

WITHDRAWN BY APPLICANT

TOWN PLANNING BOARD

TPB Paper No. 10956

**For Consideration by
the Town Planning Board on 23.2.2024**

**REVIEW OF APPLICATION NO. A/YL-ST/616
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE**

**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 in
“Other Specified Uses” annotated “Comprehensive Development to include Wetland
Restoration Area” Zone, Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long**

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Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long**

1. Background

- 1.1 On 14.4.2022, the applicant, Most Rich Investment Limited represented by Top Bright Consultants Limited, sought planning permission 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 2 years at the application site (the Site) under section 16 of the pre-amended Town Planning Ordinance (the pre-amended Ordinance). The Site of about 30,862m² falls within an area zoned “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) on the approved San Tin Outline Zoning Plan (OZP) No. S/YL-ST/8 (**Plan R-1a**).
- 1.2 On 13.1.2023, the Rural and New Town Planning Committee (the RNTPC) of the Town Planning Board (the Board) decided to reject the application for the following reasons:
 - (a) the development was not in line with the planning intention of the “OU(CDWRA)” zone, which was 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 was no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
 - (b) the development was 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 failed to demonstrate that the development was 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 was not in line with the then Town Planning Board Guidelines for Application for Temporary Open Storage and Port Back-up

Uses (TPB PG-No. 13F) in that the applicant had 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.

1.3 For Members' reference, the following documents are attached:

- (a) RNTPC Paper No. A/YL-ST/616B (Annex A)
- (b) Extract of minutes of the RNTPC Meeting held on 13.1.2023 (Annex B)
- (c) Secretary of the Board's letter dated 3.2.2023 (Annex C)

2. **Application for Review**

- 2.1 On 20.2.2023, the applicant applied, under section 17(1) of the pre-amended Ordinance, for a review of the RNTPC's decision to reject the application (**Annex D1**). In support of the review application, the applicant submitted on 10.7.2023 the first written justification including a preliminary drainage layout plan (**Drawing R-1**) to address the comments from the Director of Environmental Protection (DEP) and further information (FI) on 5.12.2023.
- 2.2 Upon the request of the applicant, the Board agreed to defer making a decision on the review application for two months each on 12.5.2023 and 6.10.2023.

3. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the review application are detailed in **Annexes D2 and D3** as summarised below:

- (a) noise nuisance due to traffic of heavy vehicles will not be significant. While the container vehicle parking is operating 24 hours, there will only be a maximum of 10 vehicles visiting the Site per hour from 8:00 a.m. to 6:00 p.m., and entry/exit will be restricted outside the abovementioned operation hour. To minimise the noise nuisance from the traffic of heavy vehicles, the applicant has committed to erect 3m-high solid boundary fence walls to screen off the possible noise and nuisance to the nearby low-rise village houses near the Site. Besides, vehicle speed within the Site will be restricted to less than 8km/hr and the ground surface of the local access road will be well-paved and levelled. Ancillary site offices will also be provided with acoustic insulation; and
- (b) in terms of sewage treatment for the on-site facilities, a preliminary drainage layout plan is submitted with mitigation measures including hard-paving of the Site to minimise exposed surface and soil erosion; provision of surface channels with screening facilities; incorporation of silt traps and oil interceptors; as well as regular cleaning and sweeping of road surface/open areas. All sewage with sludge generated from the portable toilets provided at the Site will be removed and transported off-site by tankers to sewage treatment works for disposal once a week or as needed. The applicant confirmed that there will be no kitchen/canteen facilities and no petrol filling station provided within the Site.

4. The Section 16 Application

The Site and Its Surrounding Areas (Plans R-1 to R-4f)

- 4.1 The situation of the Site and its surrounding areas at the time of consideration of the section 16 application by the RNTPC were set out in paragraph 8 of **Annex A**. There has not been any major change in the planning circumstances of the area since the consideration of the section 16 application by the RNTPC.
- 4.2 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 valid planning permission.
- 4.3 The surrounding areas are predominantly intermixed with storage/open storage yards, repair workshops, logistics centre, scattered residential dwellings, some unused/vacant land and ponds.
- 4.4 The Site is subject to active planning enforcement action against unauthorised developments (UDs) involving the use of place for parking of vehicles, storage use (including deposit of containers), workshop use and fuel filling station with Enforcement Notice issued on 30.4.2019 requiring discontinuation of the UD. Site inspection on 13.10.2023 revealed that the UD still continued upon expiry of the notice, and prosecution action may be followed.
- 4.5 The Northern Metropolis Development Strategy released in 2021 put forward the proposal for San Tin Technopole (the Technopole), which covers the Hong Kong-Shenzhen Innovation and Technology Park under construction at the Lok Ma Chau Loop and the San Tin/Lok Ma Chau area. According to the Revised Recommended Outline Development Plan (Revised RODP) for the Technopole (**Plan R-1c**) which was published in February 2024, the Site is included in the boundary of the Technopole designated for ‘Innovation and Technology’. According to the estimated programme, site formation will commence in Q4 2024. The Site also falls within the new draft San Tin Technopole OZP to be considered by the Board at the same meeting.

Planning Intention

- 4.6 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.

Town Planning Board Guidelines

- 4.7 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) is relevant to the application. Relevant extracts of the Guidelines is attached at Appendix II of **Annex A**.
- 4.8 The 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. 13G) is relevant to the application. The Site falls within Category 4 areas under the TPB-PG-No. 13G¹. Relevant extracts of the Guidelines are at **Annex E**.

Previous Applications

- 4.9 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. Amongst them, five applications (No. A/YL-ST/149 and 273 on the 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 RNTPC or the Board on review between 2000 and 2010 on special circumstances, while all other applications were rejected.

Approved Applications

- 4.10 Application No. A/YL-ST/149 for temporary container tractor/trailer park and open storage of building materials was approved in 2000 as an interim arrangement to alleviate the acute shortage of port back-up land in the area.
- 4.11 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

- 4.12 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.

¹ At the time of the section 16 Application, the Site falls within Category 4 areas under the then 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). The TPB PG-13G was promulgated on 14.4.2023, in which the Site continues to be falling within Category 4 areas.

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 applications would set an undesirable precedent for other similar applications within the “OU(CDWRA)” zone.

- 4.13 Applications No. A/YL-ST/553, 554 and 578 were submitted by the same applicant for similar applied uses as the current application. These three applications were rejected by the RNTPC between 2020 and 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.
- 4.14 Details of these previous applications are at **Annex F** and their locations are shown on **Plan R-1b**.

Similar Applications

- 4.15 During the past five years, there were two similar applications, No. A/YL-ST/547 and 558 (also submitted by the same applicant as the current application) for similar temporary vehicle parks uses involving container vehicles/goods vehicles with ancillary storage. These two similar applications were rejected by the RNTPC 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.
- 4.16 Details of these similar applications are at **Annex F** and their locations are shown on **Plan R-1a**.

5. Comments from Relevant Government Departments

- 5.1 Comments on the section 16 application made by relevant Government departments are stated in paragraph 10 and Appendix IV of **Annex A**. Their advisory comments, if any, are in Appendix V of **Annex A** and recapped in **Annex G**.
- 5.2 For the review application, relevant government departments have been further consulted. All the departments maintain their previous views on the section 16 application and most of them have no further comments on the review application. In particular, DEP and the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) have provided updated comments on the application.

Environment

5.2.1 Comments of the DEP:

- (a) maintains his stance of not supporting the application as the FI fails to demonstrate that the applied uses would not cause noise nuisance to nearby residents;
- (b) with reference to the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (the COP), the applied uses would generate traffic of heavy vehicles and it is understood that there are village houses within 100m from the 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;
- (c) the applicant stated that the operation hours of the Site will be from 8:00 a.m. to 6:00 p.m. and no entry/exit would be allowed other than 8:00 a.m. to 6:00 p.m. The traffic noise nuisances from heavy vehicles to and from the Site might still cause noise nuisances to the residents nearby and lead to complaints following the COP’s requirements. He has reservation about the assumed number of vehicles in/out per hour from the Site as the Site provides about 100 parking spaces. The applicant should provide justification on the prediction of the induced heavy vehicles from the Site that the applied uses will not cause traffic noise nuisance;
- (d) the applicant should provide information to address the potential noise nuisances caused by the associated traffic during the operation of the applied uses to residential dwellings within 100m from the Site and within 50m of the assessed road;
- (e) residential dwellings are found at approximately 13m and 88m to the north and southeast of the Site. The applied uses should constitute as planned fixed noise sources which shall be designed to comply with the HKPSG requirement (i.e. ANL-5 dB(A) or the prevailing background noise level) and is controlled by the Noise Control Ordinance (NCO). Given the close proximity of the noise sensitive receivers, the applicant should conduct a quantitative fixed noise assessment to demonstrate that the applied uses will be designed to comply with the HKPSG and NCO;
- (f) no further comment from water quality perspective and no submission of water quality impact assessment is required; and

- (g) no environmental-related complaint related to the Site was recorded in the past three years.

Project Interface

5.2.2 Comments from the PM(N), CEDD:

the Site is within the proposed boundary of the Technopole. According to the latest tentative development programme of the Technopole, it is targeted to commence the works in phases tentatively starting from 2024 after the funding approval by the Finance Committee of the Legislative Council. Therefore, the Site within the boundary of the Technopole, may probably be required for timely clearance and construction.

- 5.3 In relation to the reasons for rejection of the section 16 application, comments from the following departments are recapitulated below.

Nature Conservation

5.3.1 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 Wetland Conservation Area (WCA). Having said that, he will defer to the Planning Department/ 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

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

- (a) the Site is situated in an area of rural landscape character 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 “Conservation Area” and “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement Area”. Dense woodland within the “Green Belt” and “Site of Special Scientific Interest” zones are located to the further southern and southwestern part of the Site;
- (b) the Site is hard paved with temporary structures and container vehicles parking on the Site;

- (c) the landscape environment of the area had been degraded. Existing trees of common species in fair conditions are observed. All existing trees would be preserved and not less than 47 new trees are proposed along the northern boundary of the Site. 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; and
- (d) 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.

Traffic

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

- (a) the applicant should justify the trip generation and attraction rate at peak hours (in passenger car unit/hour (pcu/hr)) as 4 in view of 100 parking spaces (i.e. 8 private car parking spaces and 92 container vehicle parking spaces) and provide daily average trip generation and attraction rate (in pcu/hr) for consideration; and
- (b) 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.

6. Public Comments Received During Statutory Publication Periods

- 6.1 On 3.3.2023 and 21.7.2023, the review application was published for public comments. During the statutory publication periods, a total of five public comments were received from green groups, including Kadoorie Farm and Botanic Garden Corporation, the Conservancy Association and The Hong Kong Bird Watching Society, and an individual raising objections to the application mainly 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 and 13G; and setting undesirable precedent to the future development associated with “destroy first, develop later” (**Annex H**).
- 6.2 At the section 16 application stage, six public comments were received from green groups and individuals raising objection to the application. The summary of the comments are in paragraph 11 of **Annex A**.

7. Planning Considerations and Assessments

- 7.1 The application is for a review of the RNTPC's decision on 13.1.2023 to reject the section 16 application 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 2 years at the Site which is zoned "OU(CDWRA)". The section 16 application was rejected for the reasons stated in paragraph 1.2 above. To support the review application, the applicant has submitted a preliminary drainage layout plan and some responses to DEP's comments on noise and sewage aspects. Since the consideration of the section 16 application by RNTPC, there has been no material change in planning circumstances. The planning considerations and assessments below are in response to the applicant's justifications provided in the review application.

Long-term Development

- 7.2 The Site falls within the boundary of the Technopole and will be required for timely clearance to allow the commencement of works within 2024 tentatively. According to the Revised RODP for the Technopole (**Plan R-1c**), the Site is designated for 'Innovation and Technology'. In this connection, the Site also falls within the new draft San Tin Technopole OZP to be considered by the Board at the same meeting. Notwithstanding, the consideration of this review application should still be based on the approved San Tin OZP and relevant existing Town Planning Board Guidelines currently in force.

Not in line with Planning Intention

- 7.3 The Site falls within 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. 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. Besides, the applied uses are considered incompatible with the surrounding areas which are predominantly ponds with scattered residential dwellings. Most of the open storage yards in the area are also suspected UD's. Approval of the application would set an undesirable precedent for other similar uses in the locality.

The Review Submission

- 7.4 The applicant claims in the review submission that the noise nuisance due to traffic of heavy vehicles will not be significant, as there will only be a maximum of 10 vehicles visiting the Site per hour from 8:00 a.m. to 6:00 p.m. and the entry/exit will be restricted outside the operation hours. Besides, several noise mitigation measures, such as erection of 3m-high solid boundary fence walls, limitation of vehicle speed and acoustic insulation for ancillary offices are recommended. Nevertheless, based on the applicant's submission and the proposal with provision of about 100 parking spaces with the Site, DEP indicated a reservation on the number of vehicles in/out the Site assumed by the applicant,

and considered that the applicant fails to demonstrate the applied uses would not cause traffic noise nuisance to nearby sensitive receivers (i.e. the residential dwellings located about 13m from the northern boundary of the Site and 88m from its southeastern boundary) (**Plan R-2**).

Not in line with TPB PG-No. 12C and TPB PG-No. 13G

- 7.5 The Site is still located within the WBA and is adjacent 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. DAFC maintains his previous 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 maintains some 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. In view of the above, the applied uses are not in line with TPB PG-No. 12C currently in force.
- 7.6 Under TPB PG-No. 13G, 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 boundary 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. 13G 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 impact on the surrounding areas. Besides, the applicant has not provided sufficient information to justify the trip generation and attraction rate for the development with the provision of about 100 parking spaces as requested by C for T.

Previous and Similar Applications

- 7.7 The Site is the subject of 13 previous applications for temporary container vehicle park/vehicle repair workshop uses in the “OU(CDWRA)” zone, of which eight applications (including the last three applications No. A/YL-ST/553, 554 and 578 submitted by the same applicant) were rejected by the RNTPC between 2001 and 2021. The remaining five previous applications were all approved by the RNTPC 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 and to allow time for relocation. Though the applicant of the current application 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. Moreover, there were two similar applications for container and goods vehicle parking uses within the “OU(CDWRA)” zone in the past five years which were all rejected by the RNTPC in 2020. Rejection of the current review

application is in line with the previous decisions of the RNTPC and the Board on similar applications in the area.

- 7.8 Regarding the five public comments objecting to the review application as detailed in paragraph 6 above, government departments' comments and the planning assessments above are relevant.

8. Planning Department's Views

- 8.1 Based on the assessments made in paragraph 7, having taken into account the public comments mentioned in paragraph 6, and given that there is no major change in the planning circumstances since the consideration of the subject application by the RNTPC on 13.1.2023, the Planning Department maintains its previous view of not supporting the review application for following reasons:

- (a) the development is not in line with the planning intention of the existing "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;
- (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) currently in force in that the applicant fails to demonstrate that the applied uses 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. 13G) in that the applicant has failed to demonstrate that the development would not result in adverse noise impact on the surrounding areas. Approval of the application would result in a general degradation of the environment in the areas.

- 8.2 Alternatively, should the Board 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 23.2.2026. 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 a noise impact assessment 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 23.8.2024;
- (e) in relation to (d) above, the implementation of the mitigation measures identified in the noise 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 23.11.2024;
- (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 23.8.2024;
- (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 23.11.2024;
- (h) the implemented drainage facilities on 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 23.8.2024;
- (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 23.11.2024;
- (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 5.4.2024;
- (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 **Annex G**.

9. Decision Sought

- 9.1 The Board is invited to consider the application for a review of the RNTPC's decision and decide whether to accede to the application.
- 9.2 Should the Board decide to reject the review application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 9.3 Alternatively, should the Board decide to approve the review 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.

10. Attachments

Annex A	RNTPC Paper No. A/YL-ST/616B
Annex B	Extract of minutes of the RNTPC Meeting held on 13.1.2023
Annex C	Secretary of the Board's letter dated 3.2.2023
Annex D1	Applicant's letter dated 20.2.2023 applying for review
Annex D2	Applicant's FI received on 10.7.2023
Annex D3	Applicant's FI received on 5.12.2023
Annex E	Relevant Extracts of TPB PG-No. 13G
Annex F	Previous and Similar Applications
Annex G	Recommended Advisory Clauses
Annex H	Public Comments on the Review Application
Drawing R-1	Preliminary Drainage Layout Plan
Plan R-1a	Location Plan with Similar Applications
Plan R-1b	Previous Application Plan
Plan R-1c	Application Site and Land Use Proposal of San Tin Technopole
Plan R-2	Site Plan
Plan R-3	Aerial Photo
Plans R-4a to R-4f	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2024**