

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/416

- Applicant** : 陳鴻凱 (Mr.)
- Site** : Lot 1696 in D.D.129, Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 374.5m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/10
- Zonings** : “Residential (Group E)” (“R(E)”) (about 87%)
[Restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m) including carpark]
“Green Belt” (“GB”) (about 13%)
- Application** : Temporary Open Storage of Containers, Metal Wares, Construction and Industrial Equipment and Machineries for a Period of 3 Years and Filling of Land

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of containers, metal wares, construction and industrial equipment and machineries for a period of 3 years and filling of land at the application site (the Site) (**Plan A-1**). The Site falls within an area mainly zoned “R(E)” (about 87%) and partly zoned “GB” (about 13%) on the draft Lau Fau Shan and Tsim Bei Tsui OZP No. S/YL-LFS/10. According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of 3 years requires planning permission from the Town Planning Board (the Board), notwithstanding that the use or development is not provided for in terms of the OZP. Besides, filling of land within the “GB” zone requires planning permission from the Board. The Site is currently hard-paved and occupied by the applied use without valid planning permission (**Plan A-2 and Plans A-4a to A-4c**).
- 1.2 The Site is involved in 2 previous applications (No. A/YL-LFS/32 and 228) for temporary open storage of various materials, both of which were rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 1998 and 2011 respectively (**Plan A-1**).

- 1.3 The Site is accessible from Deep Bay Road via a local track connecting to the ingress/egress at the north of the Site (**Plan A-3**). As shown on the layout plan at **Drawing A-1**, no structure is proposed. 1 parking space for heavy goods vehicle is provided. The remaining area of the Site is used for deposit of containers, metal wares, construction and industrial equipment and machineries. According to the applicant, the operation hours would be between 9:00 a.m. and 7:00 p.m. daily, including public holidays.
- 1.4 Besides, according to the applicant, the entire “GB” portion of the Site (about 50m² or 13%) has been paved with asphalt of about 0.2m in thickness¹. No further filling of land is proposed.
- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 23.11.2021 (Appendix I)
 - (b) Supplementary Information (SI) received on 1.12.2021 (Appendix Ia)
 - (c) SI received on 9.12.2021 (Appendix Ib)

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form at **Appendix I**. The applicant claims that there is no electricity and water supply for the Site. The Site would only be used for storage use.

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 obtaining consent of the current land owners. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

- 4.1 The Town Planning Board Guidelines No. 13F for “Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance” (TPB PG-No. 13F) promulgated by the Board on 27.3.2020 are relevant to the application. The Site falls within the Category 2 and 4 areas for the portions zoned “R(E)” and “GB” respectively under the TPB PG-No. 13F. The relevant extract of the Guidelines is attached at **Appendix II**.
- 4.2 Town Planning Board Guidelines for “Application for Development within the Green Belt Zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 10) are also relevant to the application. The relevant assessment criteria are summarised as follows and detailed at **Appendix III**.

¹ The entire Site (about 374.5m²) is hard-paved with asphalt. However, there is no land filling restriction within the portion of the Site zoned “R(E)” on the OZP.

- (a) there is a general presumption against development (other than redevelopment) in “GB” zone;
- (b) an application for new development in “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas;
- (c) the design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, and cause any adverse visual impact on the surrounding environment;
- (d) the vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features;
- (e) the proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, road and water supply. It should not adversely affect drainage or aggravate flooding in the area;
- (f) the proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigating measures are provided, and it should not itself be the source of pollution; and
- (g) any proposed development on a slope or hillside should not adversely affect slope stability.

5. Background

The Site is subject to an on-going planning enforcement action (No. E/YL-LFS/533) against unauthorised development (UD) involving storage use (including deposit of containers) (**Plan A-2**). Enforcement Notice (EN) was issued on 6.9.2021 requiring the discontinuance of the UD by 6.11.2021. The recent site inspection revealed that the UD had not been discontinued. The Site is being closely monitored for compliance with the EN.

6. Previous Applications

6.1 The Site is involved in two previous applications (No. A/YL-LFS/32 and 228) covering a larger area for temporary open storage of used motor cycles and construction materials respectively. Application No. A/YL-LFS/32 falling within the then “Comprehensive Development Area” (“CDA”) zone² was rejected by the Committee on 25.9.1998 mainly on grounds of failure to demonstrate no adverse traffic and drainage impacts, and setting undesirable precedent. Application No.

² The “CDA” zone was rezoned to “R(E)” on the draft Lau Fau Shan and Tsim Bei Tsui OZP No. S/YL-LFS/4 gazetted on 27.10.2000.

A/YL-LFS/228 straddling the “R(E)” and “GB” zones was rejected by the Committee on 18.11.2011 mainly on grounds of not in line with the planning intention of the “GB” zone and defeating the planning intention of the “R(E)” zone; incompatible with the surroundings; and not in line with the then TPB PG-No. 13E in that there were adverse departmental comments on environmental, traffic and landscape aspects. Details of the above previous applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1**.

- 6.2 Compared with the last previous application, the current application is submitted by a different applicant for a similar use at a substantially smaller site.

7. **Similar Applications**

Applications within/straddling the “GB” zone

- 7.1 Within/straddling the same “GB” zone, there were 9 similar applications for temporary open storages of various materials with or without warehouses since 2000. All of them were rejected by the Committee between 2002 and 2020. Details of the similar applications are summarised at **Appendix V** and their locations are shown on **Plan A-1**.
- 7.2 Applications No. A/YL-LFS/83, 200, 227, 262, 279, 285, 346, 358 and 373 were rejected mainly on grounds of not in line with the planning intention of “GB” zone, TPB PG-No. 10 and (the then) TPB PG No. 13B to 13F; not compatible with the surroundings; failure to demonstrate no adverse environmental, traffic and/or landscape impacts, and/or setting undesirable precedent.

Applications within/straddling the “R(E)” zone

- 7.3 Within/straddling the same “R(E)” zone, there are 43 similar applications for temporary open storages of various materials with or without warehouses since 2000. 34 applications were approved while 9 were rejected by the Committee. Details of the similar applications are summarised at **Appendix V** and their locations are shown on **Plan A-1**.

Approved Applications

- 7.4 34 applications were approved with conditions by the Committee between 2000 and 2021 mainly on considerations that the developments were not incompatible with the surroundings, and the concerns of relevant departments could be addressed by imposing approval conditions.

Rejected Applications

- 7.5 Applications No. A/YL-LFS/79, 87, 95, 108, 119, 169, 182, 190 and 229 were rejected by the Committee/the Board on review mainly on grounds of not in line with the planning intentions, failure to demonstrate no adverse traffic, environmental and drainage, landscape and/or visual impacts, and/or repeated revocation of previous approvals due to non-compliance with approval conditions. Applications No. A/YL-LFS/87, 169, 182 and 190 were also rejected on the ground of no previous planning permission for similar open storage use at the Site.

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

8.1 The Site is:

- (a) hard-paved with asphalt;
- (b) occupied by the applied use without valid planning permission; and
- (c) accessible via a track on GL and private lots branching off Deep Bay Road at its west.

8.2 The surrounding areas have the following characteristics:

- (a) to the northwest are warehouse and logistic centre, the latter of which is covered with planning permission (No. A/YL-LFS/353) valid until 12.6.2023;
- (b) to the east and south is grassland intermixed with graves, which fall within the Permitted Burial Ground No. YL/59. To the further northeast is a container vehicle park; and
- (c) to the immediate west are vacant land and shrubland. To the further west is shrubland intermixed with graves.

9. Planning Intentions

- 9.1 The “R(E)” is intended primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.
- 9.2 The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.3 As filling of land/pond or excavation of land within the “GB” zone may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

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 an Old Schedule Agricultural Lot 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) Should planning approval be given to the subject planning application, the lot owners of the lot will need to immediately apply to his office for permitting the structures to be erected or to regularise any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Application(s) for any of the above will be considered by LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD.

Traffic

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

- (a) As stated in the application, the applied development would generate traffic of heavy goods vehicles to/from Deep Bay Road which is a one-lane two-way carriageway.
- (b) The applicant is required to justify that the nearby public road network has adequate capacity to accommodate the traffic induced by the applied development. In particular, the traffic impact on Deep Bay Road should be well assessed as a result of the applied development, since it is highly likely that vehicles in opposite directions need to negotiate with each other where passing bay is not available.
- (c) The applicant should be reminded of the detailed comments at **Appendix VIII**.

10.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) Adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains.
- (b) The access road connecting the Site with Deep Bay Road is not and will not be maintained by his office. His office should not be responsible for maintaining any access connecting the Site and Deep Bay Road.

Environment

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

- (a) He does not support the application as the applied use involves heavy

vehicles and there is sensitive receiver, i.e. residential dwelling located within 50m of the access road leading to the Site. Environmental nuisance is expected.

- (b) There is no substantiated environmental complaint pertaining to the Site received in the past 3 years.
- (c) The applicant should be reminded of the detailed comments at **Appendix VIII**.

Landscaping

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

- (a) She has reservation on the application from landscape planning perspective.
- (b) The Site is situated in an area of rural coastal plains landscape character predominated by temporary structures and warehouse, open storage, village houses, graveyard and woodlands in the proximity. In view that the “GB” zone is primarily intended to promote the conservation of the natural environment with a general presumption against development within this zone, the proposed development is considered incompatible with the surrounding landscape setting. It is noted that the open storage use at the Site is a suspected unauthorised development subject to enforcement action.
- (c) The Site is a strip of hard-paved land and occupied by temporary structures. Whilst no existing tree is observed within the Site, vegetation clearance and site formation had been taken place when comparing the site conditions through aerial photos in 2019 and site photos in 2021 (**Plans A-3b** and **Plans A-4a to A-4c**). Adverse landscape impact arising from the proposed development has been taken place. There is concern that approval of the planning application may encourage other similar applications in the “GB” zone, and the cumulative impact of which would result in a general degradation of the landscape quality of the surrounding environment in “GB” zone.

Drainage

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

- (a) He has no objection in principle to the application from drainage point of view.
- (b) Should the Board consider that the application is acceptable from planning point of view, he would suggest that a condition should be stipulated requiring the applicant to submit a drainage proposal, to implement and maintain the proposed drainage facilities to the

satisfaction of his department.

Fire Safety

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

- (a) He has no objection in principle to the proposal subject to fire service installations (FSIs) and water supplies for firefighting being provided to his satisfaction.
- (b) Based on the proposed access route, it is noted that the nearest available street fire hydrant is more than 500m away from the Site. In this regard, street fire hydrant system with adequate flow, pressure and size of water tank shall be provided at the Site.
- (c) In consideration of the design/nature of the proposal, FSIs and water supply for firefighting are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs and water supply for firefighting to his department for approval. The applicant should adhere to the good practice guidelines at **Appendix VI** and note his detailed comments at **Appendix VIII**.
- (d) 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.

Building Matters

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

- (a) As there is no record of approval granted 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 under application.
- (b) The applicant should be reminded of the detailed comments at **Appendix VIII**.

Geotechnical

10.1.9 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) The Site meets criterion (i)³ of the GEO Advice Note for Planning Applications under Town Planning Ordinance. The applicant is required to submit a Geotechnical Planning Review Report (GPRR)

³ i.e. where the maximum gradient across a site from boundary to boundary, or for a large site across any 50m long strip, is greater than 15°.

in support of the planning application.

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

District Officer's Comments

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

His office has not received any feedback from the locals.

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Chief Engineer/Land Works, Civil Engineering and Development Department (CE/LW, CEDD);
- (c) Project Manager (West), CEDD (PM(W), CEDD);
- (d) Commissioner of Police (C of P); and
- (e) Director of Agriculture, Fisheries and Conservation (DAFC).

11. Public Comment Received During Statutory Publication Period

On 10.12.2021, the application was published for public inspection. During the statutory public inspection period, 1 public comment from an individual (**Appendix VII**) was received objecting to the application on grounds that the storage use would pose adverse traffic, environmental and fire safety impacts to villagers.

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage of containers, metal wares, construction and industrial equipment and machineries for a period of 3 years and filling of land. The Site falls mainly within the "R(E)" zone (about 87%) and partly within the "GB" (about 13%) on the OZP. The "R(E)" zone is intended primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem. In this regard, the Site is not subject to any approved previous application. As such, the applied development is not in line with the planning intention of the "R(E)" zone.

12.2 Meanwhile, the planning intention of the "GB" zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. The applied use of temporary open storage with associated filling of land with asphalt within the "GB" portion of the Site is not in line with the planning intention of the "GB" zone. There is no strong justification given in the submission for a departure for such planning intention.

12.3 As stated in TPB PG-No. 10, an application for new development within "GB" zone will only be considered in exceptional circumstances and must be justified with very

strong planning grounds. The development should not involve extensive clearance of existing natural vegetation and affect the existing natural landscape. The development should not be the source of pollution. In these regards, DEP does not support the application as the applied use involves operation of heavy vehicles, and environmental nuisance is expected. Moreover, CTP/UD&L of PlanD has reservation on the application, as landscape impact had been taken place between 2019 and 2021 when the Site was cleared of vegetation and formed for the applied use (**Plan A-3b and Plans A-4a to A-4c**). Approval of the application may encourage similar applications in the “GB” zone and the cumulative impact of which would result in a general degradation of the landscape quality of the surrounding environment in the “GB” zone. As such, the applied use and the associated filling of land are considered not in line with TPB PG-No. 10.

- 12.4 The Site is situated at the eastern periphery of the “R(E)” zone with the northeastern portion of the Site encroaching into the “GB” zone. While there is a logistic centre covered by valid planning permission to the northwest of the Site within the “R(E)” zone, the “GB” zone to the east and south is predominated by grassland/shrubland intermixed with graves. Hence, the applied development that encroaches into the “GB” zone is considered not compatible with the surrounding environment.
- 12.5 C for T concerns that the applied use would generate traffic of heavy goods vehicles to/from Deep Bay Road which is a one-lane two-way carriageway. Nevertheless, the applicant has not assessed whether the nearby public road network, particularly Deep Bay Road, has adequate capacity to accommodate the traffic induced by the applied use. As such, there is insufficient information to assess whether the applied use would not have adverse traffic impact on the surrounding area. Also, H(GEO) advised that the Site meets criterion under the GEO Advice Note for Planning Applications under Town Planning Ordinance. However, the applicant has not submitted a GPRR in support of the application. Hence, there is insufficient information to assess whether the applied development would not have adverse slope safety impacts on the surrounding area.
- 12.6 According to TPB PG-No. 13F, the Site falls within Category 2 and 4 areas. The following considerations in the guidelines are relevant:
- (a) Category 2 areas: planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no 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, where appropriate, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas.
 - (b) Category 4 areas: applications would normally be rejected except under exceptional circumstances. For applications on sites with previous planning approvals, and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the applications relevant technical assessments/proposals to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. The intention is however to encourage the phasing out of such non-conforming uses as early as possible. A maximum period of 2 years may be allowed upon renewal of planning permission for an applicant to identify suitable

sites for relocation. No further renewal of approval will be given unless under very exceptional circumstances and each application for renewal of approval will be assessed on its individual merit.

- 12.7 While the applied development falls mainly within Category 2 areas (about 87%), it is not in line with TPB PG-No. 13F in that there are adverse comments from DEP and CTP/UD&L on environmental and landscape aspects; and there is insufficient information to demonstrate that the applied development would not generate adverse traffic and geotechnical impacts on the surrounding area.
- 12.8 Other concerned departments including DAFC, CE/MN of DSD and D of FS have no objection to or no comment on the applied development from nature conservation, drainage and fire safety perspectives.
- 12.9 The Site is involved in 2 previous applications (No. A/YL-LFS/32 and 228) covering a larger area for temporary open storage of various materials, both of which were rejected by the Committee in 1998 and 2011 respectively. The last previous application was rejected mainly on grounds of not in line with the planning intentions of the “R(E)” and “GB” zones, no previous planning approval for similar open storage uses, and not in line with the then TPB PG-No. 13E in that there were adverse departmental comments on environmental, traffic and landscape aspects. There has been no major change in planning circumstances of the area since the rejection of the last previous application.
- 12.10 All similar applications within/straddling the “GB” zone are rejected by the Committee. As for the “R(E)” zone, although the Committee has approved 34 similar applications since 2000, they are generally subject to previous approvals for similar open storage uses. For the current application, it is not subject to any previous planning approval. In fact, the Committee has rejected 4 similar applications (No. A/YL-LFS/87, 169, 182 and 190) within the “R(E)” zone that all of them were not subject to any previous planning approval for similar open storage uses. The circumstances of the subject application are similar to the rejected similar applications. As such, rejecting the current application is in line with the previous decisions of the Committee.
- 12.11 There is a public comment received objecting to the application on grounds as summarised in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.10 above 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 comment mentioned in paragraph 11 above, the Planning Department does not support the application for the following reasons:
- (a) the applied development is not in line with the planning intentions of the “R(E)” and “GB” zones, which are primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board; and for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets respectively. There is also a general presumption against development within the “GB” zone. There is no strong planning justification

in the submission for a departure from the planning intention; and

- (b) the applied development is not in line with the Town Planning Board Guidelines on 'Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance' (TPB PG-No. 13F) and 'Application for Development within the Green Belt zone under Section 16 of the Town Planning Ordinance' (TPB PG-No. 10) in that the applicant fails to demonstrate that the applied development would not have significant adverse traffic, environmental, landscape and geotechnical impacts on the surrounding areas.
- 13.2 Alternatively, 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 **14.1.2025**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) no operation from 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the submission of a drainage proposal within **6 months** from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **14.7.2022**;
- (c) in relation to (b) above, the implementation of the drainage proposal within **9 months** from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **14.10.2022**;
- (d) in relation to (c) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within **6 weeks** from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **25.2.2021**;
- (f) the submission of water supplies for firefighting and fire service installations proposal within **6 months** from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **14.7.2022**;
- (g) in relation to condition (f) above, the provision of water supplies for firefighting and fire service installations within **9 months** from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **14.10.2022**;
- (h) the submission of a Geotechnical Planning Review Report within **6 months** from the date of planning approval to the satisfaction of the Head of the Geotechnical Engineering Office of Civil Engineering and Development Department or of the Town Planning Board by **14.7.2022**;
- (i) in relation to (h) above, the implementation of the necessary geotechnical

remedial works identified therein within **9 months** from the date of planning approval to the satisfaction of the Head of the Geotechnical Engineering Office of Civil Engineering and Development Department or of the Town Planning Board by **14.10.2022**;

- (j) if any of the above planning conditions (a) or (d) 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;
- (k) if any of the above planning conditions (b), (c), (e), (f), (g), (h) or (i) 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; and
- (l) upon expiry of the planning permission, the reinstatement of the portion of the Site zoned “GB” to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

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

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse the planning permission.
- 14.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 14.3 Alternatively, 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 permission should be valid on a temporary basis.

15. Attachments

Appendix I	Application Form received on 23.11.2021
Appendix Ia	Supplementary Information received on 1.12.2021
Appendix Ib	Supplementary Information received on 9.12.2021
Appendix II	Extracts of Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses (TPB PG-No. 13F)
Appendix III	Extracts of Town Planning Board Guidelines for Application for Development within Green Belt Zone (TPB PG-No. 10)
Appendix IV	Previous Applications covering the Site
Appendix V	Similar Applications within the same “R(E)” and “GB” zones
Appendix VI	The Good Practice Guidelines for Open Storage Sites
Appendix VII	Public Comment Received During Statutory Publication Period

Appendix VIII	Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plans A-3a and A-3b	Aerial Photos taken in 2021 and 2020
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
JANUARY 2022**