

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

**APPLICATION NO. A/HSK/176**

- Applicant** : Skywin International Development Limited represented by Metro Planning and Development Company Limited
- Site** : Lots 48 S.A.(Part), 48 S.B.(Part) and 49(Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long
- Site Area** : 1,686 m<sup>2</sup> (about) (including about 255 m<sup>2</sup> of GL)
- Lease** : Block Government Lease (demised for agricultural use)
- Plans and Zonings** : “Government, Institution or Community” (“G/IC”) (7.04%); and  
*[restricted to maximum building height (BH) of 8 storeys and 50mPD]*  
  
area shown as ‘Road’ (45.02%)  
on approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2; and  
  
“Residential (Group D)” (“R(D)”) (47.94%)  
*[restricted to maximum plot ratio of 0.2 and a maximum BH of 2 storeys (6m)]*  
on approved Ha Tsuen Fringe (HTF) OZP No. S/YL-HTF/12
- Application** : Temporary Open Storage of Construction Material and Metal Ware 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 construction material and metal ware for a period of 3 years (**Plans A-1a and 1b**). The Site straddles over “G/IC” zone (7.04%) and an area shown as ‘Road’ (45.02%) on the approved HSK and HT OZP, and “R(D)” zone (47.94%) on the approved HTF OZP. According to the covering Notes of the OZPs, 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 OZPs. In any area shown as ‘Road’, all uses or developments require planning permission from the Board. The Site is currently occupied by the applied use, hard paved and fenced with 2.5m high peripheral fencing.
- 1.2 The Site is involved 8 previous applications for various temporary open storage and port back-up uses. The last approved application (No. A/YL-HT/1070) for the same

applied use as the current application was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 17.3.2017 and subsequently revoked on 17.6.2019. Details of the previous applications are at paragraph 6 and **Appendix III**. Compared with the last application, the current application is submitted by the same applicant for the same use with modification of site layout and an increase in total floor area.

- 1.3 The Site is accessible from Ping Ha Road via Kai Pak Ling Road and Fung Kong Tsuen Road (**Plan A-2 and Drawing A-1**). As shown on the proposed layout plan at **Drawing A-2**, the ingress/egress is located at the southern boundary of the Site. Four structures with a total floor area of about 466m<sup>2</sup> (including a two-storey (7m) with a floor area of about 220m<sup>2</sup> temporary structure for site office use; a single-storey (3m) with a floor area of about 2m<sup>2</sup> toilet; a two-storey with a floor area of about 228m<sup>2</sup> converted containers for storage use under a open shed (8.5m high); and a single-storey (3m) with a floor area of about 8m<sup>2</sup> electricity meter room) are proposed. Two parking spaces for private cars and a loading/unloading bay for medium goods vehicle (MGV) are also proposed. The remaining area is for storage of construction material and metal ware, and manoeuvring circle. According to the applicant, the operation hours are from 7:00 a.m. to 11:00 p.m. from Mondays to Saturdays. There will be no operation on Sundays and public holidays. No heavy goods vehicle (i.e. over 24 tonnes), including container trailer and tractor, will be allowed to enter the Site. No workshop activity will be carried out at the Site. The proposed location plan, proposed layout plan, proposed landscape and tree preservation plan and proposed drainage plan are at **Drawings A-1 to A-4**.
- 1.4 A comparison of the major development parameters of the last approved application and the current application is summarised in the following table:

<b>Major Development Parameters</b>	<b>Last Approved Application (A/YL-HT/1070) (Revoked) (a)</b>	<b>Current Application (A/HSK/176) (b)</b>	<b>Difference (b) – (a)</b>
Site Area	about 1,686m <sup>2</sup>		---
Applied Use	Temporary Open Storage of Construction Material and Metal Ware for a Period of 3 Years		---
No. of Structures	5	4	<b>-1</b>
Total Floor Area	About 356m <sup>2</sup>	About 466m <sup>2</sup>	<b>+110m<sup>2</sup></b>
Uses of Structures	Site office, storage use, toilet and electricity meter room		---
No. of Parking Spaces	2 for private cars (5m x 2.5m each)		---
No. of Loading / Unloading Bay	1 for MGV (11m x 3.5m)		---

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

(a) Application Form received on 2.7.2019 **(Appendix I)**

- (b) Supplementary Planning Statement with location plan, (**Appendix Ia**) proposed layout plan, proposed landscape and tree preservation plan and proposed drainage plan received on 2.7.2019
- (c) Supplementary Information with replacement pages (**Appendix Ib**) received on 2.7.2019

## **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 summarised as follows:

- (a) The Site is the subject of 7 planning approvals since 1998 (Nos. A/YL-HT/48, 372, 529, 642, 807, 986 and 1070) for various open storage uses. The operation of the proposed temporary development demonstrated that the actual impact is minimal to the surrounding environment.
- (b) The adjoining lots are mostly occupied by open storage and port back-up uses. The proposed development is compatible with the surroundings. Nearly all of the previous applications for similar uses were approved by the Committee.
- (c) The Site falls within the 'Category 1 areas' of the Board's Guidelines for Application for Open Storage and Port Back-Up Uses (TPB PG-No. 13E) in which open storage and port back-up uses are considered suitable. Moreover, the preliminary technical assessments demonstrate that there would be insignificant drainage, environmental, traffic and landscape impacts.
- (d) The planning intention of "G/IC" zone, "R(D)" and 'Road' could not be realised within the coming 3 years because land resumption for the development of Hung Shui Kiu New Development Area is yet to commence. The proposed temporary development would not jeopardise the long term planning intention.
- (e) The proposed development would not generate significant impact to the surrounding environment. To minimise potential environmental impact, mitigation measures including peripheral tree planting, provision of peripheral fencing, no entry of heavy goods vehicle of over 24 tonnes e.g. container trailer and tractor) and restricted operation hours (7:00 a.m. to 11:00 p.m. from Mondays to Saturdays and no operation on Sundays and public holidays) are proposed. All existing drainage facilities will be maintained by the applicant's own expense.

## **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 notice to the Ha Tsuen Rural Committee by registered post. Detailed information would be deposited at the meeting for Members' inspection.

#### 4. **Background**

As the storage, workshop and office uses and parking of vehicles on the Site are not covered by valid planning permission, they would be subject to planning enforcement action.

#### 5. **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 mainly within Category 1 areas under the revised Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

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

- 6.1 The Site is related to eight previous applications No. A/YL-HT/48, 206, 372, 529, 642, 807, 986 and 1070 for various open storage uses. Seven of the previous applications were approved with conditions by the Committee between 1998 and 2017, however, Nos. A/YL-HT/529 and 986 were revoked on 1.5.2009 and 4.9.2016 respectively due to non-compliance with the approval conditions regarding the provision of fencing, and the implementation of Fire Service Installations (FSI) and landscape proposals. Meanwhile, No. A/YL-HT/206 for temporary open storage of construction machinery and repair workshop was rejected by the Committee on 20.7.2001 on the ground of insufficient information to demonstrate that the development would not have adverse environmental and drainage impacts on the surrounding areas.
- 6.2 The last approved application No. A/YL-HT/1070 for the same applied use as the current application was approved by Committee on 17.3.2017 for a period of 3 years. However, it was subsequently revoked on 17.6.2019 due to non-compliance of approval condition regarding the implementation of drainage proposal. Details of these previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1b**.
- 6.3 As compared to the last application, the current application is submitted by the same applicant with modification of site layout and an increase in total floor area.

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

There are 16 similar applications (Nos. A/HSK/52, 77,150 and 159, and A/YL-HT/627, 668, 670, 671, 754, 788, 842, 851, 944, 952, 1021 and 1023) for various temporary open storage uses within the same "G/IC" zone on the approved HSK and HT OZP and "R(D)" zone on the approved HTF OZP, since the promulgation of TPB PG-No. 13E on 17.10.2008. All of them were approved with conditions by the Committee between 2009 and 2019 mainly on the grounds that the applied uses are not incompatible with the surrounding areas, no adverse departmental comments and no adverse impacts to the surrounding areas. However, two of the applications (Nos. A/YL-HT/627 and 671) were subsequently revoked due to non-compliance with approval conditions. Details of these similar applications and the decisions of the Committee are summarised at **Appendix IV**. The locations of these application sites are shown on **Plan A-1a**.

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

### 8.1 The Site is:

- (a) accessible to Ping Ha Road via Kai Pak Ling Road and Fung Kong Tsuen Road;
- (b) currently occupied by the applied use without valid planning permission (**Plan A-2**).

### 8.2 The surrounding areas have the following characteristics (**Plans A-2 and A-3**):

- (a) to its northwest and north are yards for open storage of construction material and metal ware under a valid planning permission No. A/HSK/150 (**Plan A-2**); to the further north are some temporary structures and residential dwellings (the nearest about 34m away), a yard for open storage of construction materials and graves;
- (b) to its immediate east is a yard for open storage of scrap metal and plastic under a valid planning permission No. A/HSK/77; to its further northeast and east are yards for open storage of construction machinery and materials under a valid planning permission No. A/HSK/52;
- (c) to its southeast and south are some graves and a pump house; to the further southwest are some temporary structures for metal workshop use, a residential dwelling and warehouses; and
- (d) to its west across the local track are some temporary structures for storage use and warehouses.

## **9. Planning Intention**

9.1 The planning intention of the “G/IC” zone on the approved HSK and HT OZP is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

9.2 The planning intention of the “R(D)” zone on the approved HTF OZP is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

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

10.1 The following Government departments have been consulted and their views on the application are summarised 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 Government Land (GL) (about 255m<sup>2</sup> in area subject to verification) is covered by Short Term Tenancy No. 3162 (STT3162) for the purposes of Open Storage of Construction Material and Metal Ware.
- (c) The private lots which are covered by Short Term Waivers (STWs) are listed below:

<b>Lot No(s). in D.D. 128</b>	<b>STW No.</b>	<b>Purposes</b>
48 S.A and 49	3331	Storage of Used Paper Products and Ancillary Workshop
48 S.B	3332	

- (d) The Site is accessible from Kai Pak Ling Road through GL. His office does not guarantee any right-of-way to the Site.
- (e) The Site does not fall within the Shek Kong Airfield Height Restriction Area.
- (f) Should planning approval be given, the STW/STT holders will need to apply to his office for modification of the STW/STT conditions where appropriate. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Buildings(s) will be considered or allowed. Application(s) for any of the above will be considered by 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 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 objection in principle to 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.

- (c) The local track leading to the site is not under TD's purview. The applicant shall obtain consent of the owners/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 proposed access arrangement should be commented by the TD;
- (b) Adequate drainage measures should be provided at the site access to prevent surface water running from the Site to the nearby public roads/drains; and
- (c) HyD shall not be responsible for the maintenance of any access connecting the Site and Fung Kong Tsuen Road.

**Environment**

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

- (a) DEP does not support the application because there are sensitive users nearby (the nearest is about 34m away) and along the Kai Pak Ling Road and Fung Kong Tsuen Road (**Plan A-2**) and environmental nuisance is expected.
- (b) No environmental complaint pertaining to the Site has been received in the past three years.
- (c) The applicant is advised to follow the latest 'Code of Practice on Handling 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 proposed application from a drainage point of view.
- (b) Should the application is considered acceptable from the planning point of view, approval condition requiring the implementation and maintenance of the proposed drainage facilities to the satisfaction of his Office should be stipulated in the approval letter.
- (c) The applicant is reminded that the development should neither obstruct overland flow nor adversely affect existing stream course, natural streams, village drains, ditches and the adjacent areas. The peripheral surface channels should be constructed at adequate level such that surface runoff can be effectively intercepted.

- (d) The applicant should consult DLO/YL and seek consent from the relevant owners for any works to be carried out outside his lot boundary before commencement of the drainage works.

### **Building Matters**

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

- (a) Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of the Buildings Department (BD) should be obtained, otherwise they are Unauthorised Building Works (UBW) under the Buildings Ordinance (BO). An Authorised Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (b) 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.
- (c) 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.
- (d) 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 fire service installations (FSIs) being provided to the satisfaction of D of FS.
- (b) In consideration of the design/nature of the proposal, 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 are to be installed should be clearly marked on the layout plans. Attached good practice guidelines for open storage should be adhered to (**Appendix V**).
- (d) Having considered the nature of the open storage, the approval condition of "the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of D of FS"



should be stipulated. To address this additional approval condition, the applicant is required 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 Project Manager (West), Civil Engineering and Development Department (PM/W, CEDD):

- (a) He has no objection to the temporary use for 3 years, which should be considered in accordance with the provisions of the existing OZP and infrastructure capacities.
- (b) However, the Site partly 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 lot(s) concerned falls within a site under Stage 4 Work 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.

### **District Officer's Comments**

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

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

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

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

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

On 9.7.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 30.7.2019, one public comment was received from a private individual expressing traffic safety concern of the villagers (**Appendix VI**).

## 12. Planning Considerations and Assessment

- 12.1 The application is for the development of a temporary open storage of construction material and metal ware for a period of 3 years at a site straddling over “G/IC” zone (7.04%) and an area shown as ‘Road’ (45.02%) on the approved HSK and HT OZP, and “R(D)” zone (47.94%) on the approved HTF OZP. The planning intentions of “G/IC” and “R(D)” are primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory and improvement, and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings respectively. Whilst the development is not in line with the planning intentions, the implementation programme for the NDA is still being formulated, and PM/W of CEDD 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 jeopardise 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 surroundings which are predominantly open storage, warehouse and workshop uses (**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 major adverse comment from 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 34m away) and along Fung Kong Tsuen Road, and environmental nuisance is expected (**Plan A-2**). However, there is no substantiated environmental complaint pertaining to the Site in the past three years. Relevant approval conditions have been recommended in paragraph 13.2 to address the concerns on the possible environmental nuisances or the technical requirements of the other concerned Government departments. Any non-compliance with these approval conditions would result in the revocation of the planning permission and any unauthorised development on the Site would subject to enforcement action by the Planning Authority. Should the application be approved, the applicant will also be advised to follow the relevant mitigation measures and requirements in the latest ‘Code of Practice on Handling Environmental Aspects of Open Storage and

Temporary Uses' in order to minimise the possible environmental impacts on the nearby sensitive receivers.

- 12.6 The Committee has approved 7 previous applications for similar temporary open storage use at the Site (**Plan A-1b**). Approval of the subject application is in line with the Committee's previous decisions. However, the last application (No. A/YL-HT/1070), which was approved with conditions by the Committee on 17.3.2017 for a period of 3 years, was subsequently revoked due to non-compliance with conditions regarding the implementation of drainage proposal on 17.6.2019. The current application is submitted by the same applicant for the same use. In the current application, the applicant has proposed a drainage plan for the development (**Drawings A-4**) and DSD has no objection to the proposal. In view of the above, sympathetic consideration may be given to this application. Should the application be approved, shorter compliance periods are recommended in order to closely monitor the progress on compliance with associated approval conditions. The applicant will be advised that should he fail to comply with any of the approval conditions resulting in revocation of planning permission, sympathetic consideration would unlikely be given to any further application.
- 12.7 There is one public comment received expressing concerns on the application mainly on grounds stated in paragraph 11 above. The planning considerations and assessments in the above paragraphs are relevant.

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

- 13.1 Based on the assessment made in paragraph 12 above and having taken into account the public comment mentioned in paragraph 11, the Planning Department considers that the temporary open storage of construction materials and metal ware 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 **16.8.2022**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### Approval conditions

- (a) no operation between 11:00 p.m. and 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 workshop activity, as proposed by the applicant, is allowed at any times on the Site during the planning approval period;
- (d) no vehicle exceeding 24 tonnes, including container trailer/ tractor, as defined in the Roads (Traffic) Ordinance, as proposed by the applicant, is allowed to enter/ exit or to be parked/stored on the Site at any time during the planning approval period;

- (e) all existing trees and landscape plants on the Site shall be maintained at all times during the planning approval period;
- (f) the implementation of the 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 **16.2.2020**;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251) 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 **27.9.2019**;
- (i) the submission of a fire service installations proposal within **3** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **16.11.2019**;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **16.2.2020**;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (g) 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;
- (l) if any of the above planning conditions (f), (h), (i) or (j) 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; and

Advisory clauses

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

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

- (a) the development is not in line with the planning intention of the "R(D)" and "G/IC" zones, which are intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory and improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings respectively. There is no strong justification 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 for renewal of the planning 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 applicant.

**15. Attachments**

<b>Appendix I</b>	Application Form received on 2.7.2019
<b>Appendix Ia</b>	Supplementary Planning Statement with location plan, proposed layout plan, proposed landscape and tree preservation plan and proposed drainage plan received on 2.7.2019
<b>Appendix Ib</b>	Supplementary Information with replacement pages received on 2.7.2019
<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 Site
<b>Appendix IV</b>	Similar Applications
<b>Appendix V</b>	'Good Practice for Open Storage Sites' by Fire Services Department
<b>Appendix VI</b>	Public Comment received
<b>Appendix VII</b>	Advisory Clauses
<b>Drawing A-1</b>	Location Plan
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	Proposed Landscape and Tree Preservation Plan
<b>Drawing A-4</b>	Proposed Drainage Plan
<b>Plans A-1a and 1b</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and 4b</b>	Site Photos

**PLANNING DEPARTMENT  
AUGUST 2019**