

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

APPLICATION NO. A/HSK/227

- Applicant** : Mr. Mok Wing-kin represented by Allgain Land Administrators (Hong Kong) Ltd.
- Site** : Lots 3150 RP (Part), 3151 RP (Part), 3152 RP (Part), 3162 RP, 3163 RP (Part), 3164 (Part), 3165, 3166, 3167 S.A (Part), 3168 (Part), 3169 (Part), 3177 (Part), 3178 (Part), 3179, 3180, 3181 S.A (Part), 3181 RP (Part), 3182, 3183 (Part), 3184 (Part), 3187 RP (Part) and 3188 RP (Part) in D.D.129 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long
- Site Area** : 9,800 m² (about) (including about 229 m² of GL (about 2.3%))
- 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** : “Government, Institution or Community” (“G/IC”) (87%); and
[Restricted to maximum BH of 50mPD]
an area shown as ‘Road’ (about 13%)
- Application** : Temporary Logistics Centre and Ancillary Parking of Vehicles 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 logistics centre and ancillary parking of vehicles for a period of 3 years (**Plan A-1a**). The Site is mainly zoned “G/IC” (87%) with an area shown as ‘Road’ (13%) 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 zone requires planning permission from the Town Planning Board (the Board) notwithstanding that the use or development is not provided for under the Notes of the OZP. In any area shown as ‘Road’ on the OZP, all uses or developments require planning permission from the Board. The Site is currently used for the applied use without valid planning permission (**Plans A-4a to 4d**).
- 1.2 The Site is involved in 10 previous applications (No. A/YL-HT/151, 291, 311, 431, 594 and 701 for temporary public/container vehicle park use and No. A/YL-HT/795, 866 and 1072 and A/HSK/40 for temporary logistics centre and ancillary parking of vehicle uses). The last application No. A/YL-HSK/40 for the same applied use

was approved by the Rural and New Town Planning Committee (the Committee) of the Board with conditions for a period of 3 years on 26.1.2018. The approval was subsequently revoked on 26.2.2020 due to non-compliance with approval conditions on implementation of tree preservation and landscape and fire service installations (FSIs) proposals. The current application is submitted by the same applicant for the same use at a slightly smaller site with similar layout.

- 1.3 The Site is directly abutting and accessible from Ping Ha Road/Lau Fau Shan Road. As shown on the layout plan at **Drawing A-1** and **Plan A-2**, the ingress/egress is located at the western boundary of the Site. There are 10 temporary structures with a total floor area of not exceeding 5,889m² including a 7.62m high single-storey large structure (with floor area of 5,491m²) for warehouse, a 8m high 2-storey structure (with floor area of 220m²) for site office, a 3m high single-storey converted container (with floor area of 40m²) for site office, another 3m high single-storey converted container (with floor area of 40m²) for forklift parking, and six other 3m high single-storey structures for water meter room, electrical meter room, F.S. water tank, F.S. pump, F.S. backup generator and toilet with an aggregated GFA of 98m². 5 parking spaces for private cars, 5 parking spaces for medium/heavy goods vehicles and 6 parking spaces for container vehicles are provided. Two loading/unloading spaces for medium/heavy goods vehicles with no fixed locations will be provided. According to the applicant, the operation hour of the Site is 7:00 am to 11:00 pm from Mondays to Saturdays, and there will be no operation on Sundays and public holidays. The tree preservation and landscape proposal, as-built drainage plan and FSIs proposal are at **Drawings A-2** to **A-4** respectively.
- 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	Last Approved Application (A/HSK/40) (a) (Revoked on 26.2.2020)	Current Application (A/HSK/227) (b)	Difference (b) - (a)
Applied Use	Temporary Logistics Centre and Ancillary Parking of Vehicle (3 years)		Same
Site Area	9,860m ²	9,800m ²	-60m ² (-0.6%)
No. of Structures	5	10	+5
Total Floor Area	5,820m ²	5,889m ²	+69m ² (+1.2%)
No. of Parking Spaces	5 for Private Cars (2.5m x 5m each) 6 for Container Vehicles (3.5m x 16m each) 5 for Medium/Heavy Goods Vehicles (3.5m x 11m each)		Same
No. of Loading/unloading Spaces	-	2 for Medium/Heavy Goods Vehicles (no fixed locations)	+2
Operation Hours	7:00 a.m. to 11:00 p.m., 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 with supplementary planning statement, photos and plans received on 5.5.2020 **(Appendix I)**
- (b) Supplementary Information (SI) received on 7.5.2020 providing replacement pages for application form and drawings to rectify typo error **(Appendix Ia)**
- (b) Further Information (FI) received on 18.5.2020 providing FSIs proposal, quotation of FSIs equipment and the reasons for non-compliance with FSIs implementation for previous application **(Appendix Ib)**
[accepted and exempted from publication and recounting requirements]
- (c) FI received on 21.5.2020 providing the trip generation rate for various types of vehicles **(Appendix Ic)**
[accepted and exempted from publication and recounting requirements]
- (d) FI received on 22.5.2020 providing the revised trip generation rate for private car **(Appendix Id)**
[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 in the supplementary planning statement attached to the Application Form at **Appendix I** and the in FI at **Appendix Ib**. They can be summarized as follows:

- (a) The Site is relating to a previous permission of Application No. A/HSK/40 which was however revoked due to non-compliance with approval conditions as a result of the outbreak of epidemic situation in the community. The current fresh application was therefore submitted.
- (b) The proposed development is temporary in nature and would not jeopardize the long term planning intention of the area.
- (c) The Site is close to the existing storage of containers in the area, which is similar to the proposed logistics centre. Hence, the applied use is compatible with the surrounding environment. Most of the open storage and port back-up activities in the vicinity have obtained the Board's permission.
- (d) 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).
- (e) Since 2000, the Site is involved in a number of previously approved applications, including Applications No. A/YL-HT/151, 291, 311, 431, 594, 701, 795, 866 and 1072 and A/HSK/40. The current application is for the same use as the last one and there are no significant change of planning circumstances in the area.

- (f) The applicant has appointed a new consultant to oversee the application, employed experienced FSIs contractor to implement the FSIs proposal and pledged to comply with the relevant approval conditions if the current application is approved.

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. 31A) by posting site notice and sending notice to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements under TPB PG-No. 31A are not applicable to the Government land portion.

4. Town Planning Board Guidelines

On 27.3.2020, the Board promulgated the revised Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13F). The Site falls within Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) under the revised Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

The use of logistics centre and ancillary parking of vehicles on the Site would be subject to planning enforcement action.

6. Previous Applications

- 6.1 The Site is involved in 10 previous applications, including Application No. A/YL-HT/151, 291, 311, 431, 594 and 701 for temporary public/container vehicle park use and Application No. A/YL-HT/795, 866 and 1072 and A/HSK/40 for temporary logistics centre and ancillary parking of vehicle uses. Details of these applications are summarized at **Appendix III** and their locations are shown on **Plan A-1b**.
- 6.2 All of these applications were approved with conditions by the Committee/Board between 2000 and 2018 on the considerations that the applied uses are not incompatible with the surrounding areas, generally in line with the then Town Planning Board Guidelines TPB PG-No. 13E and no major adverse comments from concerned Government departments. Amongst these, four applications No. A/YL-HT/311, 701 and 1072 and A/HSK/40 were subsequently revoked due to non-compliance with time-specific approval conditions.
- 6.3 The last application No. A/HSK/40 was approved with conditions by the Committee for a period of 3 years on 26.1.2018, but was the permission subsequently revoked on 26.2.2020 due to non-compliance with approval conditions on implementation of tree preservation and landscape and FSIs proposals. Comparing with the last approved application, the current application is submitted by the same applicant for the same use at a slightly smaller site with similar layout.

7. Similar Applications

There are 3 similar applications (No. A/HSK/68, 94 and 173) for logistics centre use within the same “G/IC” zone on the approved HSK and HT OZP. All of these applications were approved with conditions by the Committee between 2018 to 2019 on similar considerations as mentioned in paragraph 6.2 above. 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-4d)

8.1 The Site is:

- (a) being used for the applied use without valid planning permission; and
- (b) directly abutting and accessible from Ping Ha Road/Lau Fau Shan Road.

8.2 The surrounding areas have the following characteristics:

- (a) to its immediate north is a vehicle repair workshop and a car service centre, while to its further north across Tin Wah Road are a cluster of residential dwellings at Sha Kong Wai and shrubland;
- (b) to its immediate east are a vacant temporary structure and shrubland;
- (c) to its south are a residential dwelling (about 32m away), a warehouse and a logistics centre under valid planning permissions (Application No. A/HSK/69 and 173 respectively) while to its further south are some open storages (**Plan A-2**); and
- (d) to its west is Lau Fau Shan Road/Ping Ha Road.

9. Planning Intention

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

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 GL and 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) No permission is given for occupation of the GL included in the application site (about 229m² subject to verification). The act of occupation of GL without Government's prior approval is not allowed.
- (c) The private lots in the Site which are covered by Short Term Waivers (STWs) are listed below:

Lot No(s). in D.D.129	STW No.	Purposes
3169	3054	Ancillary use to Storage
3150 RP	4060	Temporary Logistics Centre and Ancillary Parking of Vehicles
3162 RP	4061	
3163 RP	4062	
3164	4063	
3165	4064	
3166	4065	
3167 S.A	4066	
3168	4067	
3177	4068	
3179	4069	
3183		
3180	4070	
3181 S.A	4071	
3181 R.P	4072	
3188 R.P	4073	
3184	4378	
3178	4379	
3187 RP		

- (d) Should the application be approved, the STW holders will need to apply to his office for modification of the STW conditions where appropriate. The lot owner(s) of the lot(s) without STW will need to apply to his office for permitting the structures to be erected or to regularize any irregularities on site, if any. Also, the applicant has to either exclude the GL from the Site or apply for a formal approval prior to the actual occupation of the GL. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. 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 rent 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 adverse comments on the application from traffic engineering point of view.

- (b) Sufficient manoeuvring spaces shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.

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 at the site access to prevent surface water flowing from the Site to nearby public roads/drains.
- (c) HyD shall not be responsible for the maintenance of any access connecting the Site and Ping Ha Road.

Environment

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

- (a) He does not support the application as there are sensitive uses in the vicinity of the Site (the nearest residential dwelling about 32m away) (**Plan A-2**) and environmental nuisance is expected.
- (b) There was no environmental complaint pertaining to the Site received in the past 3 years.
- (c) Should the application be approved, the applicant is advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP').

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/HSK/40 will be maintained for the subject development. He has no objection in principle to the development from a drainage point of view.
- (b) Should the application be approved, a condition should be stipulated in the approval 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.

Landscaping

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

- (a) He has no objection to the application from landscape planning perspective.
- (b) The Site, located at the corner of Lau Fau Shan Road and Tin Wah Road, lies in an area of “G/IC” zone. The Site is the subject of previous applications No. A/YL-HT/1072 and A/HSK/40 for temporary logistics centre use, which were revoked due to failure to comply with planning conditions including the landscape condition. The current application seeks planning permission for the same use for a period of 3 years by the same applicant.
- (c) With reference to the aerial photo of 2018, the Site is in an area of rural landscape character predominated by open storage yards and temporary structures. Existing trees are found generally along the site boundary within the Site. Other existing tree groups are found to the north and east of the Site. The applied use appears to be already in operation. Significant change to the landscape character arising from the application is not envisaged.
- (d) In view of the above, should the application be approved, he would recommend the condition to implement the approved landscape proposal to the satisfaction of the Director of Planning or of the Board.
- (e) The applicant is reminded that approval of the application does not imply approval of tree works such as felling, transplanting or pruning under the lease. The applicant shall approach relevant authority/government department(s) direct to obtain the necessary approval for any proposed tree preservation or removal scheme involving trees within or outside the Site where appropriate.

Building Matters

10.1.7 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 approval of the BA, 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 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 BA 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

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

- (a) He has no objection in principle to the application 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 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 are to be installed should be clearly marked on the layout plans.
- (d) His detailed comments on the FSIs submission are provided at **Appendix VI**.
- (e) The applicant is reminded that if the proposed structure(s) is required to comply with the BO, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Long-Term Development

10.1.9 Comments of the Project Manager (West), Civil Engineering and Development Department (PM/W, 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/HT NDA. According to the Planning and Engineering Study for the HSK/HT NDA and the latest plan, to ensure timely and orderly implementation, the development of HSK/HT 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 3 Works in the latest programme of the HSK/HT NDA. While the detailed implementation programme for the project is still being formulated, it is envisaged that clearance of the Site will not be arranged before 2024.

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.
- (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 12.5.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period, two public comments from a district councillor and an individual were received. Both commenters are of the view that the planned developments in the HSK/HT NDA should be implemented according to specified timelines instead of continual approving temporary developments (**Appendices V-1 and 2**).

12. Planning Considerations and Assessment

12.1 The application is for temporary logistics centre and ancillary parking of vehicles for a period of 3 years at a site straddling over "G/IC" zone and an area shown as 'Road' on the approved HSK and HT OZP. The planning intention of the "G/IC" zone is primarily for the provision of Government, institution or community facilities. Whilst the applied use is not in line with the planning intention, the implementation programme for this part of NDA is still being formulated, and PM/W of CEDD has no objection to the applied use for a period of 3 years at 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 logistics centre and ancillary parking of vehicle under application is not incompatible with the surrounding land uses which are predominantly used for warehouses, logistics centres, open storage and workshops (**Plan A-2**).

- 12.3 The Site falls within the HSK/HT NDA. For applications in NDAs, the following considerations under the TPB PG-No. 13F are relevant:

For existing open storage and port back-up uses with previous planning approval(s) and/or permitted under the previous OZPs, sympathetic consideration may be given to the application (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant) until the concerned site is required for implementation of NDA development, provided that the relevant approval conditions, if any, have been complied with. Technical assessments, where appropriate, should be submitted to demonstrate that the continued operation of the current uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas and the concerns of the departments and local residents, if any, can be addressed through the implementation of the approval conditions. In view of the impending implementation of NDAs, new open storage and port back-up uses are generally not encouraged to infiltrate into the NDAs. There is a general presumption against such uses at greenfield areas and/or at sites with land use compatibility issue, e.g. in close proximity to existing residential dwellings which may be subject to environmental nuisances caused by the open storage and port back-up uses.

- 12.4 The applied use is generally in line with the TPB PG-No. 13F in that the Site falls within HSK/HT NDA and previous planning approvals have been given under the previous OZP. While the planning permissions under the last two applications (No. A/YL-HT/1072 and A/HSK/40) were revoked due to non-compliance with approval conditions on the implementation of landscaping and FSIs proposals, relevant proposals have been included in the current submission in which the landscape proposal has been accepted by CTP/UD&L of PlanD and D of FS has no adverse comment on the FSIs proposal. In addition, the applicant commits to employ new planning consultant and fire service contractor to implement the proposals and to comply with the relevant approval conditions. As such, sympathetic consideration may be given to the application. However, as the previous application submitted by the same applicant has been revoked, shorter compliance periods are recommended in order to closely monitor the progress on compliance with associated approval conditions. Should the application be approved, 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 not be given to any further applications.

- 12.5 There is no 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 32m away), and environmental nuisance is expected (**Plan A-2**). However, there was no environmental complaint pertaining to the Site in the past three years. Furthermore, relevant approval conditions have been recommended in paragraph 13.2 to address the possible environmental nuisances or the technical requirements of the other concerned Government departments. Any non-compliance with these approval conditions would result in revocation of the planning permission and any unauthorized development on the 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 There are four previously approved planning applications for logistics centre at the Site and 3 similar approved applications in the same “G/IC” zone on the approved HSK and HT OZP (**Plan A-1a**). Approval of the subject application is in line with the Committee’s previous decisions.
- 12.7 There are two public comments received on the application during statutory publication period as summarised in paragraph 11. The planning considerations and assessments in the above paragraphs are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11, the Planning Department considers that the temporary logistics centre with ancillary parking of vehicles 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 **26.6.2023**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no operation from 11:00 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 vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the existing drainage facilities on the Site should 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 **26.9.2020**;
- (f) the implementation of the approved landscape proposal within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **26.12.2020**;
- (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 **26.9.2020**;
- (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 **26.12.2020**;

- (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 reasons for rejection are suggested for Members' reference:

- (a) the development is not in line with the planning intention of the "G/IC" zone, which 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. There is no strong planning justification in the submission for a departure from the planning intention, 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 reason(s) for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form with supplementary planning statement, photos and plans received on 5.5.2020
Appendix Ia	SI received on 7.5.2020 providing replacement pages for application form and drawings to rectify typo error
Appendix Ib	FI received on 18.5.2020 providing FSIs plan, quotation of FSIs equipment and the reasons for non-compliance with FSIs implementation for previous application
Appendix Ic	FI received on 21.5.2020 providing the trip generation rate for various types of vehicles
Appendix Id	FI received on 22.5.2020 providing the revised trip generation rate for private car
Appendix II	Relevant Extracts of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13F)

Appendix III	Previous Applications covering the Site
Appendix IV	Similar Applications within the same “G/IC” Zone on the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2
Appendices V-1 and 2	Public Comments
Appendix VI	Advisory Clauses
Drawing A-1	Proposed Layout Plan
Drawing A-2	Proposed Landscape and Tree Preservation Plan
Drawing A-3	As-built Drainage Plan
Drawing A-4	Proposed FSIs 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 4d	Site Photos

**PLANNING DEPARTMENT
JUNE 2020**