

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-HLH/32

- Applicants** : Mr. HUI Yuk Muk, Mr. YU Mei Kam, Mr. YU Yuk Lun and Mr. HO Che Keung represented by Mr. PANG Hing Yeun
- Site** : Lot 184 S.A (Part) in D.D. 87, Ta Kwu Ling, New Territories
- Site Area** : 1,905.51 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Lung Hang Outline Zoning Plan (OZP) No. S/NE-HLH/11
- Zoning** : Agriculture (“AGR”)
- Application** : Temporary Storage of Agriculture Tool and Machine and Open Storage of Building Materials for a Period of 3 Years

1. The Proposal

- 1.1 The applicants seek planning permission to use the application site (the Site) for temporary storage of agriculture tool and machine and open storage for building materials for a period of 3 years. The Site falls within the “AGR” zone on the Approved Hung Lung Hang OZP No. S/NE-HLH/11 (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of 3 years within the zone requires planning permission from the Town Planning Board (the Board) notwithstanding that the use or development is not provided for under the Notes of the OZP. The Site is currently occupied by the applied use without valid planning permission.
- 1.2 According to the applicants’ submission, the Site is divided into two portions separated by a footpath (**Drawing A-1** and **Plan A-2**). The northern portion of the Site involves nine structures with a building height of about 2.4m to 3m and a total floor area of about 205.21m² for storage of agricultural tools, agricultural machinery, crops, resting room and rain shelter uses. Operation hours of this portion of the Site are from 10:30 a.m. to 4:30 p.m. daily. The southern portion of the Site is for open storage of building materials. Building materials stored on this portion will only be transported into/out from the Site when necessary. There will be neither car parking space nor loading/unloading space provided in both portions of the Site. The Site is accessible via existing vehicle tracks leading to a local road of Kong Nga Po Road. Plans

showing the layout of and vehicular access to the Site submitted by the applicants are shown on **Drawings A-1** and **A-2**.

- 1.3 In support of the application, the applicants have submitted the following documents:
- (a) Application form with attachments received on 13.6.2018 (Appendix I)
 - (b) Replacement pages of the application form received on 20.6.2018 (Appendix Ia)

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in Section 9 of the Application Form at **Appendix I**. They can be summarized as follows:

- (a) There is no workshop operation in the northern portion of the Site and it is mainly used for storage by the applicants. The application can provide convenience to other farmers by turning this part into farmhouse purpose for storage of agriculture tool, agriculture machine and crops while the rain shelter and uncovered area will be used for storage of small scale agricultural tools;
- (b) Structures 1, 2 and 7 at the northern portion (**Drawing A-1**) will be for private use while the remaining structures will be rented to farmers whose farms located in the vicinity of the Site for storage use. Operation hours of this portion of the Site are from 10:30 a.m. to 4:30 p.m. daily.
- (c) The Site is accessible by a temporary vehicle track. The development will not generate adverse transport impact as no car parking space will be provided and no loading/unloading activities will be carried out on-site;
- (d) The southern portion of the Site is currently used as an open storage yard for building materials. These building materials are not commonly used and stored on-site on a temporary basis. They will only be transported into/out from the Site when necessary. Heavy vehicle movements to/from the Site will not frequently occur. As such, the development will not generate adverse traffic impact to the surrounding areas;
- (e) Land for storage of building materials is insufficient in Hong Kong. Open storage yards are commonly found along Ping Che Road and in Hung Lung Hang. The development will not cause adverse impacts to nearby residents as the application site is away from residential area;
- (f) The southern portion of the Site and the adjoining government land were used for a poultry farm around thirty years ago. The Site has never been used for cultivation purpose due to soil quality. This portion is used for storage of building materials because of family business;
- (g) Flooding was frequently occurred when it has not been used for storage of building materials. The flooding problem has been improved after land formation; and
- (h) The development in the southern portion does not involve any construction work, noise nor sewage generation. There will be no adverse environmental impact.

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

The applicants are the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Chief Town Planner/Central Enforcement and Prosecution, Planning Department (CTP/CEP, PlanD) states that the Site is currently subject to planning enforcement actions against an unauthorized development involving storage use and workshop use. Enforcement Notices (E/NE-HLH/92 and E/NE-HLH/93) (**Plan A-2**) were both issued on 29.3.2018 to the concerned parties requiring discontinuance of the unauthorized development. Since the unauthorized development has not been discontinued upon expiry of the notices, prosecution action may be taken.

5. 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. 13E) is relevant to the application. The Site falls within Category 3 area under the TPB PG-No. 13E promulgated on 17.10.2008. Relevant extract of the Guidelines is at **Appendix II**.

6. Previous Application

There is no previous application for the Site.

7. Similar Applications

- 7.1 There are four similar applications (No. A/NE-HLH/14, 17, 20 and 21) for temporary open storage uses which fall within/partly within “AGR” zones in the vicinity of the Site in the Hung Lung Hang area (**Plan A-1**).
- 7.2 All applications were rejected by the Committee or by the Board on review between March 2008 and December 2013 mainly on the grounds of not in line with the planning intention of the “AGR” zone; no/insufficient information to demonstrate that the development would not generate adverse environmental, traffic and/or landscape impacts on the surrounding areas; setting an undesirable precedent for other similar applications; no previous planning approval had been granted to the application site; adverse departmental comments received on the application; and not complying with the TPB PG-No.13E for Application for Open Storage and Port Back-up Uses.
- 7.3 Details of the application are summarized at **Appendix III** and their location are shown on **Plan A-1**.

8. The Site and Its Surrounding Areas (Plans A-1 and A-2, aerial photo on Plan A-3b and site photos on Plan A-4a to A-4c)

8.1 The Site is:

- (a) segregated into two portions by a narrow footpath;
- (b) formed, paved, mostly fenced off;
- (c) currently occupied by the applied use without valid planning permission; and
- (d) accessible by existing vehicle tracks (**Plan A-3b**).

8.2 The surrounding areas have the following characteristics:

- (a) rural character mixed with open storage/storage yards, warehouses, domestic structures, temporary structures, active and fallow agricultural land, vacant/unused land;
- (b) to its immediate north is a piece of active agricultural land, beyond which are fallow agricultural land with vacant temporary structures, domestic structures, and the Ping Yuen River;
- (c) to its east are warehouses, domestic structures, temporary structure for storage use and a large piece of vacant/unused land;
- (d) to its immediate south are open storage/storage yards and a piece of vacant/unused land; and
- (e) to its immediate west are an open storage/storage yard and a piece of active agricultural land with two domestic structures and temporary structures for storage, to the further west are a car park, a workshop, fallow agricultural land and a large piece of vacant/unused land.

9. Planning Intention

The planning intention of the “AGR” zone in the Hung Lung Hang area is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

10. Comments from Relevant Government Departments

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

Land Administration

10.1.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- (a) the Site comprises Old Schedule Lot under the Block Government Lease (demised for agriculture use) without any guaranteed right of access;
- (b) he noted that:
 - (i) the occupation boundary and the application site does not tally;
 - (ii) portion of the Government land adjoining Lot 184 S.A in D.D 87 is being illegally occupied (**Plan A-2**); and
 - (iii) unauthorized structures, which fall within the occupation boundary, were erected on the application lot;
- (c) the unauthorized structures and illegal occupation of Government land are not acceptable. His office reserves the rights to take necessary land control and lease enforcement actions against the irregularities on the Site; and
- (d) if the planning application is approved, the owners of the lot concerned shall apply to his office for a Short Term Waiver (STW) and Short Term Tenancy (STT) covering all the actual occupation area. The applications for STW and STT will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW and STT applications are approved, their commencement date would be backdated to the first date of occupation, and they will be subject to such terms and conditions to be imposed including payment of waiver fee/rent and administrative fees as considered appropriate by his office.

Traffic

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

- (a) the vehicular access to the application site is via Kong Nga Po Road which is not managed by Transport Department (TD). The applicants should provide the following transport-related information for his further consideration:
 - (i) location of vehicular ingress/egress to the Site;
 - (ii) drawing showing vehicle maneuvering at ingress/egress to demonstrate no vehicles reversing on village tracks; and
 - (iii) the estimated trip rate accessing the Site;
- (b) without such information, he could not conclude his advice on the

application as no information has been submitted by the applicants to demonstrate that the development would not generate adverse traffic impacts on the surrounding areas; and

- (c) the mentioned village track and Kong Nga Po Road are not under TD's management. The applicant should check the land status of the access with the lands authority, and clarify its management and maintenance responsibilities with the relevant lands and maintenance authorities accordingly.

Environment

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

- (a) he has no objection to the application;
- (b) according to site photos, the building materials stored on site are different types of pipes, metal and plastic barriers, and various construction machineries and plants, which are not usually dusty in nature;
- (c) there was no environmental complaint against the Site in the past three years; and
- (d) should the application be approved, the applicants should be reminded of their obligation to comply with all environmental protection/pollution control ordinances, in particular the Water Pollution Control Ordinance and Waste Disposal Ordinance, and to follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses" (COP) issued by DEP, in particular measures such as drainage channels and oil interceptors, etc. to avoid water pollution as given in the Notes to Annex I of the COP.

Landscape

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

- (a) she has reservation on the application from the landscape planning perspective;
- (b) according to the latest aerial photo of 2018, it is noted that the Site is situated in an area of disturbed rural landscape character, comprising open storages, temporary structures, warehouses and some active farmland mainly to the north. The proposed use is not entirely incompatible with the surrounding site context;
- (c) according to her site record, it is noted that the Site (both northern and southern portions) is formed, fenced off and separated by a concrete footpath. A few young fruit trees are scattered within the Site. Narrow

ditches of low landscape value are just outside the eastern, northern and western site boundaries (**Plan A-2**). There are stacks of construction materials and heavy machinery found in the southern portion whereas temporary structures and construction wastes are found in the northern portion. The Site access is through an existing concrete track connected to local road;

- (d) compared with aerial photo of 2012 (**Plan A-3a**), both northern and southern portions, were quite intact with natural vegetation. It is apparent that vegetation clearance has been taken place after 2012. The approval of the application would set an undesirable precedent to encourage similar vegetation clearance prior to obtaining planning permission, causing adverse impact on the landscape character within the area. Its cumulative effect will lead to gradual modification and degradation of the landscape character in the area. According to her record, similar applications Nos. A/NE-HLH/20 and A/NE-HLH/21 for temporary open storage in the surrounding area also were rejected in 2013; and
- (e) should the application be approved, an approval condition on the submission and implementation of landscape proposal is recommended.

Drainage

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

- (a) the Site is in an area where no public sewer connection is available;
- (b) should the application be approved, a condition should be included to request the applicants to submit and implement a drainage proposal for their Sites to ensure that it will not cause adverse drainage impact to the adjacent areas;
- (c) the general requirements in the drainage proposal are appended in **Appendix IV**.

Building Matters

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

- (a) regarding the northern portion of the Site, there is no record of submission of the proposed temporary structures to the Building Authority for approval and BD is not in a position to offer comments on their suitability for the use related to the application;
- (b) the applicants are reminded on the followings:
 - (i) if the existing structures are erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and

should not be designated for any approved use under the application;

- (ii) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with BD's 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 the BO;
 - (iv) if the proposed use under application is subject to the issue of a licence, please be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
 - (v) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)Rs) respectively; and
 - (vi) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)Rs at the building plan submission stage; and
- (c) no comment on the southern portion of the Site as no building works involved in this site.

Agriculture and Nature Conservation

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

- (a) the Site is currently used as open storage. Agricultural activities are found in the vicinity. Agricultural infrastructures such as road access and water source are available. The Site can be used as greenhouse cultivation or plant nursery. As the Site possesses potential for agricultural rehabilitation, the application is not supported from agriculture point of view; and
- (b) noting that the narrow ditches (**Plan A-2**) are located at disturbed area, they are not considered to be of much ecological value. Should the application be approved due to other consideration, the applicants should be reminded to perform good site practice to prevent surface-off and debris from polluting the ditches nearby.

Water Supply

10.1.8 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) he has no objection to the application;
- (b) for provision of water supply to the development, the applicants may need to extend their inside services to the nearest suitable Government water mains for connection. The applicants shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.

Fire Safety

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

- (a) he has no in-principle objection to the application subject to fire service installations (FSIs) and water supplies for firefighting being provided to the satisfaction of his department;
- (b) having considered the nature of the use, an approval condition on provision of fire extinguisher(s) within 6 weeks from the date of planning approval is recommended for inclusion in the planning permission. To address this condition, the applicants should submit certificate(s) under Regulation 9(1) of the Fire Service (Installations and Equipment) Regulations (Chapter 95B) to his department for compliance of condition;
- (c) if covered structures (e.g. container-converted office, temporary warehouse and temporary shed used as workshop) are erected within the Site, FSIs will need to be installed;
- (d) in such circumstances, except where building plan will be circulated to his department via the Centralized Processing System of BD, the applicants are required to send the relevant layout plans to his department incorporated with the proposed FSIs for approval. In preparing the submission, the applicants are advised on the following points:
 - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
 - (ii) the locations of the proposed FSIs to be installed and the access for emergency vehicles should be clearly indicated on the layout plans;
- (e) detailed fire safety requirements will be formulated upon receipt of formal submission of the aforesaid plans. The applicants will need to subsequently provide such FSIs according to the approved proposal; and
- (f) emergency vehicular access arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by

BD.

District Officer's Comments

10.1.10 Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

he has consulted the locals regarding the application. The Indigenous Inhabitant Representative (IRR) of Tai Po Tin objected to the application mainly on the grounds that the application will generate traffic flows of heavy goods vehicles whereas the incumbent North District Council member of subject constituency and the Resident Representative (RR) of Tai Po Tin, and the IRR and RR of Lei Uk had no comments on the application.

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

- (a) Chief Highway Engineer/New Territories East, Highways Department; and
- (b) Project Manager (North), North Development Office, Civil Engineering and Development Department.

11. Public Comments Received During Statutory Publication Periods

On 22.6.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, eight public comments were received (**Appendix V**). The Chairman of Sheung Shui District Rural Committee and a member of North District Council indicate no comment on the application. World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, The Hong Kong Bird Watching Society, a villager from Lei Uk Tsuen and an individual object to the application mainly on the grounds that the approval of the application will legitimize existing unauthorized development and set an undesirable precedent for other similar applications within the "AGR" zone; not in line with the planning intention of "AGR" zone and Town Planning Board Guidelines No. 13E; potential cumulative impacts resulting environmental degradation of the area; and the development will bring environmental nuisance to the surrounding areas.

12. Planning Considerations and Assessments

12.1 The Site falls within Category 3 area under the TPB PG-No. 13E promulgated by the Board on 17.10.2008. The following considerations in the Guidelines are relevant:

Category 3 areas: applications would normally not be favourably considered unless the applications are on sites with previous planning approvals. In that connection, sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Subject to no adverse departmental comments and local

objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions, planning permission could be granted on a temporary basis up to a maximum period of 3 years.

- 12.2 The Site falls within the “AGR” zone on the approved Hung Lung Hang OZP No. S/NE-HLH/11. The temporary storage of agriculture tool and machine and open storage of building materials at the Site is not in line with the planning intention of “AGR” zone which is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. DAFC does not support the application as the Site possesses potential for agricultural rehabilitation and can be used as greenhouse cultivation or plant nursery. No strong planning justification has been given in the submission to justify for a departure from the planning intention, even on a temporary basis.
- 12.3 The surrounding areas are in rural character mixed with open storage/storage yards, warehouses, domestic structures, temporary structures, active/fallow agricultural land and vacant/unused land. While there are some open storage/storage yards and warehouses in the vicinity of the Site (**Plan A-2**), some of them are suspected unauthorized developments subject to enforcement action by the Planning Authority.
- 12.4 The application is not in line with the TPB PG-No. 13E in that the Site falls entirely within Category 3 area and is not the subject of any previous planning approval for similar open storage uses. Besides, there are adverse departmental comments on the application. C for T could not conclude his advice on the application as no information has been submitted by the applicants to demonstrate that the development would not generate adverse traffic impacts on the surrounding areas. CTP/UD&L, PlanD has reservation on the application as vegetation clearance has been taken place after 2012 and the approval of the application would set an undesirable precedent to encourage similar vegetation clearance prior to obtaining planning permission and cause adverse landscape impact to the surrounding areas. Its cumulative effect will lead to landscape degradation of the area. Other Government departments, including DEP, CE/MN, DSD, CE/C, WSD and DFS have no objection or no adverse comment on the application.
- 12.5 There are four similar applications (Nos. A/NE-HLH/14, 17, 20 and 21) for open storage use within the same “AGR” zone which were rejected by Committee or by the Board on review between March 2008 and December 2013 mainly on the grounds of not in line with the planning intention of the “AGR” zone; no/insufficient information to demonstrate that the development would not generate adverse environmental, traffic and/or landscape impacts on the surrounding areas; setting an undesirable precedent for other similar applications; no previous planning approval had been granted to the application site; adverse departmental comments received on the application; and not complying with the TPB PG-No.13E for Application for Open Storage and Port Back-up Uses. The circumstance of the current application is similar to those rejected applications.
- 12.6 There are five local comments conveyed by DO(N) and eight public comments received during the statutory publication period, of which seven of them object to the application as set out in paragraph 11 above. In this regard, planning considerations and assessments as stated above are relevant.

13. Planning Department's Views

13.1 Based on the assessments made in paragraph 12 and public comments in paragraph 11 above, the Planning Department does not support the application for the following reasons:

- (a) the development is not in line with the planning intention of the “AGR” zone which is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the development does not comply with the Town Planning Board Guidelines No. 13E for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that no previous planning approval has been granted at the Site and there are adverse departmental comments and local objections on the application;
- (c) the applicant failed to demonstrate that the development would not generate adverse traffic and landscape impacts on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.

13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until 3.8.2021. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) no operation between 4:30 p.m. to 10:30 a.m., as proposed by the applicants, is allowed on the northern portion of the Site during the planning approval period;
- (b) the peripheral fencing shall be maintained on Site at all times during the planning approval period;
- (c) no parking of vehicles, as proposed by the applicants, is allowed on the Site during the planning approval period;
- (d) no loading/unloading activities, as proposed by the applicants, is allowed on the Site during the planning approval period;
- (e) the submission of 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 3.2.2019;

- (f) in relation to (e) above, the provision of drainage facilities 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 3.5.2019;
- (g) the provision of fire extinguisher(s) with a valid fire certificate (FS251) 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 14.9.2018;
- (h) the submission of proposals for fire service installations and water supplies for firefighting 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 3.2.2019;
- (i) in relation to (h) above, the implementation of proposals for fire service installations and water supplies for firefighting 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 3.5.2019;
- (j) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 3.2.2019;
- (k) in relation to (j) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 3.5.2019;
- (l) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (e), (f), (g), (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; and
- (n) upon the expiry of the planning permission, the reinstatement of the 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 at **Appendix VI**.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the 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 applicants.

15. Attachments

Appendix I	Application Form with attachments received on 13.6.2018
Appendix Ia	Replacement pages of the Application Form received on 20.6.2018
Appendix II	Relevant Extract of 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. 13E)
Appendix III	Similar s.16 Applications for Temporary Open Storage within/partly within “Agriculture” Zone in the vicinity of the Application Site in the Hung Lung Hang Area
Appendix IV	Detailed Comments of Chief Engineer/Mainland North, Drainage Services Department
Appendix V	Public Comments
Appendix VI	Recommended advisory clauses
Drawing A-1	Layout Plan
Drawing A-2	Vehicular Access Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3a and 3b	Aerial Photos taken in 2012 and 2017
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
AUGUST 2018**