

RNTPC Paper No. A/YL-ST/616B
For Consideration by the Rural and
New Town Planning Committee
on 13.1.2023

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/YL-ST/616

<u>Applicant</u>	: Most Rich Investment Limited represented by Top Bright Consultants Limited
<u>Sites</u>	: Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long
<u>Site Area</u>	: About 30,862 m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved San Tin Outline Zoning Plan (OZP) No. S/YL-ST/8
<u>Zoning</u>	: “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”)
<u>Application</u>	: Temporary Container Vehicle Park and Open Storage of Construction Materials with Ancillary Tyre Repair Area, Site Office and Storage Uses for a Period of 2 Years

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for temporary container vehicle park and open storage of construction materials with ancillary tyre repair area, site office and storage uses for a period of two years (**Plan A-1a**). The Site falls within an area zoned “OU(CDWRA)” on the approved San Tin OZP No. S/YL-ST/8. The applied uses are neither Column 1 nor Column 2 uses of the “OU(CDWRA)” zone. According to the covering Notes of the OZP, temporary uses not exceeding a period of three years may be allowed subject to planning permission from the Town Planning Board (the Board), notwithstanding that the uses or developments are not provided for in terms of the OZP. The Site is currently paved and used for the applied uses without planning permission (**Plan A-2**).
- 1.2 The Site in whole or in part is the subject of ~~18~~**13** previous planning applications for ~~permanent residential developments and~~ various temporary uses, including three applications (No. A/YL-ST/553, 554 and 578) submitted by the same applicant as the current one for similar applied uses as the current application. Details of these applications are provided in paragraph 6 and **Appendix III**.

- 1.3 The Site is accessible from Castle Peak Road – San Tin via local access. As shown in the layout plan in **Drawing A-1**, the vehicular entrance of about 11m wide will be provided at the southeastern part of the Site and manoeuvring and queuing spaces will be provided within the Site to avoid vehicles queuing back to or reversing onto the public road/local track. The proposal will accommodate a total of 92 container vehicle parking spaces, an open storage of construction materials in the lower middle portion of the Site, a total of 48 structures (with height of 1-to-2 storey / 2.5m-6m) for ancillary tyre repair area, storage and site office uses and 8 private vehicle parking spaces for the staff and visitors. The operation hours at the Site are between 8:00am and 6:00pm from Monday to Saturday with no operation on all Sundays and public holidays. The development will setback from the northern boundary to provide buffer area for the existing settlements located to the north of the Site. Existing trees in the area along the eastern site boundary will be preserved and new planting (47 nos. of *Garcinia subelliptica* 菲島福木) will be provided in the buffer area along the northern site boundary to soften the appearance of the development (**Drawing A-3**). The local track within the Site will be maintained by the applicant to allow free flow of vehicles to the adjoining sites. The details of the temporary structures and the landscape and tree preservation proposal are at **Drawings A-2 and A-3**.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 14.4.2022 **(Appendix I)**
 - (b) Supplementary Planning Statement **(Appendix Ia)**
 - (c) Further Information (FI) received on 9.8.2022 **(Appendix Ib)**
providing response to departmental comments with a revised landscape and tree preservation proposal plan[#]
 - (d) FI received on 8.9.2022 providing response to **(Appendix Ic)**
departmental comments on site trip generation[#]
 - (e) FI received on 21.11.2022 providing response to **(Appendix Id)**
departmental comments on environmental impacts[#]
- [#] exempted from publication requirement
- 1.5 On 10.6.2022 and 23.9.2022, the Committee decided to defer a decision on the application as requested by the applicant to allow time for the applicant to address departmental comments.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Supplementary Planning Statement and the FI at **Appendices Ia to Id**. They can be summarised as follows:

- (a) The Site was subject to planning enforcement action for unauthorised development (UD) requesting cessation of the current use at the Site. The application pleaded guilty on 15.7.2020 and has accepted the fine imposed by the court. Since then, the applicant has actively worked with over 40 different operators with a view to identifying alternative sites to relocate the current businesses at the Site. The relocation exercise, however, has been affected by the Covid-19 pandemic and the

associated anti-epidemic measures imposed by the government and on 17.1.2022, the court issued a second summon to the applicant for the same offence. As a matter of fact, many vehicles are left idle at the Site in the past few years and the operators need time to retreat from the Site. The applicant seeks sympathetic consideration from the Board for a period of two years for operation of the applied uses at the Site with a view to identifying alternative locations, liaising with relevant land owners for the relocation.

- (b) The Site has been hard paved and previously used for car racing, car repair/maintenance and ship building yard. It was then used as for parking of vehicles with ancillary open storage in past years, some with temporary planning permissions. There is a genuine demand for parking of container vehicles near the boundary crossing and the current facilities on the Site are well-established. Integral parking facility is playing an important role in serving the cross-boundary trade.
- (c) The applied development would not frustrate the planning intention of the “OU(CDWRA)” and are not incompatible with the surrounding port back-up uses.
- (d) Approval of the application would not contravene the Town Planning Board Guidelines (TPB Guidelines) No. 12C as open storage or container back-up uses located close to the Lok Ma Chau crossing and without involving pond filling might be sympathetically considered by the Board in view of the strategic location of the Site in close proximity to the Lok Ma Chau crossing and the genuine need to facilitate cross-boundary movements of goods in the area.
- (e) In accordance with the TPB Guidelines No. 13F, the Site falls within Category 4 areas. The Site is the subject of previous planning approvals. The applied use would not generate adverse environmental, visual, traffic and drainage impacts on the surrounding areas. The Site is near the existing cross-boundary control point in Lok Ma Chau and the applied uses provide the much needed vehicle parking facilities serving the cross-boundary trade for over the past 30 years till the present moment.
- (f) Given the close proximity of the Site to Lok Ma Chau Boundary Control Point (LMCBCP), the Site is a suitable location for container vehicle parking. There is still in a great demand for container vehicle parking at the Site to facilitate cross-boundary trade in the Northern New Territories.
- (g) No adverse environmental, water quality, drainage, traffic, visual and landscape impacts are envisaged.

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

The applicant is not a “current land owner” 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 (the Ordinance) (TPB PG-No. 31A) by publishing a notice in local newspapers and posting site notice. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for 'Application for Development within Deep Bay Area under Section 16 of the Town Planning Ordinance' (TPB PG-No. 12C) and 'Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance' (TPB PG-No. 13F)' are relevant to the application. Relevant extracts of the Guidelines are at **Appendix II**.

5. Background

The Site is subject to active planning enforcement action for UD's involving the parking of vehicles, storage use (including deposit of containers), workshop use and use for fuel filling station. Enforcement Notice (EN) was issued on 30.4.2019 requiring discontinuation of the UD's (**Plan A-2**). Site inspection on 10.11.2022 revealed that the UD's still continued upon expiry of the notice, prosecution action may follow.

6. Previous Applications

- 6.1 The Site in whole or in part is the subject of 13 previous applications for temporary container vehicle/tractor/trailer parks with or without open storage of building or construction machinery/materials, tyre/vehicle repair workshop or open storage of electricity cable/wire/accessories/generator (**Plans A-1a and 1b**). Amongst them, 5 applications (No. A/YL-ST/149 and 273 on same site, 379, 381 and 382) for temporary container tractor/trailer parks, vehicle repair workshop with or without open storage uses were approved by the Committee or the Board on review between 1999 and 2010 on special circumstances, while all other applications were rejected. Details of these applications are at **Appendix III**.

Approved Applications

- 6.2 Application No. A/YL-ST/149 for temporary container tractor/trailer park and open storage of building materials was approved in 2000 as interim arrangement to alleviate the acute shortage of port back-up land in the area.
- 6.3 Applications No. A/YL-ST/273 for temporary container tractor/trailer park and open storage of building materials, A/YL-ST/379 for container storage yard and vehicle park with ancillary vehicle repair area and site office, A/YL-ST/381 for temporary tyre repair workshop with ancillary site office, and A/YL-ST/382 for temporary container vehicle park were approved between 2004 and 2010 respectively for periods of 6 or 12 months all on sympathetic grounds to allow time for relocation of the uses to other suitable locations. However, planning approvals of all these applications were subsequently revoked between 2005 and 2010 due to non-compliance with approval conditions.

Rejected Applications

- 6.4 Applications No. A/YL-ST/166 and 178 for container tractor/trailer parks, and No. A/YL-ST/220, 250 and 298 for container tractor/trailer parks with open storage of

building machinery/materials were rejected between 2001 and 2006 mainly on grounds that the developments were not in line with the planning intention of “OU(CDWRA)” zone and did not comply with the then TPB PG-No. 12B and 13D; there was insufficient information in the submission to demonstrate that the development would not have adverse impacts on the surrounding areas; and the approval of the application would set an undesirable precedent for other similar applications within the “OU(CDWRA)” zone.

- 6.5 Applications No. A/YL-ST/553, 554 and 578 were submitted by the same applicant for similar applied uses as the current application (**Plans A-1b and A-1b**). These 3 applications were rejected by Committee on 20.3.2020 and 14.5.2021 mainly on grounds that the developments were not in line with the planning intention of the “OU(CDWRA)” zone and the TPB Guidelines No. 12C and 13E/13F, there were adverse departmental comments on the environmental, ecological and landscape impacts and local objections, and approval of the applications would result in a general degradation of the environment in Deep Bay area.

7. Similar Applications

- 7.1 During the past five years, there are two similar applications, No. A/YL-ST/547 and A/YL-ST/558 (also submitted by the same applicant as the current one) for similar temporary vehicle parks uses involving container vehicles/goods vehicles with ancillary storage which were rejected by the Committee in 2020 for the reasons that the developments were not in line with the planning intention of the “OU(CDWRA)” zone, not line with TPB PG-No. 12C and 13E, setting of undesirable precedent for similar applications in the area and resulting in a general degradation of the environment in Deep Bay area and adverse departmental comments on the application.

- 7.2 Details of these applications are summarised at **Appendix III**.

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

- 8.1 The Site is:

- (a) accessible from Castle Peak Road – San Tin in the east via a local access;
- (b) located within the Wetland Buffer Area (WBA) in the Deep Bay Area; and
- (c) currently hard-paved and used for the applied uses without planning permission.

- 8.2 The surrounding area is intermixed with storage/open storage yards, scattered residential dwellings, some unused/vacant land and ponds:

- (a) to the immediate north, northwest and east are extensive ponds in the WCA and the “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement Area” (“OU (CDWEA)”) zone, residential

dwellings (the nearest is at about 13m to its north) (**Plan A-2**) and open storage yard;

- (b) to the immediate south are a stream course, open storage yards (mostly suspected UD's), vacant land and residential dwellings (the nearest are at about 88m to its southeast) (**Plan A-2**); and
- (c) to the immediate west are a number of open storage yards and to the further west is land within the "Conservation Area" zone within the Wetland Conservation Area (WCA) in the Deep Bay Area.

9. Planning Intention

The planning intention of the "OU(CDWRA)" zone is to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area. It is also intended to phase out existing sporadic open storage and port back-up uses on degraded wetlands. Any new building should be located farthest away from Deep Bay.

10. Comments from Relevant Government Departments

- 10.1 Apart from the government departments as set out in paragraph 10.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices IV and V** respectively.
- 10.2 The following Government departments have been consulted and their views on the application are summarised as follows:

Traffic

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

- (a) The Site is connected to public road network via a section of a local access which is not managed by Transport Department (TD). The land status of the local access should be clarified with LandsD by the applicant. Moreover, the management and maintenance responsibilities of the local access should be clarified with the relevant lands and maintenance authorities accordingly.
- (b) The applicant should seek the relevant land owner(s) on the right of using the vehicular access.
- (c) The application should justify the trip generation and attraction rate at peak hours (in pcu/hr) as 4 in view of 100 parking spaces (i.e. 8 Private Car Parking Spaces + 91 Container Vehicle Parking Spaces) and provide daily average trip generation and attraction rate (in pcu/hr) for consideration.

- (d) Should the application be approved, a condition should be incorporated that no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period.

Environment

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

- (a) He does not support the application for the following reasons:
 - (i) the Site falls within the WBA and is adjacent to a number of ponds and also falls within Deep Bay catchment area where the assimilative capacity is limited. The applied use due to uncertain sewage treatment for on-site facilities, potential contaminated surface runoff and land contamination (and thus groundwater contamination) would result in adverse water quality impact;
 - (ii) with reference to the revised COP, which is applicable in handling the subject application, the applied use will generate traffic of heavy vehicles and it is understood that there are village houses within 100m from the application site boundary. In particular, according to section 1.3 of the COP, *“Heavy vehicles to and from sites of temporary uses are not actionable under existing ordinances. Even though the traffic noise from vehicles does not exceed the Hong Kong Planning and Standards Guidelines (HKPSG) criterion, it might still cause noise nuisance to residents and lead to complaints. Noise nuisances, for example, can be due to traffic of heavy vehicles, which can be particularly disturbing during early morning or nighttime hours.”*; and
 - (iii) the FI did not fully address DEP’s comments. Information is not provided on the drainage management plan with a layout plan to discuss and demonstrate how the mitigation measures would be implemented. There is lack of information on the sewage treatment for the on-site facilities with supplementary information on the number of employees that would be involved for the proposed use, arrangement for sewage treatment, etc. The applicant should provide clarification whether there would be kitchen/canteen facilities in the Site and how would wastewater from the facilities be handled. The applicant should confirm whether petrol filling stations would still be present, if so, proper mitigation measures, such as hard paving, petrol interceptor, floor drainage, etc. shall be proposed to prevent potential land contamination, and thus groundwater contamination. Moreover, relevant mitigation

measures suggested in ProPECC PN 1/94 “Construction Site Drainage” to prevent adverse water quality impact from operation of the open storage of construction materials should be implemented. Relevant regulations, guidelines and best practices, e.g. Water Pollution Control Ordinance, ProPECC PN 1/94, ProPECC PN 5/93 “Drainage Plans Subject to Comment by the Environmental Protection Department”, etc. shall be complied and followed.

- (b) No environmental-related complaint related to the Site was recorded in the past 3 years.

Nature Conservation

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

He has reservation on the application as the Site is located within the “OU(CDWRA)” zone and the WBA in proximity to the fish ponds in the WCA. Having said that, he will defer to PlanD/the Board to take into account the planning intentions of the Site and relevant factors, such as local needs, to give a balanced consideration on the application. Should the application be approved, the applicant is advised to adopt effective measures such as buffer planting to minimise disturbances to the more sensitive areas in the WCA.

Landscaping

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

- (a) With reference to the aerial photos of 2021, the Site is situated in an area of rural landscape character comprising fish ponds, tree groups, village houses, temporary structures, open storages, carparks, vacant land, etc. The Site is in close vicinity of large extent of fish ponds which falls within areas zoned “CA” and “OU(CDWEA)”. Dense woodland within the “Green Belt” (“GB”) and ‘Site of Special Scientific Interest’ (“SSSI”) zones are located to the further southern and southwestern part of the Site (**Plan A-1a**).
- (b) With reference to the site record in May 2022, the Site is hard paved with temporary structures and container vehicles parking on the Site. The landscape environment of the area had been degraded. Existing trees of common species in fair conditions are observed. According to paragraph 5.07 and Figure 6 Landscape and Tree Preservation Proposal (**Drawing A-3**) of the Supplementary Planning Statement (**Appendix Ia**), all existing trees would be preserved and not less than 47 new trees are proposed along the northern boundary of the Site. Having considered the FI and the revised Landscape and Tree Preservation Proposal in **Drawing A-3**, she has no further comment

on the application. Notwithstanding, the effect of the proposed new tree planting to enhance the landscape quality of the surrounding environment is not apparent. There is concern that approval of the application may further alter the landscape character of the area. As such, she has some reservation on the application from the landscape planning perspective.

- (c) In view that there are existing trees as buffer planting around the Site, it is considered not necessary to impose any landscape-related condition should the Board approve the application.
- (d) Her advisory comments are at **Appendix V**.

11. Public Comments Received During Statutory Publication Period

On 22.4.2022, the application was published for public comments. During the first 3 weeks of the statutory publication period which ended on 13.5.2022, 6 comments were received from Kadoorie Farm and Botanic Garden Corporation, Conservancy Association, Hong Kong Bird Watching Society, San Tin Rural Committee and two individuals. They raise objection on the grounds that there are no justifications to substantiate the current application; the development is not in line with the planning intention of the “OU(CDWRA)” zone, the WBA and the TPB PG-No. 12C; “destroy first, develop later” should be deterred; unauthorised uses at the Site should not be undertaken; and the Site should be maintained as wetland to mitigate the impact of the future Northern Metropolis (**Appendix VI**).

12. Planning Considerations and Assessments

- 12.1 The application is for temporary container and goods vehicle park and open storage of construction materials with ancillary tyre repair area, site office and storage uses at the Site for a period of two years. The Site falls within “OU(CDWRA)” zone which is to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area, and to phase out existing sporadic open storage and port back-up uses on degraded wetlands. The Site also falls within the WBA and are next to the WCA. According to TPB PG-No. 12C, the intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the WCA and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds. The applied uses, which are brownfield operations, are not in line with the planning intention of the “OU(CDWRA)” zone. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.
- 12.2 The applied uses are considered incompatible with the surrounding areas which are predominantly ponds with scattered residential dwellings. Although there are open storage yards in the area, most of them are suspected UDs. DEP does not support the application as the applicant fails to demonstrate that the applied uses would not cause noise nuisance and adverse water quality impact. On noise

aspect, there are sensitive receivers in the vicinity of the Site (residential dwellings are located about 13m from the northern boundary of the Site and 88m from its southeastern boundary) (**Plan A-2**), environmental nuisance is expected. On water quality aspect, the Site falls within WBA and are adjacent to a number of ponds. The applicant has not provided any submission to demonstrate the applied use at the Site will not have adverse impact on the issues of drainage management, sewage treatment and control of contaminated surface runoff. Moreover, the applicant has not provided sufficient information to justify the trip generation and attraction rate for the development as requested by C for T to address the traffic concern.

- 12.3 The applied use is not in line with TPB PG. 12C. DAFC has reservation on the application as the Site is within WBA in proximity to the fish ponds in WCA and the applicant fails to demonstrate compliance with the planning intention of WBA or “OU(CDWRA)” zone. CTP/UD&L, PlanD also has reservation on the application as the applied uses may further alter the landscape character of the area and the effect of the landscape and tree preservation proposal to enhance the landscape quality of the surrounding environment is not apparent. Approval of the application would set an undesirable precedent for other similar uses in the locality. Other relevant departments have no adverse comment on the application.
- 12.4 Under TPB PG-No. 13F, the Site falls within Category 4 areas where application would normally be rejected except under exceptional circumstances, but it is also stated that applications for cross-boundary parking facilities at suitable sites in areas of close proximity to the border crossing points, such as in the San Tin area, may be considered in light of its own merits and subject to satisfactory demonstration of no adverse impacts on the surrounding areas. The application, however, is considered not in line with the TPB PG-No. 13F in that there are adverse comments from concerned departments including DEP and DAFC, and objections from the public including the green groups and individuals; and the applicant has failed to demonstrate that the proposed uses would not have adverse noise and water quality impacts on the surrounding areas.
- 12.5 The Site is the subject of 13 previous applications for temporary container vehicle park/vehicle repair workshop uses under the “OU(CDWRA)” zoning, of which eight applications (including the last 3 applications No. A/YL-ST/553, 554 and 578) were rejected by the Committee between 2001 and 2021. The remaining 5 previous applications were all approved by the Committee or the Board on review between 2000 and 2010 on special circumstances, i.e. to alleviate the acute shortage of port back-up land in the area, to allow for timely review of the land uses in the area and to allow time for relocation. In the past five years, there were two similar applications for container and goods vehicle parking uses within the “OU(CDWRA)” zone which were all rejected by the Committee in 2020 for the reasons as detailed in **Appendix III**. Details of these applications are set out in paragraphs 6 and 7. Though the applicant has indicated his intention to relocate the applied uses from the Site, there are no progress and details in terms of the timing, sequence and possible sites for relocation. As such, it is considered that there are no special circumstances pertaining to the application that may warrant sympathetic consideration by the Committee. Rejection of the application is in line with the previous decisions of the Committee and the Board on similar applications in the area.

- 12.6 There are 6 public comments, all objecting to and raising concerns on the development as detailed in paragraph 11. The planning considerations and the departmental comments above are relevant.

13. **Planning Department's Views**

- 13.1 Based on the assessments in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department does not support the application for following reasons:

- (a) the development is not in line with the planning intention of the "OU(CDWRA)" zone, which is to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area, and to phase out existing sporadic open storage and port back-up uses on degraded wetlands. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the development is not in line with the Town Planning Board Guidelines for Application for Developments within Deep Bay Area (TPB PG-No. 12C) in that the applicant fails to demonstrate that the proposed development is compliant with the intention of the Wetland Buffer Area to protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds; and
- (c) the development is not in line with the Town Planning Board Guidelines for Application for Temporary Open Storage and Port Back-up Uses (TPB PG-No. 13F) in that the applicant has failed to demonstrate that the development would not result in adverse noise and water quality impacts on the surrounding areas. Approval of the application would result in a general degradation of the environment in the 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 2 Years until 13.1.2025. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;

- (d) the submission of water quality impact assessment (including sewage treatment and control of contaminated surface runoff) within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 13.7.2023;
- (e) in relation to (d) above, the implementation of the mitigation measures identified in the water quality impact assessment within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 13.10.2023;
- (f) 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 13.7.2023;
- (g) in relation to (f) 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 13.10.2023;
- (h) the implemented drainage facilities within the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a 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 13.7.2023;
- (j) in relation to (i) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 13.10.2023;
- (k) 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 24.2.2023;
- (l) if any of the above planning conditions (a), (b), (c) or (h) 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;
- (m) if any of the above planning conditions (d), (e), (f), (g), (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; and
- (n) upon expiry of the planning permission, the reinstatement of the application site 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 V**.

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 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 the permission should be valid on a temporary basis.

15. Attachments

Appendix I	Application Form received on 14.4.2022
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI received on 9.8.2022
Appendix Ic	FI received on 8.9.2022
Appendix Id	FI received on 21.11.2022
Appendix II	Relevant Extracts of TPB PG-No. 12C and 13F
Appendix III	Previous and similar applications
Appendix IV	Government departments' general comments
Appendix V	Recommended advisory clauses
Appendix VI	Public comments
Drawing A-1	Layout Plan
Drawing A-2	Details of Temporary Structures
Drawing A-3	Landscape and Tree Preservation Proposal
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous and Similar Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4f	Site Photos

**PLANNING DEPARTMENT
JANUARY 2023**