

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL  
FOR TEMPORARY USE  
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-TYST/963**

<b><u>Applicant</u></b>	: Mr. TANG Mo Pun represented by Metro Planning and Development Company Limited
<b><u>Site</u></b>	: Lots 2815 RP (Part) and 2816 RP (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long, New Territories
<b><u>Site Area</u></b>	: 1,200m <sup>2</sup> (about)
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	: Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/12
<b><u>Zoning</u></b>	: “Undetermined” (“U”)
<b><u>Application</u></b>	: Renewal of Planning Approval for Temporary “Open Storage of Construction Machinery” for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of planning approval for temporary open storage of construction machinery at the application site (the Site) for a further period of 3 years (**Plan A-1**). 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 by the applied use with valid planning permission under application No. A/YL-TYST/791 up to 10.6.2019 (**Plans A-2 and A-4**).
- 1.2 The Site was involved in 9 previous applications (No. A/YL-TYST/221, 229, 235, 253, 321, 399, 479, 641 and 791) for various proposed/renewal of temporary warehouse, open storage and/or parking of container tractor/trailer/empty oil tanker with/without ancillary office and/or repair workshop uses (**Plan A-1b**). The last application (No. A/YL-TYST/791) for the same open storage use was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 10.6.2016 with validity up to 10.6.2019. All the time-limited approval conditions of the last application have been complied with. Details of the previous applications are at paragraph 6 below and **Appendix IV**. Compared with the last application, the current application is submitted by the

same applicant for the same use on the same site, and the development parameters and site layout remain largely unchanged.

- 1.3 The Site is accessible from Kung Um Road to its east via a local track (**Plans A-2 and A-3 and Drawing A-1**). According to the applicant, the Site will be occupied for open storage of construction machinery including excavators and electricity generators. 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 will be carried out at the Site. No cleansing, repairing, dismantling and workshop activities will be carried out at the Site. No heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, will be allowed to enter or park at the Site. Plans showing the vehicular access to the Site, site layout, landscape and tree preservation proposal and as-built drainage facilities submitted by the applicant are at **Drawings A-1 to A-4**.
- 1.4 The major development parameters of the application are largely the same as the last application (No. A/YL-TYST/791) and are summarised as follows:

<b>Major Development Parameters</b>	<b>Previous Approved Application No. A/YL-TYST/791</b>	<b>Current Application No. A/YL-TYST/963</b>
Site Area	1,200m <sup>2</sup> (about)	
Total Floor Area (Non-domestic)	9 m <sup>2</sup>	
No. of Structure	1 (for electricity meter room use)	
Height of Structure	Not exceeding 3m (1 storey)	
Loading/ Unloading Space	1 (11m x 3.5m) (for medium goods vehicle not exceeding 24 tonnes)	
Operation Hours	8:00 a.m. to 8:00 p.m. 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 with Annex and Plans received on **(Appendix I)** 8.4.2019

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

The justifications put forth by the applicant in support of the application are detailed in Part 8 and Annex 1 of the Application Form at **Appendix I**. They can be summarised as follows:

- (a) The Site is the subject of several previous approvals. All the approval conditions imposed on the last application have been complied with. The applied use of the current application is the same as the last planning permission. Besides, the planning circumstance pertaining to the Site is similar to the last planning permission.

- (b) According 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.
- (c) The development is compatible with the surrounding areas. Similar applications in the subject “U” zone have been approved by the Board and favourable treatment should be given to the current application. The proposal is not a new development and impact to the surrounding environment is minimal.
- (d) The Site is intended for storage use which is static in nature, the actual operation of the proposed development at the Site shows that the traffic impact is insignificant.

### **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 at 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**

- 4.1 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**.
- 4.2 The Town Planning Board Guidelines for “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development” (TPB PG-No. 34C) are also relevant to the application. The relevant assessment criteria are attached at **Appendix III**.

### **5. Background**

The Site is currently not subject to planning enforcement action.

### **6. Previous Applications**

- 6.1 The Site was involved in 9 previous applications (No. A/YL-TYST/221, 229, 235, 253, 321, 399, 479, 641 and 791) for various proposed/renewal of temporary warehouse, open storage and/or parking of container tractor/trailer/empty oil tanker with/without ancillary office and/or repair workshop uses. Details of the applications are summarised in **Appendix IV** and the boundaries of the sites are shown on **Plan A-1b**.
- 6.2 Applications No. A/YL-TYST/221, 229, 235 and 253 for various

temporary/permanent open storage and/or vehicle park with/without repair workshop/ancillary office uses were rejected by the Committee or by the Board on review on 10.10.2003, 13.2.2004, 14.5.2004 and 6.5.2005 respectively on the consideration that the subject “U” zone was within Category 2 areas under the then TPB PG-No. 13C and there was insufficient information to demonstrate no adverse environmental, drainage, traffic and/or visual impacts on the surrounding areas.

- 6.3 Applications No. A/YL-TYST/321, 399 (renewal application), 479 and 641 for various temporary open storage uses with ancillary car park were approved with conditions for a period ranging from 2 to 3 years by the Committee on 7.7.2006, 4.7.2008, 25.6.2010 and 19.7.2013 respectively on the consideration, amongst others, that the subject “U” zone has been re-categorised as Category 1 areas under TPB PG-No. 13D/TPB PG-No. 13E; and the concerns of relevant departments could be addressed through the implementation of approval conditions.
- 6.4 The last application (No. A/YL-TYST/791) for temporary open storage of construction machinery was approved with conditions for a period of 3 years by the Committee on 10.6.2016 on similar consideration as the aforementioned approvals. All the time-limited approval conditions have been complied with and the planning permission is valid up to 10.6.2019.
- 6.5 Compared with the last application, the current application is submitted by the same applicant for the same use on the same site, and the development parameter and site layout remain largely unchanged.

## **7. Similar Applications**

- 7.1 A total of 138 similar applications for various types of temporary open storage uses with or without warehouse and/or 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 summarised in **Appendix V** and the locations of the sites are shown on **Plan A-1a**.
- 7.2 Out of the 138 similar applications, 136 of which were approved mainly on similar considerations that the developments were not incompatible with the surrounding open storage/warehouse uses and the concerns of relevant departments could be addressed by imposing approval conditions. However, amongst these approved applications, 29 were subsequently revoked due to non-compliance with approval conditions.
- 7.3 The remaining two applications (No. A/YL-TYST/542 and 564) were rejected by the Committee and the Board on review respectively mainly on the reasons, amongst others, that approval of the application with repeated non-compliances would set an undesirable precedent for other similar planning permissions for temporary uses, thus nullifying the statutory planning control system.
- 7.4 For member’s information, application No. A/YL-TYST/962 for temporary open storage and warehouse for storage of exhibition materials for a period of 3 years to the west of the Site 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-4)**

8.1 The Site is:

- (a) accessible via a local track leading from Kung Um Road to its east (**Plan A-3**);
- (b) paved and largely fenced off; and
- (c) currently occupied by the applied use with valid planning permission under application No. A/YL-TYST/791 up to 10.6.2019.

8.2 The surrounding areas have the following characteristics (**Plan A-2**):

- (a) predominantly warehouses, open storage yards and village houses, intermixed with other residential structures, storage, vehicle repair workshop, car service, logistics company, sewage pumping station, estate agency, vacant land and agricultural land;
- (b) a row of village houses of Tin Lung Tsuen is located about 40m to its southwest. Some residential structures, storage yard, warehouses and car service are located to its further south on land zoned “Village Type Development” on the OZP;
- (c) to its immediate northeast is a sewage pumping station and further north is the elevated Yuen Long Highway;
- (d) to its southwest, south, east and further northeast are two warehouses, two open storage yards and a real estate agency operating with valid planning permissions under Applications No. A/YL-TYST/807, 841, 877, 880 and 872 respectively (**Plan A-2**); and
- (e) except the aforementioned operations operating under valid permissions, the other open storage yards, warehouses, car service, vehicle repair workshops and logistics company in its vicinity are mostly suspected unauthorised developments (UD) 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 generated 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 summarised as follows:

### **Land Administration**

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

- (a) The Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (b) Within the Site, Lots 2815 RP and 2816 RP in D.D. 120 are covered by Short Term Waivers (STWs) No. 4749 and 4323 permitting structures erected thereon for the purpose of “Temporary Open Storage of Construction Machinery” and “Temporary Open Storage of Construction Material and Metal Ware” respectively.
- (c) The Site is accessible from Kung Um Road via government land (GL). Her office provides no maintenance work for the 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 application, the STW(s) holder(s) will need to apply to her office for modification of the STW(s) conditions where appropriate. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by her department acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by her department.
- (f) The programme of land resumption would follow the project office’s programme notwithstanding the validity period of the planning permission to be granted.

### **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 Kung Um Road should be checked with the lands authority.
- (b) The management and maintenance responsibilities of the access road/path/track should be clarified and consulted with the relevant management and maintenance authorities accordingly.

- (c) The applicant is reminded that sufficient space should be provided within the Site for manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road are allowed.

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) DEP does not support the application as there are sensitive receivers of residential use in the vicinity (with the nearest one situated about 40m to its southwest) (**Plan A-2**) and the applied use will cause traffic of heavy vehicles; 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 latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (Code of Practice).

**Drainage**

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

- (a) Based on the drainage proposal (**Drawing A-4**) enclosed in the application, the applicant would maintain the same drainage facilities as those implemented under previous planning application No. A/YL-TYST/791.
- (b) 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 implemented under application No. A/YL-TYST/791 and submission of condition records of the existing drainage facilities on the 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. 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 also 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 FSI to be installed should be clearly marked on the layout plans.
  - (iii) The good practice guidelines for open storage attached in **Appendix VI** 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 should be incorporated if the application is approved. To address this approval condition, the applicant is required to submit a valid fire certificate (FS 251) to his department for approval.
- (d) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

### **Building Matters**

#### 10.1.7 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 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 the approval of the BD, they are unauthorised 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) are to be carried out on the Site, prior approval and consent of BD should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (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 (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 the B(P)R 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) The Civil Engineering and Development Department (CEDD) and PlanD jointly commissioned the "Planning and Engineering Study for Housing Sites in Yuen Long South (YLS) – Investigation" (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 "Other Specified Uses" ("OU") annotated "Refuse Collection Point and Sewage Pumping Station", as well as 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 the Project Manager (West), CEDD (PM(W), CEDD):

- (a) The Site falls within the boundary of YLS Development – Stage 1. To meet the target first population intake by Q1 of 2028, land clearance of the Site is planned to commence in Q3 of 2021 subject to Executive Council’s authorisation on land resumption and Finance Committee’s funding approval of the project by early 2021 and mid 2021 respectively.
- (b) He objects to the application unless the period of the proposed use/development by the applicant is granted till September 2021 only. His department will give sufficient notice to relevant department(s) for early termination of the Site if his works commence early. The applicant shall be reminded that extension beyond September 2021 is unlikely to be supported in future.

**District Officer’s Comments**

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

Her 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) 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 16.4.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 7.5.2019, no public comment was received.

**12. Planning Considerations and Assessments**

12.1 The subject application is for renewal of planning permission under previous application No. A/YL-TYST/791 for temporary open storage of construction machinery for a period of 3 years at a site zoned “U” on the OZP. The applied use is not in conflict with the planning intention of the “U” zone 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. While the Site falls within areas zoned as “DO” and “OU” annotated “Refuse Collection Point and Sewage Pumping Station”, as well as an area shown as ‘Road’ on the RODP of YLS promulgated on 8.8.2017, CE/CID of PlanD does not raise objection to application. PM(W), CEDD objects to the application unless the period of the proposed development is granted till September 2021 only in view of the programme of the YLS Development.

However, DLO/YL, LandsD advises that the programme of land resumption would follow the project office's programme notwithstanding the validity period of the planning permission to be granted. As such, approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area. Should the application be approved, the applicant should be advised that the Site may be subject to land resumption for the implementation of YLS which may take place at any time before the expiry of the temporary planning permission.

12.2 The surrounding areas comprise mainly open storage yards and warehouses (**Plan A-2**). Although there are village houses nearby, the proposal is generally not incompatible with the surrounding uses in the subject "U" zone.

12.3 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.

The application is 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; and the technical concerns of relevant government departments could be addressed through the implementation of approval conditions.

12.4 The application is generally in line with TPB PG-No. 34C in that there has been no material change in planning circumstances since the granting of the previous approval under application No. A/YL-TYST/791; the approval conditions have been complied with; and the 3-year approval period sought is reasonable and of the same timeframe as the previous approval.

12.5 There is no adverse comment on the application from concerned government departments, except DEP and PM(W), CEDD as mentioned in paragraph 12.1. 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 40m to its southwest) (**Plan A-2**), and the applied use will cause traffic of heavy vehicles; environmental nuisance is expected. However, there has been no environmental complaint concerning the Site received in the past 3 years. To address the concerns on the possible environmental nuisances generated by the temporary use and 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 UD on the Site will be subject to enforcement action by the Planning Authority. Should the planning application be approved, the applicant will also be advised to follow the latest Code of Practice in order to minimise any potential environmental impact, and to keep the Site clean and tidy at all times.

12.6 Given that five previous approvals for similar open storage uses have been granted to the Site and 136 similar applications have been approved in this part of the "U"

zone since the promulgation of TPB PG-No. 13E, approval of the current application is in line with the Committee's previous decisions. There were four previous applications rejected mainly on the grounds, amongst others, that the subject "U" zone was within Category 2 areas under the then TPB PG-No. 13C and there was insufficient information to demonstrate no adverse environmental, drainage, traffic and/or visual impacts on the surrounding areas. There were also two similar applications in this part of the "U" zone rejected mainly on the grounds, amongst others, that approval of the application with repeated non-compliances would set an undesirable precedent for other similar planning permissions for temporary uses, thus nullifying the statutory planning control system. However, such considerations are not applicable to the current application.

12.7 There is no public comment received on the application during statutory publication period.

### **13. Planning Department's Views**

13.1 Based on the assessments made in paragraph 12 above, the Planning Department considers that the temporary open storage of construction machinery could be tolerated for a further 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 further period of 3 years from 11.6.2019 to 11.6.2022. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### Approval conditions

- (a) no operation between 8:00 p.m. and 8:00 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 cleansing, repairing, dismantling or any other workshop activities, 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, as proposed by the applicant, at any time during the planning approval period;

- (g) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (h) all existing trees within 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 commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 11.9.2019;
- (k) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within **6** weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 23.7.2019;
- (l) the submission of a fire service installations proposal within **6** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 11.12.2019;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within **9** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 11.3.2020;
- (n) 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; and
- (o) if the above planning conditions (j), (k), (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.

[Approval conditions (a), (b), (c), (d), (e), (f), (i), (j), (k), (l) and (m) are the same as those under the permission for application No. A/YL-TYST/791, while conditions (g) and (h) are updated and the reinstatement clause is deleted to accord with departments' latest requirements.]

Advisory clauses

The recommended advisory clauses are at **Appendix VII**.

- 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 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**

<b>Appendix I</b>	Application Form with Annex and Plans received on 8.4.2019
<b>Appendix II</b>	Relevant extract of the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13E)
<b>Appendix III</b>	Relevant extract of the Town Planning Board Guidelines for Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34C)
<b>Appendix IV</b>	Previous Applications covering the Site
<b>Appendix V</b>	Similar applications in this part of the “U” zone on the OZP since the promulgation of TPB PG-No. 13E
<b>Appendix VI</b>	Good Practice Guidelines for Open Storage Sites
<b>Appendix VII</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Plan showing the vehicular access leading to the Site
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	Landscape and Tree Preservation Proposal
<b>Drawing A-4</b>	As-Built Drainage Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2019**