

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

**APPLICATION NO. A/HSK/161**

- Applicant** : Mr. TANG Cheuk Lun represented by Sum Kwan Limited
- Site** : Lots 26 RP (Part), 29 RP (Part), 31 RP (Part) in D.D. 128, Lots 2401 (Part), 2402, 2403 (Part), 2404 (Part), 2409 RP (Part), 2420 RP (Part), 2422 RP (Part), 2423 (Part), 2424 (Part), 2426, 2427 (Part), 2428, 2429, 2430 (Part), 2431 (Part), 2432 (Part), 2439 (Part), 2974 (Part), 2975 S.A (Part), 2975 S.B (Part), 2977 S.A (Part), 2979 (Part), 2980 (Part), 2982 RP, 2983 RP (Part) in D.D. 129 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long
- Site Area** : 19,100m<sup>2</sup> (about) (including about 476m<sup>2</sup> of GL)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zoning** : “Residential (Group B) 2” (“R(B)2”) (78.0%)  
[Restricted to maximum plot ratio (PR) of 2.5 and maximum building height (BH) of 60mPD];  
“Open Space” (“O”) (5.4%); and  
an area shown as ‘Road’ (about 16.6%)
- Application** : Temporary Open Storage of Containers for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for temporary open storage of containers for a period of 3 years (**Plan A-1a**). The Site straddles over “R(B)2” (78.0%) and “O” (5.4%) zones and an area shown as ‘Road’ (16.6%) on the approved HSK and HT OZP. According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years within the zones 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. In any area shown as ‘Road’ on the OZP, all uses or developments require planning permission from the Board. The Site is currently being used for the applied use under planning permission No. A/YL-HT/1031. Yet the permission lapsed on 16.7.2019 (**Plan A-1b**).

- 1.2 The site is involved in 8 previous applications No. A/YL-HT/125, 184, 275, 385, 542, 622, 790 and 1031 for open storage uses of vehicles/containers (**Plan A-1b**). The last application No. A/YL-HT/1031 for temporary open storage of containers was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 15.7.2016 for a period of 3 years and valid until 15.7.2019. All the time-specific approval conditions have been complied with. The current application is submitted by the same applicant for the same use with similar layout at the same site.
- 1.3 The Site is accessible from Lau Fau Shan Road via a local track and the ingress/egress point is at the north eastern corner of the Site (**Drawing A-1 and Plan A-2**). As shown on the layout plan at **Drawing A-1**, four temporary structures with a total floor area of 546m<sup>2</sup> (including two 8m high open sheds for rain shelter (not exceeding 228m<sup>2</sup> each), a single-storey, 3.5m high structure for office and toilet use (not exceeding 80m<sup>2</sup>) and a 3.5m high electricity room (not exceeding 10m<sup>2</sup>) are proposed. 2 parking spaces for private cars/light goods vehicles and 10 parking spaces for container trailers/tractors are also proposed. The southern portion of the site is for open storage of containers use. According to the applicant, the operation hours are from 7:00 a.m. to 9:00 p.m. from Mondays to Saturdays and there will be no operation on Sundays and Public Holidays. No cutting, dismantling, cleaning, repairing, compacting, tyre repair, vehicle repair, container repair and workshop activity will be held on the Site. The as-planted landscape and tree preservation plan and as-built drainage plan are at **Drawings A-2 and A-3** respectively.
- 1.4 The major development parameters of the previously approved scheme and the current application area summarized as follows:

<b>Major Development Parameters</b>	<b>Previously Approved Application No. A/YL-HT/1031 (a)</b>	<b>Current Application No. A/HSK/161 (b)</b>	<b>Difference (b) - (a)</b>
<b>Applied Use</b>	Temporary Open Storage of Containers (3 Years)		same
<b>Site Area</b>	19,100m <sup>2</sup>		same
<b>Total floor area</b>	626m <sup>2</sup>	546m <sup>2</sup>	-80m <sup>2</sup> (-12.8%)
<b>No. and Height of Structure</b>	4 - 2 open shed for rain shelter (8m high) - 1 office and toilet (7m high) - 1 electricity room (3.5m high)	4 - 2 open shed for rain shelter (8m high) - 1 office and toilet (3.5m high) - 1 electricity room (3.5m high)	no. of structures unchanged (structure for office with different height and floor area)
<b>Operation Hours</b>	7am to 9pm, Mondays to Saturdays, with no operation on Sundays and public holidays		same

- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 20.5.2019 **(Appendix I)**
- (b) Supplementary planning statement with proposed layout plan, as-planted landscape and tree preservation plan and as-built drainage plan **(Appendix Ia)**

- (c) Further Information (FI) dated 5.7.2019 from the applicant clarifying the floor area of a proposed structure **(Appendix Ib)**  
*[Accepted and exempted from publication and recounting requirements]*

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Supplementary Planning Statement at **Appendix Ia**. They can be summarized as follows:

- (a) The Site is located in “Category 1 areas” and the application is in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E).
- (b) The applied use is temporary in nature and would not jeopardize the long term planning intention of the area. The future development in the area would not be realized within the coming 3 years since land resumption has yet to be commenced.
- (c) Approval conditions of the last planning permission No. A/YL-HT/1031 had all been complied with. The applicant is a sincere and consciousness person in complying with approval conditions.
- (d) Planning applications in close proximity of similar nature including open storage of containers, warehouses and logistics centres were granted temporary approval under the same planning circumstance.
- (e) The proposed use is not incompatible with the surrounding open storage uses and port back-up uses with a number of them as either “existing use” or temporarily permitted uses. The proposed development should receive sympathetic consideration by the Board.
- (f) There is a shortage of land but a strong demand for open storage use and port back-up uses in Ha Tsuen.
- (g) The development would have minimal traffic, environmental and drainage impacts on the surrounding areas. A number of environmental mitigation measures including limited operation hours and no cutting, dismantling, cleaning, repairing, compacting, tyre repair, vehicle repair, container repair and workshop activity will be held on the Site.

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31) by posting site notice and publishing on three local newspaper. Detailed information would be deposited at the meeting for Members’ inspection.

#### **4. Town Planning Board Guidelines**

On 17.10.2008, the Board promulgated the revised Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E). The Site falls within Category 1 areas under the revised Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

#### **5. Background**

The use is not subject to planning enforcement action. Follow up investigation will be taken upon expiry of the planning permission if the subject application is not approved by the Board.

#### **6. Previous Applications**

6.1 The Site is the subject of 8 previous applications No. A/YL-HT/125, 184, 275, 385, 542, 622, 790 and 1031 for open storage uses of vehicles/containers which were approved with conditions by the Committee/Board in 2000 to 2016. However, application Nos. A/YL-HT/125, 184, 542 and 790 were subsequently revoked due to non-compliance with approval conditions.

6.2 The last application No. A/YL-HT/1031 for the same temporary open storage of containers was approved with conditions by the Committee on 15.7.2016 for a period of 3 years. All the time-specific approval conditions have been complied with. However, the planning permission has just lapsed on 16.7.2019. Compared with this last approved application, the current application is submitted by the same applicant for the same use at the same site with similar layout. Details of these applications are summarized at **Appendix III** and their locations are shown on **Plan A-1b**.

#### **7. Similar Applications**

There are 7 similar applications (No. A/YL-HT/612, 687, 785, 810, 887, 917 and 1032) for various temporary open storage of containers and logistic centres/workshop within the same “R(B)2” and “O” zones on the approved HSK and HT OZP since the promulgation of the TPB PG-No.13E on 17.10.2008. All of these similar applications were approved with conditions by the Committee. Details of the above applications are summarized at **Appendix IV** and their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) being used for the applied use without a valid planning permission (permission under No. A/YL-HT/1031 lapsed on 16.7.2019); and
- (b) accessible from Lau Fau Shan Road via a local track.

8.2 The surrounding areas have the following characteristics:

- (a) to its immediate north, northwest and west is an open storage of containers under a valid planning permission No. A/HSK/157;
- (b) to its immediate northeast is a vacant piece of land and a car inspection centre under a valid planning permission No. A/HSK/127 and a logistics centre and to its immediate east is another logistics centre under a valid planning permission No. A/HSK/50 and an open storage of containers while to its further east across Lau Fau Shan Road is the residential dwellings of San Hing Tsuen; and
- (c) to its south is an open storage of containers while to its southwest is a warehouse under a valid planning permission No. A/YL-HT/1067 and an open storage of construction materials.

## **9. Planning Intention**

- 9.1 The Site straddles over “R(B)2” and “O” zones and an area shown as ‘Road’ on the approved HSK and HT OZP. The planning intention of the “R(B)2” zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted with or without application to the Board.
- 9.2 The planning intention of the “O” zone is intended primarily for the provision of outdoor open-air public space for active and /or passive recreational uses serving the needs of local residents as well as the general public.

## **10. Comments from Relevant Government Departments**

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

### **Land Administration**

- 10.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):
  - (a) The Site comprises Old Scheduled Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government.
  - (b) The GL of the Site (about 476m<sup>2</sup>) is covered by Short Term Tenancy (STT) No. 3029 for the purpose of “Temporary Open Storage of Containers”.
  - (c) The private lots which are covered by Short Term Waivers (STWs) in the Site are listed below:

<b>Lot No(s). in D.D.129</b>	<b>STW No.</b>	<b>Purposes</b>
2420RP	2980	Office Ancillary to Storage of Containers
2427	2982	
2430	4262	Temporary Logistics Centre
2431	4263	
2977 S.A	4270	
2980	4273	
2432	4264	
2439	4268	
2979	4272	
2422 RP	4751	Temporary Open Storage of Containers

- (d) The Site is accessible to Lau Fau Shan Road through GL and private lot. His office provides no maintenance works to the GL involved and does not guarantee any right-of-way.
- (e) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (f) Should the application be approved, the STW holders will need to apply to his office for modification of the STW conditions where appropriate. The owner(s) of the lot without STW will need to apply to his office to permit the structures to be erected or to regularize any irregularity on Site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) for any of the above will be considered by the LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD.

### **Traffic**

#### 10.1.2 Comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD):

- (a) He has no adverse comments on the application from traffic engineering view point.
- (b) Sufficient manoeuvring spaces shall be provided within the Site. No vehicle is allowed to queue back to public road or reverse onto/from the public road.
- (c) The local track leading to the Site is not under TD's purview. The applicant is advised to obtain consent of the owner/managing departments of the local track for using it as the vehicular access to the Site.

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

- (a) The access arrangement should be commented by TD.
- (b) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.
- (c) HyD shall not be responsible for the maintenance of any access connecting the Site and Lau Fau Shan Road.

### **Environment**

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

- (a) He does not support the application because there are sensitive uses on the vicinity of the Site (the nearest residential dwelling being about 25m away at the opposite side of Lau Fau Shan Road) (**Plan A-2**) and environmental nuisance is expected.
- (b) No environmental complaint pertaining to the Site has been received in the past 3 years.
- (c) Should the application be approved, the applicant is reminded to follow the latest “Code of Practice (COP) on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimize any potential environmental nuisance.

### **Drainage**

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

- (a) He has no objection in principle to the development from a drainage point of view.
- (b) According to the applicant’s submission, the existing drainage facilities which was implemented under an approved application No. A/YL-HT/1031 will be maintained for the subject development.
- (c) Should the application be approved, he suggests imposing approval conditions requiring the applicant to maintain the existing drainage facilities and submit condition record of the existing drainage facilities to the satisfaction of his Division.
- (d) The applicant should be reminded that the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal.

### **Building Matters**

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

- (a) There is no record of approval by the Building Authority (BA) for the existing structures at the Site.
- (b) If the existing structures (not being a New Territories Exempted Houses) are erected on leased land without approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application.
- (c) For UBW erected on leased land, enforcement action may be taken by the 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.
- (d) Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO.
- (e) 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)R) respectively.
- (f) 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)R) at the building plan submission stage.

### **Fire Safety**

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

- (a) He has no objection in principle to the application subject to fire service installations (FSIs) being provided to his satisfaction.
- (b) In consideration of the design/nature of the structures, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to him for approval.
- (c) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; the location of where the proposed FSIs to be installed should be clearly marked on the layout plans and the applicant should adhere to the 'Good Practice for Open Storage for Open Storage Sites' at **Appendix V**.



- (d) Having considered the nature of the open storage, the following additional approval condition shall be added:

The provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval.

To address the above approval condition, the applicant is advised to submit a valid fire certificate (FS 251) to his department for approval.

- (e) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

### **Long-Term Development**

10.1.8 Comments of the Project Manager (New Territories West), Civil Engineering and Development Department (PM/NTW, CEDD):

- (a) He has no objection to the application for temporary use for 3 years, which should be considered in accordance with the provisions of the existing OZP and infrastructure capacities.
- (b) The Site falls within the boundary of HSK NDA. According to the Planning and Engineering Study (P&E Study) for the HSK NDA, to ensure timely and orderly implementation, the development of HSK NDA and relevant site formation and infrastructure works would be implemented in five stages, viz. Advance Works and Stage 1 to Stage 4. The lot(s) concerned falls within a site under Stage 4 Works Stage. While detailed implementation programme for the project is still being formulated, based on the P&E Study, it is envisaged that clearance of the Site in question will not be arranged before the first population intake of the HSK NDA expected in 2024.

10.1.9 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) The Site is zoned “R(B)2”, “O” and an area shown as ‘Road’ on the approved HSK and HT OZP No. S/HSK/2. The portion zoned “O” is not on the priority list for development agreed by the Yuen Long District Council. He has no plan to develop the Site into public open space at present.
- (b) Since the application period is only for three years, he has no objection to the application.

### **District Officer’s Comment**

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

- (a) He has no comment on the application from departmental point of view.
- (b) His office has not received any comment from the locals on the application.

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

- (a) Commissioner of Police (C of P);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (c) Director of Agriculture, Fisheries and Conservation (DAFC).

## **11. Public Comments Received During Statutory Publication Period**

On 28.5.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 18.6.2019, one public comment was received from a private individual. The commenter objects to the application on the ground that approval of the subject temporary use would deprive of the land originally intended for housing development (**Appendix VI**).

## **12. Planning Considerations and Assessment**

12.1 The Site straddles over “R(B)2” and “O” zones and an area shown as ‘Road’ on the approved HSK and HT OZP. The planning intentions of “R(B)2” and “O” zones are primarily for medium-density residential developments and the provision of outdoor open-air public space for active and/or passive recreational uses respectively. Whilst the development is not in line with the planning intentions, the implementation programme for this part of NDA is still being formulated, and PM/NTW of CEDD and DLCS have no objection to the proposed temporary use for a period of 3 years on the Site. In this regard, approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the Site. However, should the application be approved, it is suggested to include an advisory clause stating that the Site may be resumed by the Government at any time during the planning approval period for the implementation of government projects.

12.2 The proposed open storage of containers is not incompatible with the surrounding land uses which are predominantly used for open storage yards, logistics centre and warehouse (**Plan A-2**).

12.3 According to the TPB PG-No. 13E, the Site falls within Category 1 areas under the TPB PG-No. 13E. The following considerations in the Guidelines are relevant:

Category 1 areas: favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause significant environmental and traffic concerns.

12.4 The proposed development is generally in line with TPB PG-No. 13E in that the Site falls within Category 1 areas which are considered suitable for open storage and port back-up uses; relevant proposals have been submitted to demonstrate that the proposed use would not generate adverse impacts; and the technical concerns of relevant Government departments could be addressed through the implementation of approval conditions.

- 12.5 There is no adverse comment from the concerned Government departments, except DEP. DEP does not support the application because there are sensitive uses in the vicinity (the nearest residential dwelling being about 25m away at the opposite side of the Lau Fau Shan Road), and environmental nuisance is expected (**Plan A-2**). However, there is no substantiated environmental complaint pertaining to the Site received in the past three years. To address the concerns on the possible environmental nuisances or the technical requirements of the other concerned Government departments, relevant approval conditions have been recommended in paragraph 13.2 below. Any non-compliance with these approval conditions would result in revocation of the planning permission and the unauthorized development on Site would be subject to enforcement action by the Planning Authority. Should the application be approved, the applicant will be advised to follow the “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimize the possible environmental impacts on the nearby sensitive receivers.
- 12.6 The Committee had approved 8 previous planning applications for similar open storage of containers at the Site and approved 7 similar applications for open storage of containers in the same “R(B)2” and “O” zones on the approved HSK and HT OZP since the promulgation of TPB PG-No. 13E on 17.10.2008. Approval of the subject application is in line with the Committee’s previous decisions.
- 12.7 There is one public comment received with concern stated in paragraph 11 above. The planning considerations and assessment in the above paragraphs are relevant.

### **13. Planning Department’s Views**

- 13.1 Based on the assessment made in paragraph 12 above and having taking consideration the public comment mentioned on paragraph 11, the Planning Department considers that the temporary open storage of containers could be tolerated for a period of 3 years.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until **19.7.2022**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

#### Approval conditions

- (a) no operation from 9:00 p.m. to 7:00 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 cutting, dismantling, cleaning, repairing, compacting, tyre repair, vehicle repair, container repair and any other workshop activity, as proposed by the applicant, is allowed at any times on the Site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;

- (e) the stacking height of containers stored on the site shall not exceed 8 units, as proposed by the applicant, at all times during the planning approval period;
- (f) no stacking of containers within 5m of the periphery of the site is allowed, as proposed by the applicant, at any time during the planning approval period;
- (g) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (h) all existing trees and landscape plants on the Site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **19.10.2019**;
- (k) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within **6** weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **30.8.2019**;
- (l) 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 **19.1.2020**;
- (m) in relation to (l) above, the implementation of the fire service installations proposal 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 **19.4.2020**;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if any of the above planning conditions (j), (k), (l) or (m) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory clauses

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

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

- (a) the development is not in line with the planning intentions of the "R(B)2" and "O" zones, which are intended primarily for medium-density residential developments and the provision of outdoor open-air public space for active and/or passive recreational uses. There is no strong justification given in the submission to deviate from the planning intentions, even on a temporary basis; and

- (b) the applicant fails to demonstrate that the applied development would not have adverse environmental impact on the surrounding areas.

#### **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 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 reasons for rejection should be given to the applicant.

#### **15. Attachments**

<b>Appendix I</b>	Application Form received on 20.5.2019
<b>Appendix Ia</b>	Supplementary planning statement with proposed layout plan, as-planted landscape and tree preservation and as-built drainage plan
<b>Appendix Ib</b>	FI dated 5.7.2019 from the applicant clarifying the floor area of a proposed structure
<b>Appendix II</b>	Relevant extracts of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E)
<b>Appendix III</b>	Previous applications covering the Application Site
<b>Appendix IV</b>	Similar Applications within the same “R(B)2” and “O” Zones on the approved Hung Shui Kui and Ha Tsuen OZP No. S/HSK/2 since the Promulgation of TPB PG-No. 13E on 17.10.2008
<b>Appendix V</b>	‘Good Practice for Open Storage Sites’ by the Fire Services Department
<b>Appendix VI</b>	Public Comment
<b>Appendix VII</b>	Advisory Clauses
<b>Drawing A-1</b>	Proposed Layout Plan
<b>Drawing A-2</b>	As-planted Landscape and Tree Preservation Plan
<b>Drawing A-3</b>	As-built Drainage Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to 4c</b>	Site Photos