as follows:

- (a) The Site was covered by planning permissions since 2017. All the approval conditions imposed on the last application (No. A/YL-TYST/865) had been complied with, except for the implementation of landscape and FSIs proposals. Since additional structures have been erected after approval of the last application, the built layout did not tally with that of the accepted FSIs proposal and hence the condition could not be complied with. Furthermore, the applicant is still applying for water supply for the FSIs from Water Supplies Department (WSD) and additional time is needed to replace the trees and provide a planter to fulfil the landscaping condition.
- (b) The temporary proposal would not jeopardise the long-term planning intention. A number of open storage and port back-up uses have been approved by the Board in the vicinity of the Site and their planning circumstances were similar to that of the Site. Therefore, the development is compatible with the surrounding environment. Besides, there is a shortage of land for port back-up uses in TYST.
- (c) There will be minimal traffic, environmental and drainage impacts arising from the proposal.

### 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. 31A) by posting site notice and sending the notice to the Shap Pat Heung Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection. For GL, the requirements as set out in TPB PG-No. 31A are not applicable.

### 4. Background

4.1 At the time of the submission of the application, the Site fell within an area zoned “U” on the then approved TYST OZP No. S/YL-TYST/12. Subsequently, the draft TYST OZP No. S/YL-TYST/13 was gazetted under section 5 of the Town Planning Ordinance (the Ordinance). The Site now falls within an area zoned “OU(STW)” on the draft TYST OZP No. S/YL-TYST/13 currently in force (**Plan A-1a**).

4.2 The Site is currently not subject to planning enforcement action.

### 5. Previous Applications

5.1 The Site involves 7 previous applications (No. A/YL-TYST/20, 34, 48, 118, 618, 756 and 865) for various temporary warehouse and/or open storage with or without ancillary office uses covering different extents of the Site (**Plan A-1b**). Details of the previous applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1b**.

#### 3 Rejected Cases

5.2 Out of these 7 applications, 3 applications (No. A/YL-TYST/20, 34 and 48) for temporary open storage of construction materials and/or small-scale machinery each for a period of 12 months were rejected by the Committee between 1997 and 1998 for the reasons that the proposals were not in line with the planning intention of the then “Green Belt” (“GB”) zone and the then TPB PG-No. 13; would cause potential adverse traffic and/or drainage impacts; were not compatible with the surrounding rural land uses; and approval would set an undesirable precedent.

#### 4 Approved Cases

5.3 Application No. A/YL-TYST/118 for temporary storage of construction materials, and applications No. A/YL-TYST/618 and 756 for temporary open storage and warehouse for storage of construction materials and ancillary site office were all approved by the Committee between 2000 and 2015 each for a period of 3 years, mainly on the considerations that the proposals were generally not incompatible with the surrounding areas; generally in line with the then TPB PG-No. 13 (or its latter versions); approval of the application on a temporary basis would not frustrate the long-term development of the area; and departmental concerns could be addressed by imposing approval conditions. However, the planning permissions under applications No. A/YL-TYST/618 and 756 were subsequently

revoked in 2014 and 2016 respectively due to non-compliance with approval conditions.

- 5.4 The last application (No. A/YL-TYST/865) for the same use as the current application was approved with conditions for a period of 3 years by the Committee on 22.12.2017 mainly on similar considerations as those specified in paragraph 5.3 above. However, the planning permission was revoked on 22.5.2020 due to non-compliance with the approval conditions on implementation of landscape and FSIs proposals.
- 5.5 Compared with the last application (No. A/YL-TYST/865), the current application is submitted by a different applicant for the same use on the same site with similar site layout and development parameters.

## 6. Similar Applications

There are 7 similar applications (No. A/YL-TYST/742, 836, 852, 860, 871, 971 and 983) for various temporary warehouse with/without open storage and/or logistics centre uses within or straddling the same “OU(STW)”<sup>1</sup> zone on the draft TYST OZP No. S/YL-TYST/13 since 2015. They were all approved with conditions by the Committee between 2015 and 2020, mainly on similar considerations that the developments were not incompatible with the surrounding uses and the concerns of relevant departments could be addressed by imposing approval conditions. However, the planning permissions for 4 of them were revoked due to non-compliance with approval conditions. Details of the applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.

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

7.1 The Site is:

- (a) accessible via a local track leading from Kung Um Road to its east (**Drawing A-1, Plans A-2 and A-3**);
- (b) paved and fenced off; and
- (c) currently occupied by the applied use without valid planning permission.

7.2 The surrounding areas have the following characteristics (**Plans A-2 and A-3**):

- (a) comprise predominantly warehouses and open storage/storage yards intermixed with parking of vehicles, bee farm, car service, agricultural land, shrubland, woodland and vacant land/structure;
- (b) there are residential structures in the vicinity with the nearest one located about 30m to the north of the Site;
- (c) the areas to the south and west are mainly woodland and shrubland and zoned “Conservation Area” (“CA”) and “GB” on the OZP; and

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<sup>1</sup>All the similar applications were approved under the “U” zone prior to the rezoning of the sites to “OU(STW)” on the draft TYST OZP No. S/YL-TYST/13.

- (d) except for three open storage yards with valid planning permissions (No. A/YL-TYST/849, 860 and 964) in the vicinity of the Site, the other warehouses, open storage/storage yards, parking of vehicles, bee farm and car service in the vicinity are suspected unauthorised developments (UD) subject to enforcement action taken by the Planning Authority.

## **8. Planning Intention**

The planning intention of the “OU(STW)” zone is primarily for the provision of sewage treatment/screening plant.

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

- 9.1 The following government departments have been consulted and their views on the application and public comments, where relevant, are summarised as follows:

### **Land Administration**

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

- (a) The Site comprises GL and an Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (b) No permission is given for occupation of GL (about 370m<sup>2</sup> subject to verification) included in the Site. Any occupation of GL without Government’s prior approval is not allowed.
- (c) Within the Site, Lots 1937 (Portion), 1945 (Portion) and 1954 (Portion), 1946, 1955 and 1957 (Portion), 1947 and 1956 and 1948 are currently covered by Short Term Waivers (STWs) No. 3730 to 3734 respectively to permit structures erected thereon for the purpose of “Open Storage and Warehouse for Storage of Construction Material with Ancillary Site Office”.
- (d) Should planning approval be given to the subject planning application, the STW holder(s) will need to apply to her office for modification of the STW conditions where appropriate. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Furthermore, the applicant has to either exclude the GL from the Site or apply for a formal approval prior to the actual occupation of the GL. Applications for any of the above will be considered by her department acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application 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 her department.

## **Traffic**

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

- (a) The land status of the access road/path/track leading to the Site from Kung Um Road shall be checked with the lands authority.
- (b) The management and maintenance responsibilities of the access road/path/track shall be clarified and consulted with the relevant management and maintenance authorities accordingly.
- (c) 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.

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

- (a) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains.
- (b) His department shall not be responsible for the maintenance of any access connecting the Site and Kung Um Road.

## **Environment**

### 9.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) He does not support the application as there are sensitive receivers of residential use in the vicinity (with the nearest one located about 30m to the north of the Site) (**Plan A-2**) and the applied use will cause traffic of heavy vehicles; environmental nuisance is expected.
- (b) There was no substantiated environmental complaint concerning the Site received in the past three years.
- (c) Should the planning application be approved, the applicant should be 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 Use” (Code of Practice) to minimise any potential environmental nuisances on the surrounding areas.

## **Nature Conservation**

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

- (a) She has no strong view on the application from nature conservation point of view as the Site is paved and disturbed.

- (b) Should the application be approved, the applicant should ensure that the development would not encroach on or affect the streams, woodland and trees in the “GB” and “CA” zones immediately adjacent to the Site.

### **Landscape**

9.1.6 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 landscape planning perspective.
- (b) According to her site inspection for application No. A/YL-TYST/865 on 29.5.2020, the Site was hard-paved and mainly occupied by a warehouse. The applied use is currently in operation. There are 3 small-scale additional temporary structures proposed in the current application. The Site is located in an area of miscellaneous urban fringe landscape predominated by open storage yards and temporary structures with tree groups in the proximity of the Site. Significant change to the landscape character arising from the development is not anticipated.
- (c) In view that the approval condition on implementation of landscape proposal for the last application (No. A/YL-TYST/865) had not been complied with, should the application approved by the Board, approval conditions requiring the submission and implementation of a revised landscape and tree preservation proposal should be stipulated.
- (d) The applicant should be reminded of her detailed comments on the submitted landscape and tree preservation proposal at **Appendix V**.

### **Drainage**

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

- (a) He has no objection in principle to the development.
- (b) Based on the planning statement enclosed in the application (**Appendix I**), apparently the applicant would maintain the same drainage facilities as those implemented under previous planning application No. A/YL-TYST/865.
- (c) Should the Board consider that the application is acceptable from the planning point of view, approval conditions requiring the maintenance of the existing drainage facilities implemented under application No. A/YL-TYST/865 and the submission of records of the existing drainage facilities on site to the satisfaction of the Director of Drainage Services or of the Board should be stipulated.



### **Fire Safety**

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

- (a) He has no objection in principle to the proposal and the FSIs proposal (**Drawing A-5**) is considered acceptable.
- (b) The applicant should be reminded of the detailed comments at **Appendix V**.

### **Building Matters**

9.1.9 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 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) The applicant should be reminded of the detailed comments at **Appendix V**.

### **Long-Term Development**

9.1.10 Comments of the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD (CE/CID, PlanD):

- (a) The Civil Engineering and Development Department (CEDD) and PlanD jointly commissioned the “Planning and Engineering Study for Housing Sites in Yuen Long South (YLS) – Investigation”. According to the Revised Recommended Outline Development Plan (RODP) of YLS promulgated in May 2020, the Site falls within an area zoned “OU(STW)”.
- (b) The objective of YLS is to transform the degraded rural land predominantly occupied by brownfield operations including open storage yards, warehouses and rural industrial uses into housing and other uses with supporting infrastructure and community facilities, and to improve the existing environment. It is noted that the application is for temporary use for a period of 3 years. In considering the application for temporary uses, due consideration should be given on the possible implication on land clearance which would affect the future implementation of YLS.

9.1.11 Comments of the Project Manager (West), CEDD (PM(W), CEDD):

- (a) He has no objection to the application.
- (b) However, the Site falls within the boundary of YLS development - Stage 2 Phase 2. The land resumption and clearance programme of the project is subject to Executive Council’s authorisation on land resumption and Finance Committee’s funding approval of the project. Land clearance operation is tentatively targeted to

commence in 2024. Thus, the applicant shall be reminded that extension of the planning permission may not be supported in future and shall be advised not to carry out any substantial works in view of the planned YLS development - Stage 2 Phase 2.

### **District Officer's Comments**

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

His office has not received any comment from the village representatives in the vicinity regarding the application.

9.2 The following government departments have no comment on the application:

- (a) Director of Electrical and Mechanical Services (DEMS);
- (b) Chief Engineer/Construction, WSD (CE/C, WSD); and
- (c) Commissioner of Police (C of P).

## **10. Public Comments Received During the Statutory Publication Period**

On 3.7.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period, three public comments were received from a member of Yuen Long District Council (YLDC) and two individuals. The member of YLDC objected to the application mainly on grounds that the building height of the proposal should not exceed the height of Small Houses and the Site was subject to multiple revoked planning permissions (**Appendix IV-1**). The first individual was concerned with safety aspect as the proposal would generate traffic of heavy vehicles (**Appendix IV-2**). The second individual raised concerns that the Site was subject to multiple revoked planning permissions (**Appendix IV-3**).

## **11. Planning Considerations and Assessments**

11.1 The application is for temporary warehouse for storage of home appliance and furniture for a period of 3 years. Subsequent to the receipt of the application by the Board, the draft TYST OZP No. S/YL-TYST/13 covering the Site was gazetted under section 5 of the Ordinance on 10.7.2020. The Site currently falls within an area zoned "OU(STW)" on the draft TYST OZP No. S/YL-TYST/13.

11.2 The "OU(STW)" zone on the draft TYST OZP No. S/YL-TYST/13 is intended primarily for the provision of sewage treatment/screening plant. Although the development is not in line with the planning intention of the "OU(STW)" zone, PM(W), CEDD has no objection to the proposed temporary use for 3 years as the Site is not expected to be resumed within the next 3 years for Stage 2 Phase 2 YLS Development. Approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the Site.

11.3 The surrounding areas comprise predominantly warehouses and open storage/storage yards (**Plan A-2**). Although there is a residential structure nearby, the development is generally not incompatible with the surrounding uses.

- 11.4 There is no adverse comment on the application from concerned government departments, except DEP. DEP does not support the application as there are sensitive receivers of residential use in the vicinity of the Site (with the nearest one located about 30m to its north) (**Plan A-2**), and the applied use will cause traffic of heavy vehicles; environmental nuisance is expected. However, there has been no environmental complaint concerning the Site received in the past 3 years. Furthermore, relevant approval conditions are recommended in paragraph 12.2 below to minimise any potential environmental nuisances or to address the local concerns and the technical requirements of other concerned government departments. Any non-compliance with the approval conditions will result in revocation of the planning permission and UD on the Site will be subject to enforcement action by the Planning Authority. Should the planning application be approved, the applicant will also be advised to follow the latest Code of Practice to minimise any potential environmental impact on the surrounding areas.
- 11.5 The Site involves 7 previous applications with the last one (application No. A/YL-TYST/865) for the same use as the current application approved with conditions by the Committee on 22.12.2017. Subsequently, the planning permission was revoked on 22.5.2020 due to non-compliance with time-limited approval conditions requiring implementation of landscape and FSIs proposals. Although the current application is submitted by a different applicant, the site layout and development parameters are similar. Moreover, the applicant has submitted landscape and FSIs proposals for the current application (**Drawings A-3 and A-5**). The FSIs proposal has been accepted by D of FS and CTP/UD&L, PlanD has no in-principle objection to the application. As such, sympathetic consideration may be given to the current application. Should the application be approved, shorter compliance periods are recommended in order to closely monitor the progress on compliance with associated approval conditions. The applicant will be advised that should he fail to comply with any of the approval conditions resulting in revocation of the planning permission, sympathetic consideration would unlikely be given to any further application.
- 11.6 Given that three previous approval for warehouse uses have been granted to the Site and seven similar applications have been approved within or straddling the subject “OU(STW)” zone, approval of the current application is generally in line with the Committee’s previous decisions. There were three previous applications rejected by the Committee mainly on the grounds, amongst others, that there were potential adverse traffic and/or drainage impacts and the uses were not compatible with surrounding uses. In this regard, C for T and CE/MN, DSD have no adverse comments on the current application and the proposal is considered generally not incompatible with the surrounding uses.
- 11.7 There were three public comments raising concerns on/objecting to the application received during the statutory publication period as summarised in paragraph 10 above. Regarding the concern on building height, the structures under application do not exceed the building height restriction of the “OU(STW)” zone. As for other concerns, the planning considerations and assessments in paragraphs 11.1 to 11.6 above are relevant.

## 12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11, and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department considers that the temporary warehouse for storage of home appliance and furniture could be tolerated for a period of 3 years.
- 12.2 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 21.8.2023. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no container tractors/trailers as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, 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 submission of a revised landscape and tree preservation proposal within **3** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 21.11.2020;
- (g) in relation to (f) above, the implementation of the landscape and tree preservation proposal within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 21.2.2021;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the Site within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 21.11.2020;
- (j) the implementation of the accepted 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 21.2.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) 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), (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 at **Appendix V**.

12.3 Alternatively, should the Committee decide to reject the application, the following reasons for rejection are suggested for Members' reference:

- (a) the development is not in line with the planning intention of the "OU(STW)" zone which is for the provision of sewage treatment/screening plant. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the development would not generate adverse environmental impact on the surrounding areas.

### **13. Decision Sought**

13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant 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**

<b>Appendix I</b>	Application Form with annex and plans received on 24.6.2020
<b>Appendix Ia</b>	Supplementary Information received on 29.6.2020
<b>Appendix Ib</b>	Supplementary Information received on 30.6.2020
<b>Appendix Ic</b>	FI received on 9.7.2020
<b>Appendix Id</b>	FI received on 10.8.2020
<b>Appendix II</b>	Previous Applications covering the Site
<b>Appendix III</b>	Similar Applications within or straddling the subject "OU(STW)" Zone on the TYST OZP since 2015
<b>Appendices IV-1 to IV-3</b>	Public Comments received during the Statutory Publication Period

<b>Appendix V</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Site Layout Plan
<b>Drawing A-3</b>	Landscape and Tree Preservation Proposal
<b>Drawing A-4</b>	As-built Drainage Plan
<b>Drawing A-5</b>	FSIs Proposal
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
AUGUST 2020**