

RNTPC Paper No. A/YL-TYST/907  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 17.8.2018

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

**APPLICATION NO. A/YL-TYST/907**

<b><u>Applicant</u></b>	: Cosmos Gem Limited represented by PlanArch Consultants Limited
<b><u>Site</u></b>	: Lots 1523 (Part), 1527 (Part), 1530 (Part), 1531 S.A, 1531 S.B and 1532 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long, New Territories
<b><u>Site Area</u></b>	: 6,400m <sup>2</sup> (about)
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	: Draft Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/11
<b><u>Zoning</u></b>	: “Undetermined” (“U”)
<b><u>Application</u></b>	: Proposed Temporary Warehouse for Storage of Construction Materials, Construction Machinery and Scrap Metal for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary warehouse for storage of construction materials, construction machinery and scrap metal for a period of 3 years at the application site (the Site). The Site falls within an area zoned “Undetermined” (“U”) on the OZP. According to the Notes of the OZP for the “U” zone, all uses or development except those specified in the Notes require permission from the Town Planning Board (the Board). The Site comprises two portions separated by a local track (i.e. the northern portion and the southern portion). The northern portion is occupied by 4 abandoned structures (pigsty) whereas the southern portion is vacant. Major part of the Site is fenced off.
- 1.2 Part of the Site was involved in 4 previous applications (No. A/YL-TYST/370, 519, 665 and 827) for various open storage with/without ancillary workshop uses approved by the Rural and New Town Planning Committee (the Committee) or the Board on review (**Plan A-1b**). Details of the previous applications are at paragraph 5 and **Appendix II**. Compared with the last application (A/YL-TYST/827), only the south-eastern part of the Site (about 1533.3 m<sup>2</sup> or 24.9%) falls within the site of the last application, which was submitted by the same applicant.

1.3 The Site is located to the west of Kung Um Road. According to the applicant, an ingress/egress of 8m/9m width is provided at the southern boundary of the northern portion, and the northern boundary of the southern portion respectively. Three warehouses for the storage of construction materials, construction machinery and scrap metal are proposed on the Site (**Drawing A-1**). The proposed layout plan, the environmental mitigation plan, and the drainage plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.

1.4 The major development parameters are as follows:

Site Area	6,400 m <sup>2</sup> (about)
Total Floor Area (Non-domestic)	2,940m <sup>2</sup> (about)
No. of Structures	4 (3 for warehouses, 1 for site office, toilet and Fire Service Installations (FSIs))
Height of Structures	Warehouses: about 9 m (1 storey) Site office, toilet and FSIs: about 3 m (1 storey)
No. of parking spaces and loading/ unloading spaces	2 private car parking spaces 3 medium goods vehicles loading / unloading Spaces
Operation Hours	10:00 a.m. to 4:00 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 21.6.2018 **(Appendix I)**
- (b) Supplementary Planning Statement **(Appendix Ia)**
- (c) Letter received on 28.6.2018 clarifying the dimension of the loading/unloading spaces **(Appendix Ib)**
- (d) Further Information (FI)(1) received on 1.8.2018 responding to Transport Department (TD)'s and Water Supplies Department (WSD)'s comments **(Appendix Ic)**  
*[accepted and exempted from publication and recounting requirements]*
- (e) FI(2) received on 8.8.2018 clarifying the operation hours **(Appendix Id)**  
*[accepted and exempted from publication and recounting requirements]*
- (f) FI(3) received on 8.8.2018 clarifying that no heavy goods vehicles exceeding 24 tonnes including container tractors/ trailers will be parked/stored on or enter/exit the site **(Appendix Ie)**  
*[accepted and exempted from publication and recounting requirements]*
- (g) FI(4) received on 8.8.2018 clarifying the estimated traffic generation and attraction **(Appendix If)**  
*[accepted and exempted from publication and recounting requirements]*
- (h) FI(5) received on 10.8.2018 with revised number of medium goods vehicles loading/unloading spaces **(Appendix Ig)**  
*[accepted and exempted from publication and recounting requirements]*

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

The justifications put forth by the applicant in support of the application are detailed in Section 4 of the Supplementary Planning Statement (**Appendix Ia**). They are summarised as follows:

- (a) The Site is zoned “U” on the OZP. Since the applied use is temporary in nature, it will not jeopardise the long-term planning intention of the area.
- (b) The applied development is compatible with the surroundings which are mainly open storage and warehouse uses.
- (c) Insignificant environmental, visual, traffic and drainage impacts are anticipated. A number of environmental mitigation measures are proposed; the Site will be fenced off and landscape plantings are provided along the site periphery; clearly defined ingress/egress, car parking spaces, loading and unloading spaces/ waiting spaces will be provided at the Site; no queuing on public road is anticipated; and adequate drainage facilities will be provided and maintained.
- (d) The applicant has proposed different operational measures for site management. Approval of this planning application will not set an undesirable precedent.

## **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 (The Ordinance) (TPB PG-No. 31A) by posting a notice of the application outside the Site and sending the notice to the Shap Pat Heung Rural Committee through registered post. Detailed information would be deposited at the meeting for Members’ inspection.

## **4. Background**

The Site is currently not subject to planning enforcement.

## **5. Previous Applications**

- 5.1 The Site was involved in four previous applications (No. A/ YL-TYST/370, 519, 665 and 827) for similar open storage with/without ancillary workshop uses. Details of the applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1b**.

- 5.2 Applications No. A/YL-TYST/370, 519<sup>1</sup>, 665 and 827 for open storage use of construction machinery and materials and/or used electrical appliances with/without ancillary workshop use were approved with conditions by the Committee or the Board on review on a temporary basis for 3 years on 14.12.2007, 18.2.2011, 7.2.2014 and 17.2.2017 respectively.

## **6. Similar Applications**

- 6.1 A total of 39 similar applications for various types of temporary warehouse with or without open storage and/or ancillary site office uses in this part of the “U” zone had been considered by the Committee since the promulgation of TPB PG-No. 13E on 17.10.2008. Details of the applications are summarized in **Appendix III** and the locations of the sites are shown on **Plan A-1a**.
- 6.2 All 39 applications were approved mainly on similar considerations 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, 12 were revoked due to non-compliance with approval conditions.

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

7.1 The Site is:

- (a) abutting a local track leading to Kung Um Road to its east;
- (b) vacant in the southern portion, with four abandoned structures (pigsty) in the northern portion; and
- (c) major part of the site is fenced off.

7.2 The surrounding areas have the following characteristics:

- (a) mixed with open storage/storage yards, vehicle repair workshops, car service, vehicle park, warehouses, scattered residential structures, orchard, chicken shed, cultivated agricultural land, vacant structures/land and unused land;
- (b) scattered residential structures are found in the vicinity of the Site with the nearest ones to the immediate north of the Site (southern portion);

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<sup>1</sup> For Application No. A/YL-TYST/519, the Board approved on review to delete the approval condition which prohibited the use of heavy goods vehicles at the Site at its meeting on 24.6.2011.

- (c) there are warehouses located to the northwest and south of the Site which are operating with planning permissions under Applications No. A/YL-TYST/861 and 892 (**Plan A-2**);
- (d) there are open storage yard and vehicle repair workshops to its southeast which may be tolerated under the Ordinance; except for those having valid planning permissions or may be tolerated under the Ordinance, the other open storage/storage yards, vehicle repair workshops, car service, vehicle park and warehouses are suspected unauthorized developments subject to enforcement action taken by the Planning Authority.

## **8. 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.

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

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

### **Land Administration**

9.1.1 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 the prior approval of the Government.
- (b) Lot No. 1532 in D.D. 119 is covered by Short Term Waivers (STW) No. 4197 to permit structures erected thereon for the purpose of “Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop Activities”.
- (c) The Site is accessible from Kung Um Road via Government land (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 holder(s) will need to apply to this office for modification of the STW conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to this office for permit the structures to be erected or regularise any irregularities on site. Such application(s) will be considered by the LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD.

### **Traffic**

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

He has no objection to the application and has the following comments:

- (a) The operation of the proposed development should be restricted from 10:00 a.m. to 4:00 p.m. from Monday to Saturday only and no operation on Sunday or public holidays.
- (b) No heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, should be allowed to park or enter/exit the application site.
- (c) The applicant is reminded that sufficient space should be provided within the application site for manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road is allowed.
- (d) The applicant is advised to check with the lands authority on the land status of the access road/path/track leading to the site from Kung Um Road.
- (e) The applicant is advised to clarify the management and maintenance responsibilities of the access road/path/track. Relevant management and maintenance authorities should be consulted accordingly.

#### 9.1.3 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 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 ones located to the immediate north of the Site (southern portion) (**Plan A-2**), and environmental nuisance is expected.
- (b) There is no substantiated environmental complaint received in the past 3 years.
- (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”.

## **Natural Conservation**

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

He has no strong view on the application from nature conservation point of view as the Site is paved and disturbed. Should the application be approved, the applicant should adopt good site practices and implement necessary measures to avoid affecting the watercourses in vicinity of the Site.

## **Drainage**

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

He has no objection in principle to the proposed development from the public drainage point of view, and has the following comments on the drainage proposal submitted by the applicant:

- (a) The invert levels of the proposed catchpits should be shown on the drainage plan for reference.
- (b) The existing drainage facilities, to which the stormwater of the development from the subject site would discharge, are not maintained by his office. The applicant should identify the owner of the existing drainage facilities to which the proposed connection will be made and obtain consent from the owner prior to commencement of the proposal works. In the case that it is a local village drains, District Officer (Yuen Long) should be consulted.

- (c) The applicant should check and ensure the hydraulic capacity of the existing drainage facilities would not be adversely affected by the captioned development.
- (d) The location and details of the proposed hoarding/peripheral wall should be shown on the proposed drainage plan. Please advise how the overland flow at the southern area of the southern portion of the Site could be properly intercepted and discharged.
- (e) Sand trap or provision alike should be provided before the collected runoff is discharged to the public drainage facilities.
- (f) The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.
- (g) The applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works.
- (h) Should the Board consider that the application is acceptable from planning point of view, approval conditions requiring the submission of a revised drainage proposal, implementation of the drainage proposal and maintenance of the implemented drainage facilities to his satisfaction or of the Board should be stipulated.

### **Fire Safety**

#### 9.1.7 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 being provided to the satisfaction of Director of Fire Services.
- (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 the Department for approval. In addition, the applicant should also be advised on the following points:
  - (i) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
  - (ii) The location of where the proposed FSI to be installed should be clearly marked on the layout plans.
- (c) However, the applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.



### **Building Matters**

#### 9.1.8 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 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'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 approval of the Buildings Department (BD), they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the captioned 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 any 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 building and land filling) are to be carried out on Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. The development intensity of the separated sites shall be considered separately. An Authorised Person (AP) 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 Regulations 5 and 41D of the Building (Planning) Regulations 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 the Building (Planning) Regulation at the building plan submission stage.

### **Landscape**

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

She has no objection to the application and has the following comments:

- (a) Should the Board approve this application, approval condition requiring the submission and implementation of a landscape and tree preservation proposal to the satisfaction of the Board or of the Director of Planning should be stipulated.
- (b) With reference to her site visit conducted in early 2017, there are some mature trees located along the periphery near the proposed ingress/egress. Since such existing trees are missing in the landscape proposal, the applicant is reminded to indicate their quantity and location. If these existing trees are being affected, the proposed quantity and size of the replacement trees, i.e. *Cassia surattensis* (黄槐决明), should be specified in the landscape and tree preservation proposal.
- (c) For sustainable tree planting, a minimum 1.2m soil depth should be reserved and 1m diameter of tree pit should be provided. Fence and/or kerb or bollard should be constructed with a minimum distance of 1m around the planting areas to guard against damage to the trees and shrubs. The applicant should make reference to “Technical Note on the Submission and Implementation of Landscape Proposals for Compliance with Conditions for Approved Applications for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance.”
- (d) The applicant is reminded that approval of the landscape and tree preservation proposal under the Board’s approval condition does not imply approval of the tree preservation requirements under the lease.

### **Water Supplies**

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

He has no objection to the planning application and has the following comments:

- (a) Existing water mains will be affected as shown on the submitted drainage plan (**Drawing A-3**). The applicant shall pay to WSD on demand the total cost incurred or to be incurred by WSD in diverting the existing water mains which are on/under/over the lot and land adjacent thereto. The actual cost of diverting the water mains shall be determined by WSD. Otherwise, a Waterworks Reserve within 1.5m from the centreline of the water mains shall be provided to WSD.
- (b) No structure shall be built or materials stored within this Waterworks Reserve. Free access shall be made available at all

times for staff of the Director of Water Supplies or their contractors to carry out construction, inspection, operation, maintenance and repair works.

- (c) No tree or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main shown on the plan.
- (d) The Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site.

### **Others**

#### 9.1.11 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 of YLS promulgated on 8 August 2017, the Site falls within areas zoned as “Residential - Zone 2 (with Commercial)” (“R2c”), “Government” (“G”), “Other Specified Uses” annotated “Mixed Use” (“OU(MU)”), “Special Residential - Public Rental Housing (with Commercial)” (“RSc”) and an area shown as ‘Road’.
- (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.

#### 9.1.12 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**

9.1.13 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 locals regarding the application.

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

- (a) Director of Electrical and Mechanical Services (DEMS); and
- (b) Commissioner of Police (C of P).

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

On 29.6.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 20.7.2018, no public comment was received.

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

11.1 The subject application is for proposed temporary warehouse for storage of construction materials, construction machinery and scrap metal for a period of 3 years 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 to cater for the continuing demand for open storage which cannot be accommodated in conventional godown premises 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 areas zoned "RSc", "R2c", "G", "OU(MU)" and an area shown as 'Road' 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.

11.2 The subject "U" zone is mainly occupied by similar warehouse, open storage/storage yards and workshop uses (**Plan A-2**). As such, the development is not incompatible with the surrounding uses in the subject "U" zone.

11.3 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 ones located to the immediate north of the Site (southern portion) (**Plan A-2**), and environmental nuisance is expected. However, there has been no environmental complaint concerning the Site received in the past 3 years. 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 12.2 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.

11.4 As the Committee has approved 4 previous applications and 39 similar applications for various warehouse uses in the vicinity of the Site, approval of the subject application is considered in line with the Committee’s previous decisions.

11.5 No public comment was received during the statutory publication period.

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

12.1 Based on the assessments made in paragraph 11 above, the Planning Department considers that the temporary warehouse for storage of construction materials, construction machinery and scrap metal 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 17.8.2021. The following conditions of approval 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 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, are allowed on the Site at any time during the planning approval period;
- (d) 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;
- (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 provision of boundary fence on the Site within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 17.2.2019;

- (g) the submission of 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 17.2.2019;
- (h) in relation to (g) above, the implementation of landscape and tree preservation proposal within **9** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 17.5.2019;
- (i) the submission of a revised drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 17.2.2019;
- (j) in relation to (i) above, the implementation of the revised drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 17.5.2019;
- (k) in relation to (j) above, the implemented drainage facilities on the Site should be maintained at all times during the planning approval period;
- (l) 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 17.2.2019;
- (m) in relation to (l) 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 17.5.2019;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e) or (k) 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;
- (o) if any of the above planning conditions (f), (g), (h), (i), (j), (l) or (m) 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
- (p) 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 IV**.

- 12.3 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.

### **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 received on 21.6.2018
<b>Appendix Ia</b>	Supplementary Planning Statement
<b>Appendix Ib</b>	Letter received on 28.6.2018
<b>Appendix Ic</b>	Applicant's FI(1) dated 1.8.2018
<b>Appendix Id</b>	Applicant's FI(2) dated 8.8.2018
<b>Appendix Ie</b>	Applicant's FI(3) dated 8.8.2018
<b>Appendix If</b>	Applicant's FI(4) dated 8.8.2018
<b>Appendix Ig</b>	Applicant's FI(5) dated 10.8.2018
<b>Appendix II</b>	Previous Applications covering the Site
<b>Appendix III</b>	Similar Applications in this part of the "U" zone on the OZP since the Promulgation of TPB PG-NO. 13E
<b>Appendix IV</b>	Advisory Clauses
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Environmental Mitigation Plan
<b>Drawing A-3</b>	Drainage Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Location Plan with Previous Applications
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to A-4c</b>	Site Photos