

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/908

<u>Applicant</u>	: Ms. YEUNG Chau Oi represented by Metro Planning and Development Company Limited
<u>Site</u>	: Lot 1449 (Part), 1450 (Part), 1453, 1454 (Part), 1458 (Part) and 1459 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long, New Territories
<u>Site Area</u>	: 2,870m ² (about)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Draft Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/11
<u>Zoning</u>	: “Undetermined” (“U”)
<u>Application</u>	: Temporary Open Storage of Metal, Scrap Metal and Plastic 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 open storage of metal, scrap metal and plastic with ancillary workshop for a period of 3 years. 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 is currently occupied for the applied use with valid planning permission granted under Application No. A/YL-TYST/818.
- 1.2 The Site was involved in three previous applications (No. A/YL-TYST/615, 786 and 818) (**Plan A-1b**) for similar open storage uses with ancillary workshop which were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) on 9.11.2012, 8.4.2016 and 23.12.2016 respectively for a period of 3 years. Details of the previous applications are at paragraph 6 and **Appendix III**. Compared with the last application, the current application is submitted by the same applicant for same use on the same site with different development parameters and site layout.

1.3 The major development parameters of the previously approved application and the current application are summarized as follows:

Major Development Parameters	Previously Approved Application No. A/YL-TYST/818 (a)	Current Application No. A/YL-TYST/908 (b)	Difference (b)-(a)
Applied Use	Temporary Open Storage of Metal, Scrap Metal and Plastic with Ancillary Workshop for a Period of 3 Years		---
Site Area	About 2,870 m ²	About 2,870 m ²	---
- Uncovered Area	2,167 m ²	1,517 m ²	-650 m ² (-30.00%)
- Covered Area	703 m ²	1,353 m ²	+650m ² (+92.46%)
Total Floor Area (Non-domestic)	1,093 m ²	1,863 m ²	+770m ² (+70.45%)
No. and Height of Structures	11 <ul style="list-style-type: none"> three for site office and staff room uses (6.5-7m, 2 storeys) one for toilet use (3m, 1 storey) five for storage (3.5-7m, 1-2 storeys) one for ancillary workshop (6.5m, 1 storey) one for loading/unloading (6.5m, 1 storey) 	14 <ul style="list-style-type: none"> three for site office and staff room uses (6.5-7m, 2 storeys) one for toilet use (3m, 1 storey) eight for storage (7-7.5m, 1-2 storeys) one for ancillary workshop (6.5m, 1 storey) one for loading/unloading (6.5m, 1 storey) 	+3 structures
Loading/Unloading Spaces	1 (for light goods vehicle)	1 (for medium goods vehicle)	Different types of vehicles
Operation Hours	9:00 a.m. to 7:00 p.m. from Mondays to Saturdays with no operation on Sundays and Public Holidays		---

1.4 The Site is accessible from Kung Um Road to its east via a local track (**Plan A-3**). The applicant proposes that only medium goods vehicles will enter the Site. No heavy goods vehicle and container trailer/tractor will be allowed to enter the Site. Ancillary workshop activities, that is, packing and consolidating the collected scrap metal and plastic before delivering to the recycling plant, will be carried out under the open shed (Structure 4 on **Drawing A-1**). The applicant undertakes all other workshop activities, including but not limited to repairing, dismantling and cleaning, will not be carried out on site, and not to handle hazardous electrical/electronic appliance/components including cathode-ray tubes (CRT), CRT computer monitors/television sets and CRT equipment. Plans showing the site layout, landscape and tree preservation proposal and proposed drainage plan submitted by the applicant are at **Drawings A-1 to A-3**.

- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 27.6.2018 **(Appendix I)**
 - (b) Supplementary Planning Statement **(Appendix Ia)**
 - (c) Supplementary Information received on 27.6.2018 **(Appendix Ib)** clarifying the development parameters with revised drawings

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Section 3 of Supplementary Planning Statement **(Appendix Ia)**. They can be summarized as follows:

- (a) With reference to the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13E), the Site falls within Category 1 areas which is considered suitable for open storage and port back-up uses. Preliminary technical assessments on traffic, drainage and environmental aspects are provided in the submission to demonstrate that the development would not generate adverse impacts on the surrounding areas. It is considered that the development should have fulfilled the guidelines to a large extent and should be given favorable consideration by the Board. The Site is also subject to three previous planning permissions for similar uses (Applications No. A/YL-TYST/615, 786 and 818).
- (b) The 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 as scrap metal and plastic are bulky and not easy to accommodate in conventional godown. The approval of the application would ease the mounting demand for land for storage of bulky goods.
- (c) There is a shortage of land for open storage use in Tong Yan San Tsuen because the 4.75 ha “Open Storage” (“OS”) zone is already fully occupied. The “U” zone where the Site falls within is considered in general satisfaction for open storage use as revealed by the study commissioned by the Government.
- (d) The “U” zone where the Site falls within is currently mainly filled with open storage uses and intermixed with a good number of warehouse and most of the applications were previously approved by the Board. With the provision of environmental mitigation measures, the applied development would generate no significant impact to its surroundings.
- (e) Similar temporary developments nearby including open storage and warehouse activities were granted with planning approval by the Board, including Applications No. A/YL-TYST/747, 830 and 884. The planning approvals granted by the Board in the vicinity recognize the intense demand for open storage and port back-up uses in the area. The current application is in no significant differentiation from the mentioned approved open storage yards and the current

development is smaller in size. The applied development is compatible to its surrounding open storage yards that previously approved by the Board.

- (f) There will be insignificant traffic, environmental and drainage impacts. The traffic generated by the applied use would be insignificant and would not aggravate the local traffic conditions. Additional ameliorative measures in accordance with the ‘Code of Practice on Handling Environmental Aspect of Temporary Uses and Open Storage Sites’ have been proposed. Drainage assessment is provided to demonstrate that the site would not generate adverse drainage impacts. All the proposed drainage facilities would be provided and maintained by the applicant at his own expense.

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 Shap Pat Heung Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines No. 13E for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13E) is 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 not subject to planning enforcement action.

6. Previous Applications

- 6.1 The Site was involved in three previous applications (No. A/YL-TYST/615, 786 and 818) for open storage of metal/scrap metal and plastic with ancillary workshop. 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/615 and 786 were for temporary open storage of scrap metal and plastic with ancillary workshop for a period of 3 years covering a smaller site at the northern part of the current application site submitted by a different applicant. They were approved with conditions by the Committee on 9.11.2012 and 8.4.2016 respectively. However, the planning permission of Applications No. A/YL-TYST/615 and 786 were revoked on 9.9.2014 and 8.1.2017 respectively due to non-compliance with the approved conditions. Application No. A/YL-TYST/818 for same use was approved with conditions by the Board on 23.12.2016. The planning permission of A/YL-TYST/818 is valid up to 23.12.2019.

- 6.3 Compared to the last application (No. A/YL-TYST/818), the current application is submitted by the same applicant for same use on the same site with different development parameters and site layout.

7. Similar Applications

- 7.1. A total of 124 similar applications for various types of temporary open storage with or without ancillary workshop/site office 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 122 applications of temporary open storage uses with or without warehouse and/or 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, 25 were revoked due to non-compliance with approval conditions.
- 7.3. There are 2 applications rejected on the grounds, amongst others, that approval of application with repeated non-compliance would set an undesirable precedent.
- 7.1 For Members’ information, A/YL-TYST/906 for temporary open storage of recycling materials (metal, plastic and paper) and used electrical/electronic appliances and parts with ancillary packaging activities 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 to A-4c)

- 8.1 The Site is:
- (a) accessible via local track leading from Kung Um Road to its east;
 - (b) paved and fenced-off; and
 - (c) occupied by the applied use with valid planning permission under Application No. A/YL-TYST/818.
- 8.2 The surrounding areas have the following characteristics:
- (a) the surroundings comprise a mix of storage/open storage yards, warehouses, vehicle repair workshop, residential structures, orchard, chicken shed, eating place, vacant land/structures, fallow/cultivated agricultural land and unused land;
 - (b) residential structures are found in the vicinity with the nearest one located to the immediate southwest of the Site (**Plan A-2**);

- (c) there are open storage yards and warehouses in its vicinity operating under valid planning permissions granted under Application No. A/YL-TYST/757, 770, 830 and 884; and
- (d) except for the open storage yards and warehouses operating under valid planning permissions and an open storage yard to its east which may be tolerated under the Town Planning Ordinance, the other storage/open storage yards, warehouses and vehicle repair workshops in the vicinity 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 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. 1454 in D.D. 119 is covered by Short Term Waiver (STW) No. 3704 to permit structures erected thereon for the purpose of “open storage of scrap metal and plastic with ancillary workshop”
- (c) The Site is accessible to Kung Um Road via government land (GL). Her office does not provide maintenance work for GL involved and does not guarantee any right-of-way to the Site.
- (d) The Site does not fall within the 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 her office for modification of the STW conditions where appropriate and the lot owner(s) without STW will need to apply to her office for permit the structures to be erected or regularize any irregularities on site. Such application(s) will be considered by LandsD acting in the

capacity as 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 LandsD.

Traffic

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

- (a) No heavy goods vehicle exceeding 24 tonnes, including container tractor/trailers, should be allowed to park or enter/exit the Site.
- (b) The land status of the access road/path/track leading to the Site from Kung Um Road shall be checked with the lands authority.
- (c) The management and maintenance responsibilities of the access road/path/track shall be clarified and consulted with the relevant management and maintenance authorities accordingly.
- (d) 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 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 Kung Um Road.

Environment

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

- (a) In accordance with the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites”, he does not support the application as there are sensitive receivers, i.e. residential structures located to the south, southwest and northeast vicinity (with nearest one is located to the immediate southwest of the Site) (**Plan A-2**), and environmental nuisance is expected.
- (b) There was no environmental complaint concerning the Site received in the past 3 years.

- (c) Should the planning application be approved, the applicant should 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) He has no objection in principle to the proposed development from the public drainage point of view.
- (b) He has no adverse comment on the submitted drainage proposal (**Drawing A-3**). Nevertheless, the applicant should be reminded to note the following:
 - (i) the applicant should implement the drainage facilities on site in accordance with the agreed drainage proposal.
 - (ii) the applicant is required to rectify the drainage system if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the drainage system.
 - (iii) the proposed development would neither obstruct overland flow nor adversely affect any existing natural streams, village drains, ditches and the adjacent areas.
 - (iv) the applicant should consult DLO/YL and seek consent from relevant lot owners for any works to be carried out outside his lot boundary before commencement of the drainage works.
- (c) Should the Board consider the application is acceptable from the planning point of view, approval conditions requiring the implementation and maintenance of the agreed drainage proposal for the development 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. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his Department for approval. In addition, the applicant should be advised on the following points:

- (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iii) Attached good practice guidelines (**Appendix V**) for open storage should be adhered to.
- (c) Moreover, having considered the nature of the open storage, an approval condition requiring the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to his satisfaction should be added. To address this approval condition, the applicant should be advised to submit a valid fire certificate (FS 251) to his department for approval.
- (d) 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.

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 his department, 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 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 buildings and land filling) are to be carried out on the Site, prior approval and consent of his department should be obtained, otherwise they are UBW. An Authorized 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.

Others

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 Site falls within areas zoned as “District Open Space” (“DO”) 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.

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 provision 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):

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

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

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

11. Public Comment Received During the Statutory Publication Period

On 6.7.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 27.7.2018, 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 open storage of metal, scrap metal and plastic with ancillary workshop activities 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 "DO" 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.

12.3 The subject "U" zone is mainly occupied by open storage/storage yards, warehouses and workshops. 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 is located to the immediate southwest of the Site (**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 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 three similar uses covering the Site and 122 similar applications for open storage 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 proposed temporary open storage of metal, scrap metal and plastic 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 17.8.2021. 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 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 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 ;
- (d) no dismantling, repairing, cleansing or other workshop activities, except ancillary packing and consolidation activities in Structure 4, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (e) no heavy goods vehicles exceeding 24 tonnes, including 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;
- (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 trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (h) the implementation of the accepted 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;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within **6 weeks** from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 28.9.2018;
- (k) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 17.2.2019;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 17.5.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) 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 (h), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are 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 27.6.2018
Appendix Ia	Supplementary Planning Statement
Appendix Ib	Supplementary Information dated 22.6.2018 clarifying the development parameters with revised drawings
Appendix II	Relevant extracts of Town Planning Board Guidelines No. 13E 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 Tong Yan San Tsuen OZP since the Promulgation of TPB PG-No. 13E
Appendix V	Good Practice Guidelines for Open Storage Sites
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Proposed Layout Plan
Drawing A-2	Proposed Landscape & Tree Preservation Plan
Drawing A-3	Proposed Drainage Plan
Plan A-1a	Location Plan with Previous and 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
AUGUST 2018**