

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

APPLICATION NO. A/YL-NTM/416

<u>Applicant</u>	: Fortune Property Development Company represented by Lanbase Surveyors Limited
<u>Site</u>	: Lots 826 RP (Part), 827, 828 and 829 in D.D. 102, Lots 296, 297 RP, 298 RP, 299 RP, 396 RP (Part) and 397 (Part) in D.D. 105 and Adjoining Government Land (GL), Ngau Tam Mei, Yuen Long
<u>Site Area</u>	: About 2,777 m ² (including 72m ² (about 2.6%) of GL)
<u>Land Status</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Ngau Tam Mei Outline Zoning Plan (OZP) No. A/YL-NTM/12
<u>Zoning</u>	: “Open Storage” (“OS”)
<u>Application</u>	: Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars and Container Vehicles), Vehicle Repair Workshop, Open Storage of Construction Materials and Ancillary Offices for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of the planning permission to use the application site (the Site) for temporary public vehicle park (private cars and container vehicles), vehicle repair workshop, open storage of construction materials and ancillary offices for a period of 3 years. The Site falls within an area zoned “OS” on the approved Ngau Tam Mei OZP No. S/YL-NTM/12 (**Plan A-1a**). According to the Notes of the OZP for “OS” zone, ‘Public Vehicle Park (excluding container vehicle)’, ‘Vehicle Repair Workshop’ and ‘Open Storage (not elsewhere specified)’ are Column 1 uses, while ‘Container Vehicle Park’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use.
- 1.2 The Site is the subject of 8 previous applications. The last application (No. A/YL-NTM/358) for the same applied use with a similar layout, submitted by the current applicant, was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 4.5.2018 for a period of 3 years until

4.5.2021. All approval conditions have been complied with.

- 1.3 According to the layout plan (**Drawing A-1**) submitted by the applicant, the Site is accessible at the west via Shek Wu Wai Road. Part of the Site is used as vehicular access to the open storage yard and workshop to the east of the Site. A total of 10 structures (including 9 container structures and an open shed) of 1 to 2 storeys (not more than 5.2m in height) with a total floor area of about 264.74m² have been erected on the Site for vehicle repair workshops and site offices. The Site accommodates 6 container vehicle parking spaces and 4 private car parking spaces. The operation hours are between 8:00 a.m. and 11:00 p.m. from Mondays to Saturdays and 8:00 a.m. to 6:00 p.m. on Sundays and public holidays.
- 1.4 The current application is largely the same as the last approved application in terms of applied use, site area, height of structure, number of parking spaces and operation hours, while the development layout is slightly modified in that an open shed (with a covered area of 225m²) in the north-western part of the Site in last application is replaced by an open storage area for construction materials in the current scheme (**Drawing A-1**).
- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 19.2.2021. **(Appendix I)**
 - (b) Supplementary Planning Statement **(Appendix Ia)**
 - (c) Further Information (FI) received on 12.4.2021 and 13.4.2021 providing responses to departmental comments. * **(Appendix Ib)**

Remarks: * *accepted and 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 **Appendices I to Ib**. They can be summarised as follows:

- (a) The Site was granted planning permissions for similar uses under previous planning applications (No. A/YL-NTM/89, 177, 210, 248, 287, 339 and 358) from 2000 to 2018. The applicant has made efforts in complying with the conditions of the last approval (No. A/YL-NTM/358) such as provision of boundary fencing and submission and implementation of drainage, landscape and tree preservation and fire service installations (FSIs) proposals.
- (b) The applied use is in line with the planning intention of the subject “OS” zone and the temporary development would not frustrate the long term planning intention of the “OS” zone.
- (c) The applied use is compatible with the surrounding land uses which are mainly container vehicle parks and open storage yards. As the Site is located in close

proximity to the border area, the applied use could support the port back-up activity in the locality.

- (d) The applied use is in line with the Town Planning Board Guidelines No. 13F as the Site falls within Category 1 areas for which favourable consideration should be given subject to no major adverse departmental comments and local objections, or their concerns could be addressed through implementation of approval conditions.
- (e) Similar planning applications (No. A/YL-NTM/390, 393, 397, 402 and 410) for similar temporary vehicle parks and other port-back-up uses within the same “OS” zone were approved by the Committee in the past few years. The applied use should not be unsuitable on the Site.
- (f) No cement, sand, chemical product and dangerous goods would be stored in the Site. No additional traffic, drainage and environmental impacts are anticipated since the applicant has put genuine efforts in complying with all approval conditions of the previous applications. If necessary, the applicant is willing to carry out reinforcement/maintenance works to the satisfaction of the relevant authorities.

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

The applicant is not the “current land owner” of the private land within the Site and 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 notice and sending notice to San Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the remaining GL portion of the Site, the “Owner’s Consent/ Notification” requirements are not applicable.

4. Town Planning Board Guidelines

Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13F)

- 4.1 The Town Planning Guidelines (TPB PG-No. 13F) for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ is relevant to this application (**Appendix II**). The Site falls within Category 1 areas under the guidelines. 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.

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)

4.2 The relevant assessment criteria for renewal of planning approval for temporary use or development are summarised below:

- (a) whether there has been any material change in planning circumstance since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
- (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
- (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
- (d) whether the approval period sought is reasonable;
- (e) any other relevant considerations; and
- (f) the approval period for renewal should not be longer than the original validity period of the temporary approval.

5. **Background**

The Site is not subject to any active planning enforcement action.

6. **Previous Applications**

- 6.1 The Site is involved in 8 previous applications (No. A/YL-NTM/89, 177, 210, 242, 248, 287, 339 and 358) (**Plan A-1b**). Amongst them, 7 applications (No. A/YL-NTM/89, 177, 210, 248, 287, 339 and 358) were approved and one application (No. A/YL-NTM/242) was rejected.
- 6.2 Amongst the 7 previously approved applications, Application No. A/YL-NTM/89 submitted by another applicant for temporary open storage of brand new vehicle parts and building materials and 5 applications (No. A/YL-NTM/177, 210, 248, 287 and 339) for container vehicle park or public vehicle park (private cars and container vehicles) submitted by the current applicant were approved since 2000 for a period of 2 or 3 years mainly on considerations that the developments were generally in line with the planning intention of the “OS” zone; not incompatible with the surrounding uses; and in line with the Town Planning Board Guidelines for Applications for Open Storage and Port Back-up Uses that there were no adverse comments from relevant departments or their concerns could be addressed by imposing approval conditions.
- 6.3 The last approved application (No. A/YL-NTM/358) was submitted by the current applicant for temporary public vehicle park (private cars and container vehicles),

vehicle repair workshop, open storage of construction materials and ancillary offices for a period of 3 years. It was approved by the Committee on 4.5.2018 mainly on considerations that the development was in line with the planning intention of “OS” zone and TPB PG-No. 13E that there was generally no adverse comments from the relevant departments while the concern of the Environmental Protection Department could be addressed through approval conditions. The applicant has fulfilled the approval conditions relating to provision of boundary fencing and fire extinguishers, and submission/implementation of drainage, FSIs, landscape and tree preservation proposals. The planning permission will lapse on 5.5.2021.

- 6.4 The rejected application (No. A/YL-NTM/242) was submitted by a different applicant covering a much larger site for temporary container storage yard and container vehicle park with ancillary vehicle repair workshops and site offices for a period of 3 years. It was rejected on 6.11.2009 on the grounds that the development was not in line with TPB PG-No. 13E as there were adverse comments from concerned departments on adverse drainage impact and flooding risk on the adjacent areas, possible adverse environmental impacts on the nearby sensitive receivers, traffic obstruction caused by queuing of container trucks/heavy vehicles in the vicinity of Shek Wu Wai Road and Castle Peak Road near Mai Po Tsuen and no technical assessment had been submitted to demonstrate that the development would not have adverse environmental, drainage and traffic impacts on the surrounding areas.

- 6.5 Details of the applications are summarised at **Appendix III**.

7. Similar Applications

- 7.1 Since the promulgation of TPB PG-No. 13E on 17.10.2008, the Committee has considered 38 similar applications for port back-up, workshop and open storage uses within the same “OS” zone (**Plan A-1a**). Among them, 33 were approved mainly on considerations that the applied uses were in line with the TPB-PG No. 13E, not incompatible with the surrounding uses and there were no adverse departmental comments. The remaining 5 applications were rejected mainly for the reasons that the developments were not in line with the TPB-PG No. 13E in that there were adverse departmental comments, and no technical assessment to demonstrate that the developments would not have adverse environmental/drainage/agricultural/ traffic impacts on the surrounding areas.
- 7.2 Another similar application (No. A/YL-NTM/412) for temporary container tractor/trailer park within the same “OS” zone will be considered at this meeting (**Plan A-1a**).
- 7.3 Details of the applications are summarised at **Appendix IV**.

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

- 8.1 The Site is:

- (a) bounded by San Tin Highway to the north, a nullah to the east and Shek Wu Wai Road to the west;
- (b) accessible via Shek Wu Wai Road to its west. The Site also provides vehicular access to the adjacent sites across the nullah in its east; and
- (c) currently used for temporary public vehicle park (private cars and container vehicles), vehicle repair workshop, open storage of construction materials and ancillary offices with valid planning permission (No. A/YL-NTM/358).

8.2 The surrounding areas have the following characteristics:

- (a) to its immediate north is San Tin Highway, further north across San Tin Highway and Castle Peak Road - San Tin are open storage of vehicle for sale and open storage of scrap metal and recycling materials;
- (b) to its immediate east is a nullah, further east across the nullah are open storage of container vehicles and vehicle repair workshop, cargo handling and forwarding facility;
- (c) to the immediate northwest is a vehicle park, further west across Shek Wu Wai Road are vehicle park and storage and some residential dwellings;
- (d) to its immediate south are a temporary vehicle park with planning approval (No. A/YL-NTM/363), residential dwellings, storage, warehouse and pond within “Village Type Development” zone. Such storage and warehouse are suspected unauthorised developments.

9. Planning Intention

The planning intention of the “OS” zone is primarily for the provision of land for appropriate open storage uses and to regularise the already haphazard proliferation of open storage uses. It provides for the orderly development of land for open storage uses that cannot be accommodated in conventional godown premises.

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, LandsD (DLO/YL, LandsD):

- (a) The Site comprises GL and 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) The GL of the Site is covered by a Short Term Tenancy (STT) No. 3113 for the purpose of “Temporary Public Vehicle Park (Private Cars and Container Vehicles) and Ancillary Offices”.
- (c) The private land Lots No. 826 RP and 829 in D.D.102 and 396 RP in D.D.105 are covered by Short Term Waivers (STWs) No. 5095, 5096 and 5097 respectively to permit structures for the purpose of “Temporary Public Vehicle Park (Private Cars and Container Vehicles), Vehicle Repair Workshop, Open Storage of Construction Materials and Ancillary Offices”.
- (d) Should planning approval be given to the subject application, the STT/STW holders will need to immediately apply to his office for modification of the STT/STW conditions where appropriate. Moreover, the lot owner(s) of the lot(s) without STW will need to apply to his office for permitting the structures to be erected or regularise any irregularity on site, if any. Besides, given the applied use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Applications 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 will be approved. If such application 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) He has no adverse comment on the application from traffic engineering perspective.
- (b) Should the application be approved, no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period.

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

- (a) The proposed access arrangement of the Site from Shek Wu Wai Road should be approved by TD.
- (b) HyD shall not be responsible for the maintenance of any access connecting the Site and Shek Wu Wai Road.

- (c) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.

10.1.4 Comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, HyD (CE/RD 2-2, RDO, HyD):

He has no comment from railway development viewpoint as the Site falls outside any administrative route protection boundary, gazetted railway scheme boundary or existing railway protection boundary of any railway systems.

Environment

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

- (a) He notes the application indicates 6 parking spaces for container vehicle, which is considered as “heavy vehicle”. He does not support the application as there are sensitive uses in the vicinity of the Site (the closest residential dwelling being about 20m to its south) (**Plan A-2**) and environmental nuisance is expected.
- (b) No environmental complaint pertaining to the Site has been received over the past 3 years.
- (c) Should the application be approved, the applicant is advised to follow the environmental mitigation measures as recommended in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (COP) in order to minimise the potential environmental impacts on the surrounding areas.

Landscape

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

- (a) It is noted that there is no major change in the development layout of the subject renewal application compared to that in the previous application. Landscape impact arising from the continuous use within the Site is not anticipated. Besides, the Site is not located in landscape sensitive zoning.
- (b) Should approval to the renewal application be given, all existing trees within the Site should be maintained satisfactorily at all times during the approval period.
- (c) The applicant is reminded that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant should seek comments and approval from the

relevant authority on the proposed tree works and compensatory planting proposal where appropriate.

- (d) The applicant is reminded that no materials or tools shall be placed near the tree planting area to ensure healthy tree growth.

Drainage

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

- (a) He has no objection in principle to the application from the drainage operation and maintenance point of view.
- (b) He notes that the applicant implemented the drainage facilities on site under the last approved Application No. A/YL-NTM/358. The relevant drainage proposal and implementation works were considered satisfactory at the time. The current application is with the same area and site boundary as the previous application (No. A/YL/NTM/358). In this respect, the applicant shall provide DSD with a set of latest record photographs showing the completed drainage works (including the internal condition of the drains) with the corresponding photograph locations marked clearly on the approved drainage plan. DSD will inspect the completed drainage works jointly with the applicant with reference to a comprehensive set of photographs.
- (c) The applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas.
- (d) The applicant is reminded that the drainage works as well as the site boundary should not cause encroachment upon areas outside his jurisdiction.
- (e) No public sewerage maintained by CE/MN, DSD is currently available for connection. For sewage disposal and treatment, agreement from DEP shall be obtained.
- (f) The applicant should consult DLO/YL regarding all the drainage works outside the site boundary in order to ensure unobstructed discharge from the Site in future.
- (g) All the drainage facilities should be constructed and maintained by the applicant at his own cost. The applicant should ensure and keep all drainage facilities on site under proper maintenance at all times.

Nature Conservation

10.1.8 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

He has no comment on the application from nature conservation point of view noting that the previous applications for the similar uses as the current application had been approved by the Board. Nevertheless, there is a watercourse abutting the eastern boundary of the Site. Should the planning application be approved, the applicant shall be reminded to adopt appropriate measures to avoid polluting and disturbing the watercourse during operation.

Fire Safety

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

- (a) He has no objection in principle to the application subject to FSIs being provided to his satisfaction.
- (b) In consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The applicant should also be advised on the following points:
 - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iii) the good practice guidelines for open storage at **Annex A of Appendix VI** should be adhered to.
- (c) Moreover, having considered the nature of the open storage, approval condition requiring “the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services” shall be added. To address this condition, the applicant shall submit a valid fire certificate (FS251) to his department for approval.
- (d) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Building Matters

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

- (a) There is no record of approval granted by the Building Authority (BA) for the existing structures at the Site. If the existing structures

(not being a New Territories Exempted House) are erected on leased land without the approval of BA, they are unauthorised building works (UBW) under BO and should not be designated for any proposed use under the application.

(b) For UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing 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 BO.

(c) His detailed comments are at **Appendix VI**.

Others

10.1.11 Comments of the Director of Electrical and Mechanical Services (DEMS):

(a) He has no particular comment on the application from a town gas safety point of view.

(b) There is a high pressure underground town gas transmission pipeline running along San Tin Highway in the close vicinity of the Site. For the sake of public safety and continuity of gas supply, the parties involved in planning, designing, organising and supervising any works near a gas pipeline should approach the Hong Kong and China Gas Company Limited (HKCG) for requisition of gas pipe layout plan(s) to investigate if there is any underground gas pipe within and/or in vicinity of the Site and liaise with HKCG any required minimum set back distance away from them during the design and construction stages of the development. His detailed comments are at **Appendix VI**.

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

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Commissioner of Police;
- (c) Project Manager (West), Civil Engineering and Development Department (CEDD);
- (d) Head of Geotechnical Engineering Office, CEDD; and
- (e) District Officer (Yuen Long).

11. Public Comments Received During Statutory Publication Period

On 2.3.2021, the application was published for public inspection. During the first 3 weeks of the statutory public inspection period which ended on 23.3.2021, 2 public comments were received from individuals (**Appendix V**) objecting to the application mainly on the grounds that the applied use would cause adverse traffic impact, road

damages as well as noise, water and air pollution that affect the surrounding environment.

12. Planning Considerations and Assessments

- 12.1 The application is for renewal of the planning permission which will expire on 4.5.2021 for a temporary public vehicle park (private cars and container vehicles), vehicle repair workshop, open storage of construction materials and ancillary offices for a period of 3 years in “OS” zone. Except for parking of container vehicles which requires planning permission, the other uses under the renewal application are always permitted within the “OS” zone. The development is generally in line with the planning intention of the “OS” zone, which is intended primarily for the provision of land for appropriate open storage uses and to regularise the already haphazard proliferation of open storage uses. The development is considered compatible with the surrounding land uses which are mostly vehicle parks, storages/open storages, container vehicle repair workshop, and cargo handling and forwarding facility (**Plans A-2 and A-3**).
- 12.2 The Site falls within Category 1 areas under TPB PG-No. 13F where favourable considerations will normally be given to the application. The development is in line with TPB PG-No. 13F in that there is generally no adverse comment from the concerned Government departments including C for T, CE/MN of DSD, D of FS, CTP/UD&L of PlanD and DAFC from traffic, drainage, fire safety, landscape and nature conservation perspectives. Technical requirements of C for T, CE/MN of DSD, D of FS and CTP/UD&L of PlanD can be addressed by imposing the approval conditions recommended in paragraphs 13.2 (e) to (k) below should the Committee decide to approve the application. While DEP does not support the application in view of the environmental nuisances as there are sensitive uses in the vicinity of the Site (the nearest residential dwelling is about 20m to the south of the Site (**Plan A-2**)), no environmental complaint against the Site was received by DEP in the past 3 years. To address DEP’s concern, approval conditions restricting the operation hours and activities are recommended in paragraphs 13.2 (a) to (d) below. Besides, the applicant will be advised to follow the relevant measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to mitigate potential environmental impacts on the surrounding areas.
- 12.3 The renewal application is in line with TPB PG-No.34C in that approval conditions of the last permission (No. A/YL-NTM/358) have all been complied with. The current proposal is basically same as the last application except for slight modification of the development layout. There has been no major change in planning circumstances since the last approval, and approval of the renewal application would unlikely result in adverse planning implications.
- 12.4 As detailed in paragraph 7, the Committee has approved 33 similar applications (**Plan A-1a**) for temporary port back-up, workshop and open storage uses within the same “OS” zone since the promulgation of TPB PG-No. 13E in October 2008. Approval of the subject application is in line with the previous decisions of the Committee.

- 12.5 Two opposing public comments were received during the statutory public inspection period of the application as detailed in paragraph 11. The planning assessment and departmental comments above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department has no objection to the application.
- 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, and be renewed from 5.5.2021 to 4.5.2024. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) no night-time operation between 11:00 p.m. and 8:00 a.m. on Mondays and Saturdays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no night-time operation between 6:00 p.m. and 8:00 a.m. on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no storage of cement, sand, chemical products and dangerous goods, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing trees within the Site shall be maintained satisfactorily at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a 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 5.8.2021;
- (i) the provision of fire extinguisher(s) 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 16.6.2021;

- (j) the submission of 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 5.11.2021;
- (k) in relation to (j) above, the implementation of fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 5.2.2022;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) 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
- (m) if any of the above planning conditions (h), (i), (j) or (k) 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.

[The above planning conditions are same as those under the previous permission (No. A/YL-NTM/358), except those on drainage, FSI and landscape are updated according to the latest departmental comments.]

Advisory Clauses

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

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' consideration:

the development is not in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13F) in that there is adverse comment from concerned government department and that no technical assessment has been submitted to demonstrate that the development would not have adverse environmental impact on the surrounding sensitive receivers.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant renewal of the planning 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 19.2.2021
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI received on 12.4.2021 and 13.4.2021
Appendix II	Relevant Extracts of TPB PG-No. 13F
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Public comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Comparison of Layout of Previous and Current Scheme
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4a to 4b	Site Photos

**PLANNING DEPARTMENT
APRIL 2021**