

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/895

- Applicant** : Hankang Recycling Limited represented by Metro Planning and Development Company Limited
- Site** : Lots 2704 S.A & S.B (Part), 2707, 2708, 2709, 2710 and 2711 in D.D. 120, Lots 1638, 1639 (Part), 1640 (Part), 1668 (Part), 1669 (Part), 1671, 1672, 1673 (Part), 1674 (Part) and 1676 S.A&B (Part) in D.D. 121 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long, New Territories
- Site Area** : 7,348m² (about) (includes government land (GL) of about 95m²)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/11 (at the time of submission)
- Approved Tong Yan San Tsuen OZP No. S/YL-TYST/12 (currently in force)
- Zoning** : “Undetermined” (“U”)
- Application** : Temporary Warehouse and Open Storage for Storage of Recyclable Materials (Plastic and Metal) with Ancillary Workshop 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 and open storage for storage of recyclable materials (plastic and metal) with ancillary workshop for a period of 3 years. The Site falls within an area zoned “U” on the OZP. According to the Notes of the OZP for “U” zone, all uses or development except those specified in the Notes require permission from the Town Planning Board (the Board). The Site is currently occupied for the applied use without valid planning permission (**Plans A-2 and A-4a to A-4c**).
- 1.2 The Site was involved in 6 previous applications (No. A/YL-TYST/110, 146, 282, 416, 588 and 731) for various open storage/storage use with/without ancillary workshop (**Plan A-1b**) which were approved by the Rural and New Town Planning Committee (the Committee) of the Board. All the approval conditions with the last application (No. A/YL-TYST/731) has been complied with and the

permission was valid up to 23.5.2018. Details of the previous applications are at paragraph 6 and **Appendix III**. Compared with the last application (No. A/YL-TYST/731), the current application is submitted by a different applicant for similar open storage use with the addition of warehouse on a smaller site with different development parameters.

1.3 The Site is accessible via a local track leading from Shan Ha Road to its northwest (**Drawing A-1 and Plan A-3**). According the applicant's submission, the applied development is intended to store recyclable materials (plastic and metal) within a covered warehouse and uncovered area. It also involves ancillary workshop activities of classification and packaging of recyclable materials. The applicant proposes not to store or handle used electrical appliances, computer/electronic parts or any other types of electronic wastes on site and not to allow access of heavy goods vehicles exceeding 24 tonnes and container tractor/trailer. The location plan with vehicular access, the proposed layout plan, the tree preservation plan, the as-built drainage plan and the fire service installations (FSIs) plan submitted by the applicant are at **Drawings A-1 to A-5** respectively.

1.4 The major development parameters of the application are summarized as follows:

Site Area	7,348m ² (about) (includes GL of about 95m ²)
Total Floor Area (Non-domestic)	About 4,644m ²
No. and Height of Structures	4 - 1 for warehouse (9 m, 1-storey) - 1 for open shed for storage (9 m, 1-storey) - 1 for site office (7.5m, 2-storey) - 1 for classification facility for recyclable material (7.5 m, 2-storey)
Parking Spaces/ Loading/Unloading Spaces	2 medium goods vehicle loading/unloading space
Operation Hours	7:00 a.m. to 7:00 p.m. Mondays to Saturdays with no operation on Sundays and public holidays

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

- (a) Application Form received on 17.4.2018 **(Appendix I)**
- (b) Supplementary Planning Statement **(Appendix Ia)**
- (c) Further Information dated 31.5.2018 clarifying the development parameters and the operation hours **(Appendix Ib)**
[accepted and exempted from publication and recounting requirements]
- (d) Further Information dated 23.8.2018 providing a new FSIs proposal **(Appendix Ic)**
[accepted and exempted from publication and recounting requirements]

1.6 On 15.6.2018, the Committee agreed to defer a decision on the application for 2 months, as requested by the applicant's representative. On 14.8.2018, further information was received (subsequently superseded by Further Information at **Appendix Ic**) 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 Section 3 of the Supplementary Planning Statement (**Appendix Ia**). They can be summarized as follows:

- (a) The current application is similar to the last planning permission (No. A/YL-TYST/731) in terms of the applied use but would generate less significant impact than the previous application. The applicant has complied with all the planning conditions imposed to the last planning permission, which shows his sincere and law-abiding attitude and he should be rewarded with a 3-year planning permission.
- (b) The application conforms to the Town Planning Board Guidelines for "Application for Open Storage and Port Back-up Uses" (TPG PG-No.13E). Four approvals have been previously granted and the preliminary technical assessments on traffic, drainage, visual and environmental aspects have been provided to demonstrate that the applied use would not generate adverse impacts on the surrounding areas.
- (c) The Site is zoned "U" on the OZP. The proposed development is in line with the planning intention of the "U" zone which is to cater for the continuing demand for open storage uses which cannot be accommodated in conventional godown premises. The recyclable materials are bulky and therefore not quite convenient to be stored in conventional godown. Besides, there is a shortage of land for open storage use in Tong Yan San Tsuen (TYST) because the "Open Storage" ("OS") zone is already fully occupied. As there is a pressing demand for open storage land and the subject "U" zone of TYST is considered generally satisfactory for open storage use as revealed in the Study on Port Back-up Land and Open Storage Requirements commissioned by the Government, the applicant seeks to solicit the Board to sympathetically approve the planning application.
- (d) The applied development is compatible with the surroundings in that it falls within an area mainly filled with open storage uses intermixed with vehicle repair workshops. A number of planning approvals have been granted by the Board under applications No. A/YL-TYST/768, 769, 795, 817, 826, 838 and 875. The Site is also adjoining a yard with planning permission.
- (e) Insignificant environmental, visual, traffic and drainage impacts are anticipated. A number of environmental mitigation measures are proposed; the Site will be fenced off and all existing landscape plantings on site will be preserved; no heavy goods vehicle exceeding 24 tonnes and container trailer/tractor will access the Site; and the existing drainage facilities will be maintained. The applicant will follow the "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" where applicable; in particular, no excessive or on-going operative noise will be emitted from the applied development.

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 a notice of the application outside the Site and sending the notice to the Ping Shan Rural Committee through registered post. 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 1 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 currently not subject to planning enforcement action.

6. Previous Applications

- 6.1 The Site was involved in 6 previous applications (No. A/YL-TYST/110, 146, 282, 416, 588 and 731) for open storage/storage use with/without ancillary workshop covering larger sites. Details of the applications are summarised in **Appendix III** and the boundaries of the sites are shown on **Plan A1-b**.
- 6.2 Applications No. A/YL-TYST/146 for temporary storage of building materials for a period of 3 years was rejected by the Committee on 7.9.2001 for the reason of, amongst other, insufficient information to indicate clearly the vehicular access arrangement.
- 6.3 Applications No. A/YL-TYST/110, 282, 416, 588 and 731 for similar open storage uses as the current application were approved with conditions by the Committee on a temporary basis for periods of 2 or 3 years on 25.8.2000, 13.1.2006, 27.2.2009, 18.5.2012 and 22.5.2015 respectively. However, the permission granted under Application No. A/YL-TYST/110 was revoked on 25.5.2001 due to non-compliance with approval conditions. All the time-limited approval conditions of the last approval (No. A/YL-TYST/731) have been complied with and the planning permission expired on 23.5.2018.
- 6.4 Compared with the last application (No. A/YL-TYST/731), the current application is submitted by a different applicant for similar open storage use with the addition of warehouse on a smaller site with different development parameters.

7. Similar Applications

- 7.1 A total of 166 similar applications for various types of temporary open storage and/or warehouse uses with/without (ancillary) workshop uses in this part of the

“U” zone had been considered by the Committee or the Board on review since the promulgation of TPB PG-No. 13E on 17.10.2008. Details of the applications are summarized in **Appendix IV** and the locations of the sites are shown on **Plan A-1a**.

- 7.2 There are 164 applications for temporary open storage and/or warehouse uses with/without (ancillary) workshop uses approved mainly on similar considerations that they were generally in line with TPB PG-No. 13E in that the developments were not incompatible with the surrounding open storage/warehouse uses and the concerns of relevant government departments could be addressed by imposing approval conditions. However, amongst these approved applications, 37 were revoked due to non-compliance with approval conditions.
- 7.3 The other two applications were rejected mainly on the grounds that, amongst other, approval of the application with repeated non-compliances would set an undesirable precedent.
- 7.4 For Members’ information, Application No. A/YL-TYST/919 for renewal of planning approval for temporary “open storage of construction materials, machinery and scrap metals (with ancillary site office)” for a period of 3 years within the same part of the “U” zone on the OZP will also be considered at this meeting (**Plan A-1a**).

8. The Site and Its Surrounding Areas (Plans A-1a, A-2 to A-4c)

8.1 The Site is:

- (a) accessible via a local track leading from Shan Ha Road to its northwest;
- (b) paved and fenced off; and
- (c) occupied by the applied use without valid planning permission.

8.2 The surrounding areas have the following characteristics:

- (a) predominantly open storage yards (with/without workshops) intermixed with village houses, cultivated agricultural land and vacant and unused land;
- (b) to its southwest and further west are clusters of village houses of Shan Ha Tsuen (**Plan A-3**) in the adjacent “Village Type Development” zone and the nearest residential dwelling is located about 30m to its southwest;
- (c) there are a number of open storage yards in its northwest, north, northeast, southeast and southwest of which only open storage yards to its north, northeast, and southeast are operating under valid planning permission No. A/YL-TYST/838, 768 and 897 respectively; and
- (d) except for the open storage yards covered by valid planning permissions, the other open storage yards are suspected unauthorized developments subject to enforcement action taken by the Planning Authority.

9. Planning Intention

The planning intention of the “U” zone is to cater for the continuing demand for open storage, which cannot be accommodated in conventional godown premises. However, Kung Um Road is insufficient to cater for the heavy goods vehicular traffic from the proposed development. The area is therefore zoned “U” pending further detailed studies on the infrastructural impacts and the preparation of detailed layout plan.

10. Comments from Relevant Government Departments

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

Land Administration

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

- (a) The Site comprises Old Schedule Agriculture Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (b) Within the Site, the following private lots are currently covered by Short Term Waivers (STWs) whereas the GL therein is covered by a Short Term Tenancy (STT). GL, Lots 2707 & 2708 in D.D. 120, Lot 2709 in D.D. 120, Lot 2711 in D.D. 120, Lot 1638 in D.D. 121, Lot 1639 in D.D. 121, Lot 1640 in D.D. 121, Lot 1671 in D.D. 121, Lot 1672 in D.D. 121, Lot 1673 in D.D. 121, Lot 1674 in D.D. 121, Lots 1676 S.A & S.B in D.D. 121 are covered by STT No. 2986, STW No. 4548, STW No. 4549, STW No. 4550, STW No. 4551, STW No. 4552, STW No. 4553, STW No. 4556, STW No. 4557, STW No. 4558, STW No. 4559 and STW No. 4561 respectively to permit structures erected thereon for the purpose of temporary open storage of construction machinery and materials, scarp vehicles, vehicles parts, mobile toilets and recyclable materials (including metal, paper and plastic goods) with ancillary workshop. Lot 2704 S.A & S.B in D.D. 120 is covered by STW No. 4367 to permit structures erected thereon for the purpose of temporary open storage of construction machinery, construction materials, recyclable materials (including paper, metal and plastic) with ancillary workshop and office.
- (c) The Site is accessible to Shan Ha Road via GL and private land. Her Office does not provide maintenance work for GL involved and does not guarantee any right-of-way over the GL to the Site.
- (d) The Site does not fall within Shek Kong Airfield Height Restriction Area.

- (e) Should planning approval be given to the subject planning application, the STW/STT holder(s) will need to apply to her Office for modification of the STW/STT conditions if there is any irregularities on site and the lot owner(s) of the lot(s) without STW will need to apply to her Office to permit the structures to be erected or regularize any irregularities on site. Such application(s) 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(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by her Department.

Traffic

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

- (a) The land status of the access road/path/track leading to the Site from Shan Ha 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, vehicle 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) The access arrangement should be commented by the Transport Department.
- (b) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains.
- (c) His Department shall not be responsible for the maintenance of any access connecting the Site and Shan Ha Road.

Environment

10.1.4 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 its west) (**Plan A-2**), and environmental nuisance is expected.
- (b) There have been 3 substantiated though not actionable complaints on air nuisance, and 4 substantiated complaints on

noise nuisance which is still under investigation concerning the Site since May 2015.

- (c) Should the planning application be approved, the applicant should also be advised to follow the relevant mitigation measures and requirements in the “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites”.

Drainage

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

- (a) Based on the planning statement (**Appendix Ia**) enclosed in the application, apparently the applicant would maintain the same drainage facilities as those implemented under previous Planning Application No. A/YL-TYST/731.
- (b) In view of the above, he has no objection in principle to the proposed development. 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 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

10.1.6 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. The applicant is advised that the good practice guidelines for open storage (**Appendix V**) should be adhered to.
- (c) The fire service installations proposal (**Appendix Ic** and **Drawing A-5**) is considered acceptable.
- (d) Meanwhile, the applicant is also reminded that the submission of schematic diagram at this stage is not required.
- (e) 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 added. To address this approval condition, the applicant should be advised to submit a valid fire certificate (FS 251) to his Department for approval.
- (f) However, 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.

- (g) The applicant is advised that installation/maintenance/modification/repair work of FSI shall be undertaken by a Registered Fire Service Installation Contractor (RFSIC). The RFSIC shall after completion of the installation/maintenance/modification/repair work issue to the person on whose instruction the work was undertaken a certificate (FS 251) and forward a copy of the certificate to him.

Building Matters

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

- (a) As there is no record of approval by the Building Authority for the existing structure 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's attention is drawn to the following points:
 - (i) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the BO and should not be designated for any proposed use under the application.
 - (ii) 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 planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO.
 - (iii) Before any new building works (including containers/open sheds as temporary buildings and land filling) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
 - (iv) 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) Regulations (B(P)R) respectively.

- (v) 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 B(P)R at the building plan submission stage.

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

- (a) CEDD and PlanD jointly commissioned the "Planning and Engineering Study for Housing Sites in Yuen Long South (YLS) - Investigation" (the Study). According to the Recommended Outline Development Plan (RODP) of YLS promulgated on 8.8.2017, the subject site falls within an area zoned as "Special Residential – Public Rental Housing (with Commercial)" ("RSc"), "Residential – Zone 1 (with Commercial)" ("R1c") and "Local Open Space" ("LO").
- (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.

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

He has no objection to the captioned temporary use for 3 years, which should be considered in accordance with the provisions of the current OZP and existing infrastructure capacities. However, the Site falls within the boundary of YLS Development. According to the Study, to ensure timely and orderly implementation, the development of YLS and relevant site formation and infrastructure works would be implemented in four stages. The lot(s) concerned falls within a site under Stage 2 Works. While the detailed implementation programme for the project is still being formulated, based on the Study, it is envisaged that clearance of the Site in question will not be arranged before the first population intake of the YLS Development expected in 2027.

District Officer's Comments

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

His office has not received any comment from the locals on the application.

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

- (a) Director of Agriculture, Fisheries and Conservation (DAFC);

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

11. Public Comment Received During the Statutory Publication Period

On 27.4.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 18.5.2018, no public comment was received.

12. Planning Considerations and Assessments

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

Category 1 areas are considered suitable for open storage and port back-up uses. 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.

12.2 The application is for temporary warehouse and open storage for storage of recyclable materials (plastic and metal) with ancillary workshop at the Site zoned "U" on the OZP. The applied use is not in conflict with the planning intention of the "U" zone on the OZP which is generally intended for open storage use but is designated with this zoning mainly due to concerns of the capacity of Kung Um Road. In this regard, C for T has no adverse comment on the application. Whilst the Site falls within an area zoned as "RSc", "R1c" and "LO" on the RODP of YLS promulgated on 8.8.2017, CE/CID of PlanD does not raise objection to the application and PM(W) of CEDD has no objection to the proposed temporary use for 3 years. Approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the area.

12.3 The subject "U" zone is mainly occupied by open storage/storage yards, warehouses, workshops, and similar uses are found in the vicinity of the Site. As such, the development is not incompatible with the surrounding uses in the subject "U" zone comprising similar open storage uses.

12.4 The application is also generally in line with TPB PG-No. 13E in that the Site falls within Category 1 areas which are considered suitable for open storage and port back-up use; relevant proposals have been submitted to demonstrate that the proposed use would not generate adverse impacts; and the technical concerns of relevant government departments could be addressed through the implementation of approval conditions.

12.5 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 west (**Plan A-2**), and environmental nuisance is expected. Whilst there have been 3 substantiated air nuisance complaints and 4 substantiated noise nuisance complaints concerning the Site since May 2015, the air nuisance complaints are not actionable and the noise nuisance complaints are still under investigation. The noise nuisance complaints will be handled by the Noise Control Ordinance. In this regard, it should also be noted that the applicant has proposed to observe the “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” and that no excessive or on-going operative noise will be emitted from the applied use. To address the concerns on the possible environmental nuisances generated by the temporary use or to address the technical requirements of other concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorized development 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 relevant mitigation measures and requirements set out in the “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimize any potential environmental impact, and to keep the Site clean and tidy at all times.

- 12.6 As the Committee has approved 5 similar uses covering the Site and 164 similar applications for open storage and/or warehouse uses in the vicinity of the Site, approval of the subject application is considered in line with the Committee’s previous decisions.
- 12.7 There is no public comment received on the application during the statutory publication period.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12, the Planning Department considers that the temporary warehouse and open storage for storage of recyclable materials (plastic and metal) with ancillary workshop could be tolerated for a period of 3 years.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until 5.10.2021. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no operation between 7:00 p.m. and 7:00 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, except classification and packaging of recyclable materials, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;

- (d) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (e) no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing boundary fence on the Site shall be maintained at all times during the planning approval period;
- (h) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) 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 5.1.2019;
- (k) 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 16.11.2018;
- (l) 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 5.4.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) 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 (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 at **Appendix VI**.

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

the applicant fails to demonstrate that the proposed development would not generate adverse environmental impact on the surrounding areas.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form received on 17.4.2018
Appendix Ia	Supplementary Planning Statement
Appendix Ib	Further Information dated 31.5.2018 clarifying the development parameters and the operation hours
Appendix Ic	Further Information dated 23.8.2018 providing a new FSIs proposal
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	Previous Applications covering the Site
Appendix IV	Similar applications in this part of the “U” zone on the OZP since the promulgation of TPB PG-NO. 13E
Appendix V	The Good Practice Guidelines for Open Storage Sites
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Location Plan with Vehicular Access
Drawing A-2	Proposed Layout Plan
Drawing A-3	Tree Preservation Plan
Drawing A-4	As-Built Drainage Plan
Drawing A-5	Proposed Fire Service Installations Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo

Plans A-4a to A-4c Site Photos

**PLANNING DEPARTMENT
OCTOBER 2018**