

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/165

- Applicant** : Ka Hung Investment Limited represented by Metro Planning and Development Company Limited
- Site** : Lots 823 S.B RP (Part), 826 S.B ss.1 RP (Part), 829 S.A (Part), 829 S.B (Part), 830 RP (Part), 831, 832, 833 RP, 834, 837 S.B RP (Part), 838 (Part) and 839 (Part) in D.D. 125, Ha Tsuen, Yuen Long
- Site Area** : 7,788m² (about)
- 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 A)3” (“R(A)3”) (about 65.3%),
[Restricted to maximum plot ratio (PR) of 5.5 and maximum building height (BH) of 140mPD];
- “Open Space” (“O”) (about 6.2%); and
- an Area shown as ‘Road’ (about 28.5%)
- Application** : Temporary Open Storage of Vehicle with Site Office, Storage of Vehicle Parts, Vehicle Inspection and Repairing Workshop 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 vehicle with site office, storage of vehicle parts, vehicle inspection and repairing workshop for a period of 3 years (**Plan A-1**). The Site straddles over areas zoned “R(A)3” (65.3%) and “O” (6.2%) and an area shown as ‘Road’ (28.5%) 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 without a valid planning permission.

- 1.2 The Site is related to 7 previous applications No. A/YL-HT/94, 159, 309, 535, 745, 914 and 1046 for various open storage, vehicle park and vehicle inspection and repairing workshop uses. The last application No. A/YL-HT/1046 for temporary open storage of vehicle with site office, storage of vehicle parts, vehicle inspection and repairing workshop was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board for 3 years on 30.9.2016. However, the planning permission was subsequently revoked on 28.2.2019 due to non-compliance with a planning condition on the implementation of the fire service installations (FSIs) proposal.
- 1.3 The Site is accessible from Ping Ha Road and the ingress/egress point is located at the southwestern part of the Site (**Drawing A-1** and **Plan A-2**). As shown on the site layout at **Drawing A-1**, 8 structures with a total floor area of 2,765m² including a single-storey structure (not exceeding 10m high and 1,735m²) for vehicle inspection and repairing workshop, a two-storeys high structure (not exceeding 10m high and 700m²) for use as site office and storage of vehicle parts, a 2-storeys high structure (not exceeding 6m and 80m²) for toilet and guard room, 2 single-storey structures for storage of tools and 3 single-storey structures for fire services water tank, pump room, sprinkler water tank are proposed. 8 parking spaces for container tractors (7m x 3.5m each), 4 parking spaces for private cars/light goods vehicles (LGV) and 6 parking spaces for coach/heavy goods vehicle (HGV) are proposed. According to the layout plan at **Drawing A-1**, the vehicle inspection and repairing workshop is located in the central portion of the Site. The operation hours are from 8:00 a.m. to 8:00 p.m. and there will be no operation on Sundays and public holidays.
- 1.4 A comparison of the major development parameters of the current application and the last approved application is given in the following table:

Major Development Parameters	Previous Application No. A/YL-HT/1046 (a)	Current Application No. A/HSK/165 (b)	Difference (b) – (a)
Applied Use	Temporary Open Storage of Vehicle with Site Office, Storage of Vehicle Parts, Vehicle Inspection and Repairing Workshop (3 Years)		same
Site Area	About 7,788m ²		same
Total Floor Area	about 2,755m ²		same
No. and Height of Structures	<p>8</p> <ul style="list-style-type: none"> - 1 open shed for storage of inspection tool (3.5m high) - 1 vehicle inspection and repairing workshop (10m high) - 1 site office and storage of vehicle parts (10m high) - 1 converted containers for storage of inspection tools 	<p>8</p> <ul style="list-style-type: none"> - 1 open shed for storage of inspection tool (3.5m high) - 1 vehicle inspection and repairing workshop (10m high) - 1 site office and storage of vehicle parts (10m high) - 1 converted containers for storage of inspection tools 	no. of structures unchanged but a reduction of a meter room

	(3.5m high) - 2 meter rooms (3.5m high) - 1 toilet and guard room (6m high) - 1 water tank and fire service pump room (5m high)	(3.5m high) - 1 meter rooms (3.5m high) - 1 toilet and guard room (6m high) - 1 fire services water tank (5m high) - 1 fire service pump room (3.5m high)	
Car Parking Spaces	4 (private cars/LGV)	4 (private cars/LGV) 6 (coach/HGV) 8 (container tractors)	+14 for coach/ HGV/ container tractors
Operation Hours	8:00 a.m. to 8:00 p.m. Monday to Saturday		same

1.5 In support of the application, the applicant has submitted the following documents:

- (a) Application form received on 31.5.2019 **(Appendix I)**
- (b) Supplementary Planning Statement with proposed layout plan, proposed landscape and tree preservation plan, as-built drainage plan and proposed FSIs layout plan **(Appendix Ia)**
- (c) Further Information (FI) received from the applicant on 12.6.2019 providing a revision on the dimension of vehicle parking spaces **(Appendix Ib)**
- (d) Further Information (FI) received from the applicant on 11.7.2019 stating his commitment to comply with the approval condition on the implementation of the FSIs proposal **(Appendix Ic)**

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the supplementary statement at **Appendix I**. They can be summarized as follows:

- (a) The Site is located in a Category 1 area under the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) which is considered suitable for open storage and port back-up uses. Preliminary technical assessments on traffic, drainage, visual and environmental aspects demonstrate that the proposed development would not generate adverse impacts on the surrounding areas, therefore the application complies with the guidelines and should receive favourable consideration by the Board, .
- (b) The development, on a temporary basis, does not contravene and will not jeopardize the long-term planning of the area. The development is compatible with its adjoining uses which are of similar nature. The Board has also approved numerous similar applications in the vicinity.

- (c) There is a general shortage of land and strong demand for port back-up uses in the area. Temporary approval for port back-up uses could alleviate the pressing demands and create employment opportunity in Ha Tsuen area.
- (d) The Site is adjoining a number of open storage yards, logistics centres and public car parks, including parking of heavy goods vehicle and container trailer/tractor, most of which are uses approved by the Board. As no major residential development is found in the vicinity of the Site and the actual impacts of the proposed development are limited, the proposed development would not generate significant impact to its surrounding;
- (e) The traffic generation from the proposed development is not great and will not cause adverse traffic impact on the local road network. Adequate parking facilities and manoeuvring space will be provided within the Site. Adequate drainage facilities will be provided to ensure no adverse drainage impact on the surrounding areas. The existing drainage facilities will be well maintained.
- (f) The applicant commits to provide a number of mitigation measures, including restriction of the operation hours to 8:00 a.m. to 8:00 p.m. with no operation on Sundays and public holidays, and no excessive or on-going operative noise will be emitted from the proposed development.
- (g) The applicant would follow the environmental measures recommended in the 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP') issued by the Environmental Protection Department.
- (h) The applicant commits to implement the approved FSIs upon planning approval.

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 sending registered mail to Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. Town Planning Board Guidelines

On 17.10.2008, the Board promulgated the 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 Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

The storage use, office use and workshop use on the Site will be subject to planning enforcement action.

6. Previous Applications

- 6.1 The site is related to 7 previous applications No. A/YL-HT/94, 159, 309, 535, 745, 914 and 1046 for open storage, vehicle park, logistics centre and/or vehicle inspection and repairing workshop uses. All applications were approved with conditions by the Committee from 1999 to 2016. Among them, 4 (No. A/YL-HT/159, 535, 914 and 1046) were subsequently revoked due to non-compliance with approval conditions on the provision of landscape, fencing and run-in/out proposal, limitation on operation hours and implementation of FSIs proposal respectively. Details of these previous applications are summarized at **Appendix III** and their locations are shown on **Plan A-1b**.
- 6.2 Compared with the last approved application (No. A/YL-HT/1046), the current application is submitted by the same applicant at the same Site for the same use but with a different layout.

7. Similar Application

There is a similar application No. A/YL-HT/751 for temporary open storage of vehicle parts with ancillary workshop within the same “R(A)3” zone on the approved HSK and HT OZP No. S/HSK/2 since the promulgation of TPB PG-No. 13E on 17.10.2008. The planning application was approved with conditions by the Committee on 23.9.2011. Particulars of the application are summarized at **Appendix IV** and the location is shown on **Plan A-1**.

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

- 8.1 The Site is:
- (a) currently being used for the applied use without a valid planning permission; and
 - (b) directly abutting Ping Ha Road.
- 8.2 The surrounding areas have the following characteristics:
- (a) to its north are vehicle parks, car service workshop and an open storage yard for recycling materials, and a vehicle service centre under a valid planning permission of Application No. A/HSK/42;
 - (b) to its east are some parking of vehicles and a woodland;
 - (c) to its southeast is a logistics centre and an open storage yard; and
 - (d) to its west across Ping Ha Road are some vacant land, a car service establishment and woodland.

9. Planning Intention

- 9.1 The Site straddles over “R(A)3” and “O” zones, and an area shown as ‘Road’ on

the approved HSK and HT OZP. The planning intention of the “R(A)3” zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest two floors of a building excluding basements, or in a free-standing purpose-designed non-domestic building up to five storeys.

- 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 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 Schedule 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 private lots which are covered by Short Term Waiver (STWs) are listed below:

Lot No(s). in D.D. 125	STW	Purposes
829 S.A	1968	Storage and Repairing of Container Boxes
837 S.B RP	3168	Temporary Open Storage of Vehicle with Site Office, Storage of Vehicle Parts, Vehicle Inspection and Repairing Workshop
829 S.B	4457	
833 RP	4458	
834	4459	
838	4460	
832	4864	Temporary Logistics Transit Centre with Ancillary Vehicle Parking Facilities
840	3917	

- (c) The Site is accessible from Ping Ha Road through GL only. His office does not guarantee any right-of-way over the GL to the Site.
- (d) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (e) Should the application be approved, the owner(s) of lots without STW will need to apply to his office to permit the structures to be erected or regularize any irregularity on site, if any. The STW holders will need to apply to his office for modification of the STW conditions where appropriate. 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 comment on the application from traffic engineering viewpoint.
- (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.

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 the TD.
- (b) Adequate drainage measures should be provided at the site access to prevent surface water flowing 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 Ping Ha Road.

Environment

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

- (a) He does not support the application as there are sensitive receivers in the vicinity of the site (the nearest residential dwelling being about 2m away) (**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) According to the applicant's submission, the existing drainage facilities which was implemented under an approved application No. A/YL-HT/1046 will be maintained for the subject development. He has no objection in principle to the application from a drainage point of view.
- (b) Should the application be approved, he would suggest imposing planning 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.
- (c) The applicant is 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 House) are erected on leased land without the approval of the Buildings Department (BD), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the captioned 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 application 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 co-ordinator 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 proposal subject to 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 his Department 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 open storage, the following approval condition shall be added:

“The provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of Director of Fire Services”

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 proposed 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 Hung Shui Kiu New Development Area (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 lots concerned fall within a site under Stage 3 and Stage 4 Works stage. While the detailed implementation programme for the project is still being formulated, based on the P&E Study, it is

envisaged that clearance of the Site 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 falls within areas zoned “R(A)3”, “O” and an area shown ‘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. There is no plan to develop the Site into public open space at present.
- (b) Since the application involves private lot only, she has no objection to the application.

District Officer’s Comments

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) Director of Agriculture, Fisheries and Conservation (DAFC); and
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD)

11. Public Comments Received During Statutory Publication Period

On 11.6.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 2.7.2019, no public comment was received.

12. Planning Considerations and Assessment

12.1 The subject application is for the development of a temporary open storage of vehicle with site office, storage of vehicle parts, vehicle inspection and repairing workshop for 3 Years at a site straddling over the “R(A)3” and “O” zones, and an area shown as ‘Road’ on the approved HSK and HT OZP. The planning intentions of the “R(A)3” and “O” zones are primarily for high-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 vehicle with site office, storage of vehicle parts, vehicle inspection and repairing workshop is not incompatible with the surrounding land uses which are predominantly used for open storage yards and vehicle repairing workshops (**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 the 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 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 receivers in the vicinity of the site (the closest residential dwelling being about 2m away) and along the access road (Ping Ha Road), and environmental nuisance is expected (**Plan A-3**). However, there has not been any substantiated environmental complaint against the Site over the past 3 years. The applicant has provided peripheral tree planting for landscape treatment and fencing as buffer to the surrounding areas. Relevant approval conditions have been recommended in paragraph 13.2 to minimize any potential environmental impacts, or to address the technical concerns raised by concerned Government departments. 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 COP in order to minimize the possible environmental impacts on the nearby sensitive receivers.

12.6 Although the four previous planning permissions under applications No. A/YL-HT/535, 745, 914 and 1046 were revoked due to non-compliance with time-specific approval conditions, it is noted that last application No. A/YL-HT/1046 submitted by the same applicant of the current submission was revoked due to non-compliance with an approval condition on the implementation of FSIs proposal. In the present application, the applicant has included a FSIs proposal and promised to comply with the approval condition on the implementation of the FSIs proposal in the present application (**Appendix Ic**). In this regard, D of FS has no adverse comment on the current application. In view of the above, sympathetic consideration may be given to the application. However, shorter compliance period is recommended in order to closely monitor the progress

on compliance with associated approval conditions. Moreover, should the application be approved, the applicant will be advised that should he fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further application.

12.7 The Committee has approved 7 previous applications and 1 similar application for similar open storage of vehicle parts with ancillary workshop within the same "R(A)3" zone since the promulgation of TPB PG-No. 13E on 17.10.2008. Approval of the current application is in line with the Committee's previous decisions.

12.8 There is no public comment received during the statutory public inspection period.

13. Planning Department's Views

13.1 Based on the assessment made in paragraph 12 above, the Planning Department considers that the temporary open storage of vehicle with site office, storage of vehicle parts, vehicle inspection and repairing workshop 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 between 8:00 p.m. to 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 public road at all times during the planning approval period;
- (d) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (e) 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**;
- (f) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within **6** weeks from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **30.8.2019**;
- (g) the submission of a fire service installations proposal within **3** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **19.10.2020**;

- (h) in relation to (g) above, the implementation of the 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**;
- (i) if any of the above planning conditions (a), (b), (c) or (d) 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
- (j) if any of the above planning conditions (e), (f), (g) or (h) 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 VI**.

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

the development is not in line with the planning intentions of the "R(A)3" and "O" zones, which are intended primarily for high-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.

Decision Sought

- 13.4 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission for renewal of the planning permission.
- 13.5 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.
- 13.6 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application Form received on 31.5.2019
Appendix Ia	Supplementary Planning Statement with proposed layout plan, proposed landscape and tree preservation plan, as-built drainage plan and proposed FSIs layout plan
Appendix Ib	Further Information (FI) received from the applicant on 12.6.2019 providing a revision on the dimension of vehicle parking spaces
Appendix Ic	Further Information (FI) received from the applicant on 11.7.2019 stating his commitment to comply with the approval condition on the implementation of the FSIs proposal

Appendix II	Relevant extracts of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E)
Appendix III	Previous applications covering the application site
Appendix IV	Similar applications within the same “R(A)3” zone on the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2 since the Promulgation of TPB PG-No. 13E on 17.10.2008
Appendix V	‘Good Practice for Open Storage Sites’ issued by the Fire Services Department
Appendix VI	Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Proposed Tree Preservation and Landscape Plan
Drawing A-3	As-built Drainage Plan
Drawing A-4	Proposed Fire Service Installation Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to 4c	Site Photos

**PLANNING DEPARTMENT
JULY 2019**