

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/312

- Applicant** : Triotech Limited represented by Wah Tung Development Company Limited
- Site** : Various Lots in D.D. 125 and D.D. 129 and Adjoining Government Land, Ha Tsuen, Yuen Long, N.T.
- Site Area** : about 45,900m² (including Government land of 3,640m² (or 7.9%))
- Lease** : Block Government Lease (demised for agricultural use) and New Grant No. 635 for Lot 3442 in D.D. 129 (for agriculture purpose only)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zoning** : “Government, Institution or Community” (“G/IC”)(65.4%);
[Restricted to maximum Building Height (BH) of 8 storeys]
- “Commercial 4” (“C(4)”) (8.9%);
[Restricted to maximum plot ratio of 3, maximum building height of 50mPD]
- “Residential (Group A)3” (“R(A)3”) (8.1%); and
[Restricted to maximum plot ratio of 5.5, maximum building height of 140 mPD]
- an area shown as ‘Road’ (17.6%)
- Application** : Temporary Logistics Centre, Warehouse, Cold Storage, Open Storage of Containers and Container Vehicle Park with Ancillary Workshop (Including Compacting, Unpacking and Tyre Repairing) and Canteen 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 logistics centre, warehouse, cold storage, open storage of containers and container vehicle park with ancillary workshop (including compacting, unpacking and tyre repairing) and canteen for a period of 3 years (**Plan A-1a**). The Site straddles over the “G/IC” (65.4%), “C(4)” (8.9%) and “R(A)3” (8.1%) zones and an area shown as ‘Road’ (17.6%) on the approved HSK and HT OZP. According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years within the zones requires planning permission from the Town Planning Board (the Board) notwithstanding that the use or development is not provided for under the Notes of the OZP. In any area shown as ‘Road’ on the OZP, all uses or developments require planning permission from the

Board. The Site is currently used for the applied uses partly under valid planning permission (the northeastern part) and partly without (the southern and western parts). (**Plans A1-b, A-4a to 4e**).

- 1.2 The Site was involved in 23 previous applications for various temporary uses including logistics yard/centre, warehouse, open storage of containers, construction machinery and construction materials, container vehicle park with ancillary workshop and canteen (**Plan A-1b**). The Site is a combination of the sites involved in two previous applications, i.e. No. A/HSK/63 and No. A/HSK/163. Application No. A/HSK/63 covering the western and southern parts of the Site for temporary logistics yard, open storage of containers, container vehicle park with ancillary workshop (for works including compacting and dismantling and repairing of tyre) and canteen was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 4.5.2018 for a period of 3 years. The permission was revoked on 4.10.2020 due to non-compliance with a time-limited approval condition. Application No. A/HSK/163 covering the northeastern part of the Site for proposed temporary warehouse and logistics centre was approved with conditions by the Committee for a period of 3 years on 19.7.2019 with validity up to 19.7.2022.
- 1.3 The Site is accessible from Ping Ha Road with the main ingress/egress point at the eastern part of the Site (**Drawing A-2 and Plan A-2**). As shown on the layout plan at **Drawing A-2**, three warehouses/logistics centres would occupy the northern part of the Site. Cold storage and container repairing workshop are provided at the western portion of the Site. The southern part will be used for open storage of containers and a tyre repairing workshop, and a canteen are proposed near the main ingress/egress point. 36 temporary structures with a total floor area of 21,187.5m² are proposed, ranging from 1 to 2 storeys (2.6m to 15m high) for warehouse, logistics centre, office, vehicle and tyre repairing workshop and other ancillary facilities. One and 33 loading/unloading bays respectively for light goods vehicles and for heavy goods/container vehicles and 28 private car parking spaces will also be provided. A designated pedestrian access with 2m in width is provided to the residential dwellings enclosed by the Site (**Drawing A-2**). Fence wall has been erected along the periphery of the Site. According to the applicant, 242 existing trees within the Site will be preserved and maintained. The operation hours are between 8:00 a.m. to 8:00 p.m. from Mondays to Saturdays. No operation will be held on Sundays and public holidays. The proposed landscape and tree preservation plan and drainage plan are shown at **Drawings A-3 and A-4** respectively.
- 1.4 Comparisons of the major development parameters of the current application and the two last approved applications are given in the following table:

Major Development Parameters	Last Approved Application (A/HSK/63) (a)	Last Approved Application (A/HSK/163) (a)'	Current Application (A/HSK/312) (b)	Difference (b) – [(a)+(a)']
Applied Use	Temporary logistics yard, open storage of containers, container vehicle park with ancillary	Temporary warehouse and logistics centre for a period of 3 years	Temporary logistics centre, warehouse, cold storage, open storage of containers and container vehicle	Additional uses of cold storage; change of the user description for ancillary

	workshop (for works including compacting and dismantling, and repairing of tyre) and canteen for a period of 3 years		park with ancillary workshop (including compacting, unpacking and tyre repairing) and canteen for a period of 3 years	workshop
Site Area	33,300m ²	12,850m ²	45,900m ²	-250m ²
No. of Structures	14	5	36	+17
Total Floor Area	5,068m ²	6,362m ²	21,187.5m ²	+9,757.5m ²
Height of Structures	1 to 2 storeys (6m high)	1 to 2 storeys (12m high)	1 to 2 storeys (15m high)	$[(b)-(a)']$ +3m
No. of Private Car Parking Spaces	21	3	28	+4
No. of Loading/Unloading Spaces	Nil	54 for goods vehicles and container vehicles	1 and 33 loading/unloading bays respectively for light goods vehicles and for heavy goods/container vehicles	-20 (all types of goods vehicles)
Operation Hours	8:00 a.m. to 8:00 p.m., Mondays to Saturdays, with no operation on Sundays and public holidays			Same

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

- (a) Application Form received on 10.5.2021 **(Appendix I)**
- (b) Planning statement **(Appendix Ia)**
- (c) Further Information (FI) received on 15.6.2021 clarifying the provision of a designated pedestrian access **(Appendix Ib)**
[exempted from publication and recounting requirements]

2. **Justifications from the Applicant**

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

- (a) The proposed development is transitional in nature with no permanent building. It will not jeopardize the long-term planning intentions of the current zonings.
- (b) The applied use can address the shortfall of land for port back-up and open storage purposes.
- (c) The Site has long been used and tolerated for port back-up and open storage uses and subject to 15 previous applications since 1990s and the current application can be regarded as a combination of last approvals of Applications No. A/HSK/63 and A/HSK/163.

- (d) Approval conditions for the previous applications have been complied with. The applicant will employ experienced contractors to comply with the approval conditions. Many existing mitigation measures will not be affected by the proposed development and will continue to operate.
- (e) The proposed landscaping, drainage and environmental mitigation measures will bring beneficial effects to the surrounding environment.
- (f) Local views have been sought and no objection has been received.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is not a “current land owner” of the private land portion of the Site 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 site notices and publishing in local newspaper. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements under TPG PG-No.31A are not applicable to the Government land portion.

4. Town Planning Board Guidelines

On 27.3.2020, the Board promulgated the revised Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13F). The Site falls within Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) under the revised Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

The Site is currently not subject to planning enforcement action.

6. Previous Applications

- 6.1 The Site was involved in 23 previous applications (No. A/YL-HT/35, 95, 100, 176, 177, 256, 363, 365, 437, 513, 597, 605, 616, 689, 693, 735, 737, 871, 946, 959, 1049 and A/HSK/63 and 163) for various temporary logistics yard/centre, warehouse, open storage of containers, construction machinery and construction materials, container vehicle park with ancillary workshop and canteen. Details of these applications are summarized at **Appendix III** and their locations are shown on **Plan A-1b**.
- 6.2 Among them, 22 applications were approved with conditions by the Board/Committee between 1997 and 2019 on the considerations that the applied uses were not incompatible with the surrounding areas, generally in line with the then Town Planning Board Guidelines No. 13 and no major adverse comment from concerned Government departments. However, 10 of the planning approvals were subsequently revoked due to non-compliance with approval conditions.
- 6.3 The remaining application (No. A/YL-HT/693) for temporary open storage of metals and construction materials with vehicle repair workshop covering a small part of the Site was rejected by the Committee on 24.9.2010 on the ground that the development would be subject to fire risks and would have adverse drainage, environmental and landscape impacts on the surrounding areas, and that the submitted information could not demonstrate that the fire risks and adverse drainage, environmental and landscape

impacts could be mitigated.

- 6.4 As mentioned in paragraph 1.2 above, two previous applications are of relevance to the current application. Application No. A/HSK/63 covering the western and southern part of the Site for temporary logistics yard, open storage of containers, container vehicle park with ancillary workshop and canteen was approved with conditions by the Committee on 4.5.2018 for a period of 3 years. The permission was revoked on 4.10.2020 due to non-compliance with a time-limited approval condition regarding the implementation of fire service installations (FSIs). Application No. A/HSK/163 covering the northeastern part of the Site for proposed temporary warehouse and logistics centre was approved with conditions by the Committee for a period of 3 years on 19.7.2019 with validity till 19.7.2022. Compared with the above two applications, the current application is submitted with the site area slightly smaller than the combination of these two applications (-250m²) due to the provision of pedestrian access for the existing residential dwellings sandwiched within the Site. However, the layout of the development is largely the same with that of the two applications except addition of the cold storage use and ancillary facilities including rain sheds, toilets, guard house and rest area. The total number of loading/unloading bays for all goods vehicles is also reduced (-20).

7. Similar Application

There are 14 similar applications (No. A/HSK/9, 43, 47, 85, 86, 94, 99, 135, 146, 189, 219, 223, 264 and 289) within the same “G/IC”, “C(4)” and “R(A)3” zones on the OZP for temporary warehouse, logistics centre, open storage of containers and/or vehicle repairing workshop, which were all approved with conditions by the Committee on similar considerations as mentioned in paragraph 6.2 above. However, seven planning permissions were subsequently revoked due to non-compliance with approval conditions. Details of these applications are summarized at **Appendix IV** and their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) currently fenced off and used for the applied use partly under valid planning permission and partly without planning permission; and
- (b) accessible from Ping Ha Road.

8.2 The surrounding areas have the following characteristics:

- (a) to its north and northeast are warehouses, open storage of construction materials, storage of vehicle parts and workshops;
- (b) to its west are two logistics centres;
- (c) to its east is Ping Ha Road and further northeast across the road are 2 logistics centres under valid planning permissions and an open storage yard of crane trucks and workshop;
- (d) to its south are logistics centre, open storage of containers and construction

materials (all under valid planning permissions), and an open storage yard of construction machinery, a warehouse and an ice factory; and

- (e) the Site encloses two residential dwellings at its middle and a designated pedestrian access will be provided to these dwellings according to the application. The pedestrian access and the residential dwellings do not form part of the Site (**Plan A-2**).

9. Planning Intentions

- 9.1 The planning intention of the “G/IC” zone is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.
- 9.2 The planning intention of the “C(4)” zone is primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as territorial business/financial centre and regional or district commercial/shopping centre. Lastly, the planning intention of the “R(A)3” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest two floors of a building excluding basements, or in a free-standing purpose-designed non-domestic building up to five storeys.

10. Comments from Relevant Government Departments

- 10.1. The following Government departments have been consulted and their views on the application received are summarized as follows:

Land Administration

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

- (a) Lot No. 3442 in D.D. 129 in the application site is held under New Grant No. 635 for agriculture purpose only and no structure shall be erected on the lot. The remaining lots in the application site are Old Scheduled Agricultural Lots held under the Block Government Lease which contain the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (b) The Government Land (GL) in the application site is covered by the following Short Term Tenancies (STT):
 - (i) STT No. 2651 for the purpose of “Container Vehicle Park”; and
 - (ii) STT No. 2860 for the purposes of “Temporary Logistics Yard, Open Storage of Containers, Container Vehicle Park with Ancillary Workshop (for Works Including Compacting and Dismantling, and Repairing of Tyre) and Canteen”.
- (c) The applicant should be reminded of the detailed comments in

Appendix VII.

Traffic

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

- (a) He has no adverse comments on the application from traffic engineering view point.
- (b) Sufficient manoeuvring spaces shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.

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 TD.
- (b) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drainage.
- (c) HyD shall not be responsible for the maintenance of any access connecting the Site and Ping Ha Road.

Environment

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

- (a) He does not support the application as there are sensitive uses in the vicinity of the Site (two residential dwellings being enclosed by the Site) (**Plan A-2**), and the development involves the use of heavy goods vehicles and container vehicles. Environmental nuisance is expected.
- (b) There was no environmental complaint pertaining to the Site received in the past 3 years.
- (c) Should the application be approved, the applicant is advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP').

Drainage

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

- (a) According to the applicant's submission, the existing drainage facilities which were implemented under approved applications No. A/HSK/63 and A/HSK/163 will be maintained for the subject development. He has no objection in principle to the application from a drainage point of view. Should the application be approved, a condition should be stipulated requiring the applicant to maintain the existing drainage facilities and submit condition record of the existing drainage facilities to the satisfaction of his Division.

- (b) The applicant should be reminded of the detailed comments in **Appendix VII**.

Landscaping

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

- (a) The Site is situated in an area of rural landscape character predominated by open storage yards and temporary structures. Significant change to the landscape character arising from the application is not envisaged.
- (b) The applicant is advised that approval of the application does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. The applicant should approach relevant authority/government department(s) direct to obtain the necessary approval on tree works where appropriate.

Building Matters

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

- (a) There is no record of approval by the Building Authority (BA) for the existing structures at the Site.
- (b) The applicant should be reminded of the detailed comments in **Appendix VII**.

Fire Safety

10.1.8 Comments of the Director of Fire Services (D of FS):

- (a) He has no objection in principle to the application subject to fire services installations (FSIs) being provided to his satisfaction.
- (b) In consideration of the design/nature of the structures, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to him for approval.
- (c) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs are to be installed should be clearly marked on the layout plans. Good practice guidelines for open storage (**Appendix V**) should be adhered to.
- (d) Having considered the nature of the open storage, the following approval condition shall be added:

“The provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of D of FS.”
- (e) The applicant is advised to submit a valid fire certificate (FS 251) to his department for approval.

- (f) The applicant should be reminded of the detailed comments in **Appendix VII.**

Long-Term Development

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

- (a) He has no objection to the application for temporary use, which should be considered in accordance with the provisions of the existing OZP and infrastructure capacities.
- (b) The Site falls within the boundary of HSK/HT NDA. To ensure timely and orderly implementation, the development of HSK/NT NDA and relevant site formation and infrastructure works would be implemented in three phases, viz. First Phase development, Second Phase development and Remaining Phase development. The lot(s) concerned falls within the sites under Remaining Phase development of HSK/HT NDA. While the detailed implementation programme for the project is still being formulated, it is envisaged that the site formation and engineering infrastructure works for the Remaining Phase development will commence in 2030.

Others

10.1.10 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) He has no specific comments on the subject planning application.
- (b) The applicant should be reminded of the detailed comments in **Appendix VII.**

District Officer's Comments

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

- (a) He has no comment from departmental point of view.
- (b) His office has not received any comment from the locals on the application.

10.2. The following Government departments have no objection to/no comment on the application:

- (a) Director of Agriculture, Fisheries and Conservation (DAFC); and
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

11. Public Comments Received During Statutory Publication Period

On 18.5.2021, the application was published for public inspection. During the first three weeks of the statutory public inspection period, two public comments from individuals were received. The commenters raised concerns/objected to the application on the reasons that the development will increase traffic flow and environmental nuisances and pose safety hazards to the villagers; the applicant was unable to timely fulfill the approval conditions (in particular with that related to fire services) of previous applications and put

lives at risk. (Appendices VI-1 and 2).

12. Planning Considerations and Assessment

12.1 The application is for temporary logistics centre, warehouse, cold storage, open storage of containers and container vehicle park with ancillary workshop (including compacting, unpacking and tyre repairing) and canteen for a period of 3 years at a site which straddles over the “G/IC” (65.4%), “C(4)” (8.9%), “R(A)3” (8.1%) zones and an area shown as ‘Road’ (17.6%) on the OZP. The planning intention of the “G/IC” zone is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory, while that for the “C(4)” zone is primarily for commercial developments functioning as territorial business/financial centre and regional or district commercial/shopping centre. The planning intention of the “R(A)3” zone is primarily for high-density residential developments. Whilst the applied uses are not in line with the planning intentions of the “G/IC”, “C(4)” and “R(A)3” zones, PM/W of CEDD have no objection to the proposed temporary use at the Site. In this regard, approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the Site. However, should the application be approved, it is suggested to include an advisory clause stating that the Site may be resumed by the Government at any time during the planning approval period for the implementation of government projects.

12.2 The applied uses are not incompatible with the surrounding land uses which are predominantly occupied by warehouses and logistics uses, open storage of containers, and container and vehicle repairing workshop.

12.3 The Site falls within the HSK/HT NDA. For applications in NDAs, the following considerations under the TPB PG-No. 13F are relevant:

For existing open storage and port back-up uses with previous planning approval(s) and/or permitted under the previous OZPs, sympathetic consideration may be given to the application (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant) until the concerned site is required for implementation of NDA development, provided that the relevant approval conditions, if any, have been complied with. Technical assessments, where appropriate, should be submitted to demonstrate that the continued operation of the current uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas and the concerns of the departments and local residents, if any, can be addressed through the implementation of the approval conditions. In view of the impending implementation of NDAs, new open storage and port back-up uses are generally not encouraged to infiltrate into the NDAs. There is a general presumption against such uses at greenfield areas and/or at sites with land use compatibility issue, e.g. in close proximity to existing residential dwellings which may be subject to environmental nuisances caused by the open storage and port back-up uses.

12.4 The applied uses including open storage and port back-up uses are generally in line with the TPB PG-No. 13F in that the Site falls within HSK/HT NDA and previous planning approvals (Applications No. A/HSK/63 and 163) for similar uses were given. The current application is for similar uses of the last two approved applications. For No. A/HSK/163, the planning permission is still valid. Two of the three time-specific approval conditions have been complied with and efforts have been made to comply with the remaining one. Although the planning permission

under application No. A/HSK/63 was subsequently revoked on 4.10.2020 due to non-compliance with a time-specific approval condition on the implementation of the FSIs, the applicant has submitted relevant technical proposals to minimize the possible impacts on the surrounding areas, and pledged to commission recognised contractor to submit relevant FSIs proposal and implement the relevant approval conditions. In this regard, D of FS has no adverse comment on the application. However, should the application be approved, shorter compliance periods are recommended in order to closely monitor the progress on compliance with associated approval conditions. The applicant will be advised that should he fail to comply with any of the approval conditions again resulting in revocation of planning permission, sympathetic consideration would not be given to any further applications.

- 12.5 Other concerned government departments including C for T, CE/MN, DSD and CTP/UD&L, PlanD have no objection to or no adverse comment on the application, except DEP. DEP does not support the application because there are sensitive uses in the vicinity (two residential dwellings enclosed by the Site) (**Plan A-2**), and the development involves the use of heavy goods vehicles and container vehicles and thus environmental nuisance is expected. However, there is no environmental complaint pertaining to the Site in the past three years. To address the concerns on the possible environmental nuisances or the technical requirements of the concerned Government departments, relevant approval conditions have been recommended in paragraph 13.2 below. Any non-compliance with these approval conditions would result in revocation of the planning permission and any unauthorized development on the Site would be subject to enforcement action by the Planning Authority. Should the application be approved, the applicant will also be advised to follow the 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' to minimize the possible environmental impacts on the surrounding areas.
- 12.6 There are 22 previous planning approvals for various warehouse, open storage, logistic yard/centre, container vehicle park and /or workshop uses at the Site (**Plan A-1b**) and 14 similar approvals within the same "G/IC", "C(4)" and "R(A)3" zones on the OZP (**Plan A-1a**). Approval of the subject application is in line with the Committee's previous decisions.
- 12.7 Two public comments were received during statutory publication period as summarised in paragraph 11. The planning considerations and assessments in the above paragraphs are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11, the Planning Department considers that the temporary logistics centre, warehouse, cold storage, open storage of containers and container vehicle park with ancillary workshop (including compacting, unpacking and tyre repairing) and canteen 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 **9.7.2024**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no operation from 8:00 p.m. to 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 vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the existing trees and landscape plants on the Site shall be maintained at all times during the planning approval period;
- (e) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on the Site within **3** months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **9.10.2021**;
- (h) the provision of fire extinguisher(s) 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 **20.8.2021**;
- (i) the submission of a fire service installations proposal within **3** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **9.10.2021**;
- (j) in relation to (i) above, the implementation of the 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 **9.1.2022**;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (g), (h), (i) or (j) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory clauses

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

13.3 Alternatively, should the Committee decide to reject the application, the following reasons for rejection are suggested for Members' reference:

- (a) the applied uses are not in line with the planning intentions of the "G/IC", "C(4)" and "R(A)3" zones, which are intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory; for commercial

developments functioning as territorial business/financial centre and regional or district commercial/shopping centre; and for high-density residential developments respectively. There is no strong planning justification in the submission for a departure from the planning intentions, even on a temporary basis; and

- (b) the applicant fails to demonstrate that the applied uses would not have 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 10.5.2021
Appendix Ia	Planning Statement
Appendix Ib	FI received on 15.6.2021
Appendix II	Relevant Extracts of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13F)
Appendix III	Previous Applications Covering the Site
Appendix IV	Similar Application Within the Same “G/IC”, “C(4)” and “R(A)3” Zones
Appendix V	Good Practice Guidelines for Open Storage issued by the Director of Fire Services
Appendices VI-1 to 2	Public Comments
Appendix VII	Advisory Clauses
Drawing A-1	Proposed Vehicular Access Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	Proposed Landscape and Tree Preservation Plan
Drawing A-4	Proposed 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
Plans A-4a to 4e	Site Photos