

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

APPLICATION NO. A/YL-TYST/964

<u>Applicant</u>	: Mr. TAM Cheung Tat represented by Metro Planning and Development Company Limited
<u>Site</u>	: Lots 771 (Part), 772 (Part), 773 (Part), 775 (Part) and 776 (Part) in D.D. 117, Lots 1131 (Part) and 1132 (Part) in D.D. 119 and Adjoining Government Land (GL), Pak Sha Tsuen, Yuen Long, New Territories
<u>Site Area</u>	: 2,740m ² (about) (including about 170m ² of GL)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/12
<u>Zoning</u>	: “Undetermined” (“U”)
<u>Application</u>	: Renewal of Planning Approval for Temporary “Open Storage of Construction Material and Recyclable Material with Ancillary Workshop and Office” for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary open storage of construction material and recyclable material with ancillary workshop and office 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/790 up to 10.6.2019 (**Plans A-2 and A-4a to A-4d**).
- 1.2 The Site was involved in 6 previous applications (No. A/YL-TYST/34, 47, 48, 472, 638 and 790) for similar open storage use (**Plan A-1b**). The last application (No. A/YL-TYST/790) for the same open storage use was approved with conditions for a period of 3 years by the Rural and New Town Planning Committee (the Committee) of the Board on 10.6.2016. 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 proposed storage of construction materials at the Site includes tiles and sanitary ware, metal ware, racks and barricades. The ancillary workshop activities would be confined to Structures 7, 8, 9 and 10 on the Site (**Plan A-2 and Drawing A-3**). No cleansing, repairing, dismantling and workshop activities and no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or electronic waste will be carried out at the Site. No heavy goods vehicles exceeding 24 tonnes will be allowed to enter/be parked at the Site. Plans showing the vehicular access leading to the Site, site layout, details of the proposed structures, landscape and tree preservation and as-built drainage facilities submitted by the applicant are at **Drawings A-1 to A-5**.
- 1.4 The major development parameters of the application are largely the same as the last application (No. A/YL-TYST/790) and are summarised as follows:

Major Development Parameters	Previous Approved Application No. A/YL-TYST/790	Current Application No. A/YL-TYST/964
Site Area	2,740m ² (about) (including 170m ² of GL)	
Total Floor Area (Non-domestic)	1,755m ² (about)	
No. of Structures	11 (open sheds and converted containers for storage, toilet, ancillary office, meter room and ancillary workshop uses)	
Height of Structures	3.5m to 7.5m (1 to 2 storeys)	
Parking Space	1 (5m x 2.5m) (for private car/light goods vehicle)	
Loading/ Unloading Spaces	2 (11m x 3.5m) (for medium goods vehicle)	
Operation Hours	7:00 a.m. to 9:00 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 received on 10.4.2019 **(Appendix I)**
 - (b) Supplementary Information received on 8.4.2019 **(Appendix Ia)** clarifying that the use and layout of the current application are the same as those of the last application and the applicant proposes to maintain the as-built drainage facilities at the Site and follow the fire service

installations (FSIs) proposal for the last application

- (c) Supplementary Information received on 10.4.2019 (**Appendix Ib**) providing the accepted FSIs plan for the last application

2. Justifications from the Applicant

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

- (a) The Site is the subject of a previous application for the same use which was approved with conditions by the Committee for a period of 3 years on 10.6.2016. All the planning conditions have been complied with. There is no change in planning circumstances since the last approval.
- (b) The development is compatible with the surrounding areas. According to the Town Planning Board Guidelines for ‘Applications 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) Adverse drainage or traffic impacts are not anticipated. Sufficient space is provided within the Site for manoeuvring of vehicles. Drainage facilities have been provided at the Site under the previous application and will be maintained by the applicant. The impact to the surrounding environment is minimal.

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 6 previous applications (No. A/YL-TYST/34, 47, 48, 472, 638 and 790) for various temporary open storage uses ranging from a period of 12 months to 3 years. Details of the applications are summarised in **Appendix IV** and the boundaries of the Site are shown on **Plan A-1b**.
- 6.2 Applications Nos. A/YL-TYST/34, 47 and 48 for various temporary open storage uses were rejected by the Committee on 5.6.1998, 25.9.1998 and 25.9.1998 respectively mainly on the consideration that the proposed development was not in line with the planning intention of the then “GB” zone; it did not comply with the then TPB PG-No. 13 in that there were adverse departmental comments; and the proposals were incompatible with the residential/rural land uses in the vicinity.
- 6.3 Application No. A/YL-TYST/472 for temporary open storage of used electronic parts with ancillary workshop for a period of 3 years was rejected by the Committee on 7.5.2010 mainly on the grounds of non-compliance with TPB PG-No. 13E in that there were adverse departmental comments on environmental impacts associated with open storage of electronic wastes in open environment; and incompatibility with the residential/rural land uses in the vicinity.
- 6.4 Application No. A/YL-TYST/638 for temporary open storage of construction material and recyclable material (including metal and plastic) with ancillary office for a period of 3 years was approved with conditions by the Committee on 24.5.2013 mainly on the considerations that the development was generally in line with TPB PG-No.13E; and departmental concerns could be addressed by imposition of approval conditions. The last application (No. A/YL-TYST/790) for temporary open storage of construction material and recyclable material with ancillary workshop and Office for a period of 3 years submitted by the same applicant as the current was approved with conditions by the Committee on 10.6.2016 on similar considerations as application No. A/YL-TYST/638. All the time-limited approval conditions have been complied with and the 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 parameters and site layout remain largely unchanged.

7. Similar Applications

- 7.1 A total of 50 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 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 All 50 similar 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 departments could be addressed by imposing approval conditions. However, amongst these approved applications, 18 were subsequently revoked due to non-compliance with approval conditions.

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

8.1 The Site is:

- (a) accessible from Kung Um Road to its east via a local track (**Plan A-3**);
- (b) paved and fenced off; and
- (c) currently occupied by the applied use with valid planning permission under application No. A/YL-TYST/790 up to 10.6.2019.

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

- (a) predominantly open storage yards and warehouses, intermixed with storages, vehicle repair workshops, scattered residential structures, club house, logistic centre, bee farm, and some vacant land/structures and graves;
- (b) there are scattered residential structures in the vicinity of the Site with the nearest one located about 15m to the northeast (**Plan A-2**);
- (c) to the east, southwest, and northwest of the Site are some open storage yards or warehouses covered by valid planning permissions under Application Nos. A/YL-TYST/836 and 852; 849, 860 and 865; and 945 respectively; and
- (d) except the aforementioned operations operating under valid permissions, the other open storage yards, warehouses, storages, vehicle repair workshops, logistic centre and club house in its vicinity are mostly suspected unauthorised development (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 772, 773 and 776, and 775 in D.D. 117 and Lot 1131 in D.D. 119 are currently covered by Short Term Waivers (STWs) Nos. 3961, 3962, 3963 and 3964 respectively which permit the structure(s) erected thereon for the purpose of 'Open Storage of Construction Materials and Recyclable Material (including Metal & Plastic) with Ancillary Office'. The GL included in the Site is covered by Short Term Tenancy (STT) No. 2795 for 'Open Storage of Construction Materials and Recyclable Material (including Metal & Plastic)'.
- (c) The Site is accessible from Kung Um Road via GL and private land. Her office does not provide 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/STT holder(s) will need to apply to her office for modification of the STW/STT conditions if there is any irregularities on site and the lot owner(s) of the lot(s) without STW will need to apply to her office to permit the structures to be erected or regularise any irregularities on site. 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.

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 15m to its northeast) (**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/planning statement (**Appendix Ia** and **Drawing A-5**) enclosed in the application, apparently the applicant would maintain the same existing drainage facilities as those implemented under previous planning application No. A/YL-TYST/790.
- (b) He has no objection in principle to the applied development from the drainage point of view. 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/790 and submission of a condition record 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 FSIs being provided to his satisfaction.
- (b) The FSIs proposal submitted by the applicant is considered acceptable to his department. The applicant is advised that the installation/maintenance/modification/repair work of FSIs shall be undertaken by an Registered Fire Service Installation Contractor (RFSIC). The RFSIC shall after completion of the installation/maintenance/modification/repair work issue to the person on whose instruction the work was undertaken a certificate (FS 251) and forward a copy of the certificate to him.
- (c) The applicant is advised to adhere to the good practice guidelines for open storage attached in **Appendix VI**.
- (d) 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.
- (e) 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 and land filling) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An 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.

Water Supplies

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

- (a) He has no objection to the application.
- (b) Existing water mains will be affected (**Plan A-2**). A waterworks reserve within 1.5m from the centreline of the water mains shall be provided to his department.
- (c) No structure shall be built or materials stored within this waterworks reserve. Free access shall be made available at all times for his staff or contractor to carry out construction, inspection, operation, maintenance and repair works.
- (d) No trees or shrubs with penetrating roots may be planted within the waterworks reserve or in the vicinity of the water mains.
- (e) 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

10.1.9 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 an area zoned as “Other Specified Uses” (“OU”) annotated “Sewage Treatment Works”.
- (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.

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

- (a) He has no objection to the subject application.
- (b) The Site falls within the project boundary of the proposed YLS Development - Stage 2. The YLS Development would provide land to meet the medium to long term housing needs of Hong Kong. The applicant is reminded that extension of the planning permission may not be supported in future when the detailed implementation programme of works in the Site under YLS Development – Stage 2 is formulated.

District Officer’s Comments

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

The local consultation was completed and 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) Director of Electrical and Mechanical Services (DEMS); and
- (c) Commissioner of Police (C of P).

11. Public Comment Received During the Statutory Publication Period

On 23.4.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 14.5.2019, 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/790 for temporary open storage of construction material and recyclable material with ancillary workshop and office 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 an area zoned as “OU” annotated “Sewage Treatment Works” 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 would not jeopardise the long-term development of the area.

12.2 The surrounding areas comprise mainly open storage yards and warehouses intermixed with storages, vehicle repair workshops, and similar uses are found in the vicinity of the Site (**Plan A-2**). As such, the development is 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/790; 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. 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 15m to its northeast (**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 two previous approvals for the same applied use have been granted to the Site and 50 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 three previous applications rejected on the grounds of non-compliance with the planning intention of the then “GB” zone and the then TPB PG-No. 13 in that there were adverse departmental comments. There was also one previous application rejected on the grounds of, amongst others, non-compliance with TPB PG-No. 13E in that there were adverse departmental comments on environmental impacts associated with open storage of electronic wastes in open environment. However, such considerations are not applicable to the current renewal 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 material and recyclable material with ancillary workshop and office 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 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no 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, dismantling and repairing activities, and no workshop activities except in Structures No. 7, 8, 9 and 10, 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 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 implementation of the accepted 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) 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
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

[Approval conditions (a), (b), (c), (e), (f), (g), (j), (k) and (l) are the same as those under the permission for application No. A/YL-TYST/790, while conditions (d), (h) and (i) are updated and the landscaping and reinstatement clauses are deleted to accord with relevant 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

Appendix I	Application Form received on 10.4.2019
Appendix Ia	Supplementary Information received on 8.4.2019 clarifying that the use and layout of the current application are the same as those of the last application and the applicant proposes to maintain the as-built drainage facilities at the Site and follow the FSIs proposal for the last application
Appendix Ib	Supplementary Information received on 10.4.2019 providing the accepted FSIs plan for the last application
Appendix II	Relevant extract of the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13E)
Appendix III	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)
Appendix IV	Previous Applications covering the Site
Appendix V	Similar applications in this part of the “U” zone on the OZP since the promulgation of TPB PG-No. 13E
Appendix VI	The Good Practice Guidelines for Open Storage Sites
Appendix VII	Recommended Advisory Clauses
Drawing A-1	Plan showing the vehicular access leading to the Site
Drawing A-2	Proposed Layout Plan
Drawing A-3	Plan showing the Details of the On-site Structures
Drawing A-4	Landscape and Tree Preservation Proposal
Drawing A-5	As-Built Drainage Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo

Plan A-4a to A-4d Site Photos

**PLANNING DEPARTMENT
MAY 2019**