

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

APPLICATION NO. A/HSK/59

Applicant : Mr. WONG Yiu Wing represented by Metro Planning and Development Company Limited

Site : Lots 2959 (Part), 2963 (Part), 2970 (Part), 2988 (Part), 2989 RP (Part), 2991 RP (Part), 2992 RP, 2993, 2994, 2995, 2996, 2997, 2998, 2999 (Part), 3000 RP (Part), 3073 S.A (Part), 3073 RP, 3076 (Part), 3077 (Part), 3078 (Part), 3079, 3080, 3081, 3082 S.A, 3082 S.B, 3083, 3084, 3085 (Part), 3086 (Part), 3087 (Part), 3088 S.A, 3088 S.B (Part), 3089, 3090, 3091, 3096 (Part), 3098 S.A (Part), 3098 S.B (Part), 3098 S.C (Part), 3098 S.D (Part), 3098 S.E, 3098 S.F and 3098 RP in D.D.129 and Adjoining Government Land, Lau Fau Shan, Yuen Long, New Territories

Site Area : 22,550m² (about) (Including about 600m² of Government Land (GL))

Lease : Block Government Lease (demised for agricultural use)

Plan : Draft Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/1

Zoning : “Government, Institution or Community” (“G/IC”) (about 55%), “Residential (Group B) 2” (“R(B)2”) (about 21%), “Open Space” (“O”) (about 8%) and areas shown as ‘Road’ (about 16%)

Application : Temporary Logistics Centre 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 for a period of 3 years (**Plan A-1a**). The Site straddles over “G/IC” (about 55%), “R(B)2” (about 21%), “O” zones (about 8%) and an area shown as ‘Road’ (about 16%) on the draft HSK and HT OZP No. S/HSK/1. 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 draft HSK and HT OZP, all uses or developments require planning permission from the Board.

- 1.2 The Site is related to six previous planning applications (No. A/YL-HT/99, 166, 268, 690 and 934 and A/HSK/7) for temporary open storage of containers and logistics centres uses (**Plan A-1b**). The last approved application (No. A/HSK/7) for the same temporary logistics centre use (covering the major south-western portion of the Site) was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board for a period of 3 years on 25.8.2017 and is valid until 25.8.2020. The majority of the Site (south-western portion) is currently being used for the applied use with valid planning permission under Application No. A/HSK/7 while the north-eastern portion of the Site is currently vacant.
- 1.3 The Site is accessible from Lau Fau Shan Road through private land. The ingress/egress is located at the north-eastern corner of the Site (**Plan A-2 and Drawing A-1**). As shown on the proposed layout plan at **Drawing A-2**, five temporary structures with a total floor area of not exceeding 16,935m² are proposed (including two single-storey structure for logistics centre (an existing one of 12m high with a floor area of not exceeding 13,635m² and a proposed one of 13m high with a floor area of not exceeding 2,400m²), a single-storey structure for water tank and pump room (5m high with a floor area of not exceeding 80m²), a single-storey structure for electricity meter room (4m high with a floor area of not exceeding 80m²) and a two-storey structure for site office (8.5m high with a floor area of not exceeding 740m²)). 6 loading/unloading bays for medium and heavy goods vehicle and 4 loading/unloading bays for container trailer/tractor are also proposed.
- 1.4 According to the applicant, the operation hours of the Site are from 7:00 a.m. to 9:00 p.m., there will be no operation on Sundays and public holidays and no workshop activities would be carried out. A proposed landscape and tree preservation plan and a proposed drainage plan are shown at **Drawings A-3 and A-4** respectively.
- 1.5 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	Current Application (A/HSK/7) (a)	Previous Application (A/HSK/59) (b)	Difference (b) – (a)
Site Area	About 19,714m ²	About 22,550m ²	+2,836m ²
Applied Use	Temporary Logistics Centre for a Period of 3 Years	Temporary Logistics Centre for a Period of 3 Years	-
No. of Structures	3	5	+2
Total Floor Area	About 13,795m ²	About 16,935m ²	+3,140m ²
No. of loading/unloading bays	<ul style="list-style-type: none"> • medium/heavy goods vehicles: 3 • container trailers/tractors: 4 	<ul style="list-style-type: none"> • medium/heavy goods vehicles: 6 • container trailers/tractors: 4 	<ul style="list-style-type: none"> • medium/heavy goods vehicles: +3

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

(a) Application form received on 21.2.2018

(Appendix I)

- (b) Supplementary planning statement with vehicular access plan, proposed layout plan, proposed landscape and tree preservation plan, proposed drainage plan and catchment plan **(Appendix Ia)**

2. Justifications from the Applicant

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

- (a) The planning intention of the “R(B)2”, “G/IC” and “O” zones and ‘Road’ could not be realized within the coming 3 years since land resumption for the development of Hung Shui Kiu new town is yet to commence.
- (b) The Site has been the subject of a previous planning approval for temporary logistics centre for application No. A/HSK/7. Due to the intention to extend the Site boundary to adjoining lots, the applicant submits a fresh planning permission for the Board’s consideration.
- (c) The site falls within the “Category 1 areas” of the Town Planning Board’s Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E), which is suitable for open storage and port back-up uses.
- (d) The proposed development is currently adjoining logistics centres, warehouse and container depot. As such, the proposed development is not incompatible with the surrounding environment and preferential treatment should be given to the current application.
- (e) Preliminary technical assessments on the traffic, drainage, landscape and environmental aspects have been provided to demonstrate that the proposed development would not generate adverse impacts to the surrounding areas. The applicant has also recommended a number of mitigation measures, such as no cutting, dismantling, cleansing, repairing, compaction, tyre repair, vehicle repair, container repair and workshop activity; no operation during sensitive hours from 9:00 pm to 7:00 am and on Sundays and public holidays.

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

The applicant is not the “current land owner” and has also complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31) by posting site notice and publishing notice on 3 local newspapers. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

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

5. **Background**

The majority of the Site is being used as the applied use. As that part of the Site is still covered by a valid planning application No. A/HSK/7, it is not subject to any active enforcement action. Besides, it is noted that the remaining part (i.e. the north-eastern portion) of the Site is currently vacant, it is not subject to any enforcement case.

6. **Previous Applications**

- 6.1 The Site is related to six previous applications (Nos. A/YL-HT/99, 166, 268, 690 and 934 and A/HSK/7) for temporary open storage of containers and logistics centres uses. Details of these applications are summarized at **Appendix III** and their location is shown on **Plan A-1b**.
- 6.2 All six previous applications were approved by the Committee with conditions for a period of 3 years. However, three of them (Nos. A/YL-HT/166, 690 and 934) were subsequently revoked due to non-compliance with approval conditions. The last application No. A/HSK/7 for temporary logistics centre was approved with conditions for a period of 3 years by the Committee on 25.8.2017.
- 6.3 Compared with the last application No. A/HSK/7, the current application is submitted by the same applicant for the same logistics centre use on a larger site (+2,836m²) with a different layout. Two additional structures (one for logistics centre and another for site office) are proposed with an increase of total floor area from about 13,795m² to 16,935m² (+3,140m²). The number of loading/unloading bays for medium/heavy goods vehicles has been increased from 3 to 6.

7. **Similar Applications**

There are 3 similar applications (No. A/YL-HT/1017 & 1058 and A/HSK/5) for temporary logistics centre uses within the same “G/IC”, “R(B)2” and “O” zones on the OZP since the promulgation of TPB PG-No. 13E on 17.10.2008. All of them were approved by the Committee. Particulars of these applications and the decisions of the Committee are summarized at **Appendix IV**. The locations of these application sites are shown on **Plan A-1a**.

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

- 8.1 The Site is:
 - (a) largely being used for the applied use with a valid planning permission with the north-eastern part currently vacant; and
 - (b) accessible to Lau Fau Shan Road through private land.

8.2 The surrounding areas have the following characteristics:

- (a) to its north are an open storage yard of containers under the planning permission of Application No. A/YL-HT/1031 and two open storage yards of containers which are both suspected unauthorized developments (UDs); further northeast are an open storage yard of vehicle parts under the planning permission of Application No. A/YL-HT/979, a vehicle repair workshop tolerated under the Ordinance, a residential dwelling (being about 5m away), a logistics centre under the planning permission of Application No. A/HSK/5, a yard for storage, a vehicle repair workshop and an open storage yard of miscellaneous item, which are all suspected UD's;
- (b) to its east is a logistics centre under the planning permission of Application No. A/YL-HT/1017;
- (c) to its south are a logistics centre under the planning permission of Application No. A/YL-HT/1058, an open storage yard of construction machinery and material under the planning permission of Application No. A/YL-HT/1021, and a logistics centre under the planning permission of Application No. A/YL-HT/1061; and
- (d) to its west are an open storage yard of construction materials which is a suspected UD, open storage yards of metal ware under the planning permissions of Applications Nos. A/YL-HT/1023 and 1020, a yard for open storage of containers and parking of container vehicles and a warehouse which are all suspected UD's, a temporary structure for residential use and unused land.

9. Planning Intentions

- 9.1 The planning intention of the "G/IC" zone in the draft HSK and HT OZP is 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. 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(B)2" zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted with or without application to the Board. No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio (PR) of 2.5 and the maximum building height (BH) ranging from 60mPD to 90mPD.
- 9.3 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 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 Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (b) Two portions of the GL (about 575m²) of the Site is covered by Short Term Tenancy (STT) No. 3148 for the purpose of “Temporary Logistics Centre with Ancillary Office and Parking of Vehicle”.
- (c) No permission is given for occupation of GL of about 25m² in area (subject to verification) included in the Site. The act of occupation of remaining GL without Government’s prior approval is not allowed.
- (d) The private land (PL) of the following lots are covered by Short Term Waivers (STWs) as below table:

STW	Lot No. (in D.D. 129)	Purpose
4826	2988 & 2996	Temporary Logistics Centre with Ancillary Office and Parking of Vehicle
4827	2989 RP	
4828	2991 RP	
4829	2992 RP	
4830	2993 & 2995	
4831	2994	
4832	2997	
4833	2998 & 3078	
4834	2999	
4835	3000 RP	
4836	3073 S.A, 3073 RP & 3084	
4837	3079	
4838	3080	
4839	3081 & 3083	
4840	3082 S.A	
4841	3082 S.B	
4842	3085	
4843	3086	
4844	3098 S.E	
4845	3098 S.F	

- (e) The Site is accessible to Lau Fau Shan Road through PL only. His office does not guarantee any right-of-way.
- (f) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (g) Should the application be approved, the lot owners will need to apply to his Office to permit the structures to be erected or regularize any irregularity on site. Besides, the applicant has to either exclude the remaining GL from the Site or apply for a formal approval prior to the

actual occupation of the remaining GL. Furthermore, the STW/STT holders will need to apply to his Office for modification of the STW/STT conditions if there is any irregularity on site. Such applications 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 applications will be approved. If such applications are 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 adverse comment 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 public roads.
- (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 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 Lau Fau Shan Road.

Environment

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

- (a) He does not support the application because there are sensitive users in the vicinity (the closest residential dwelling being about 5m) and environmental nuisance is expected.
- (b) There is no substantiated environmental complaint pertaining to the Site received over the past 3 years.
- (c) Should the application be approved, the applicant is 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' (COP).

Drainage

- 10.1.5 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):
- (a) He has no objection in principle to the development from a drainage point of view.
 - (b) The proposed peripheral surface U-channel shall be extended to enclose the Site at north side to intercept the overland flow.
 - (c) The connection details including the invert level at the discharge point to the existing nullah to the south of the Site should be submitted for reference.
 - (d) For any drainage works outside the site boundary, the applicant should obtain the consent of DLO/other lot owners on the proposed works before commencement of the works.
 - (e) Should the application be approved, he would suggest imposing planning conditions requiring the applicant to submit a drainage proposal, to implement and maintain the proposed drainage facilities to the satisfaction of his Division.

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 and Buildings Department (BD) is not in a position to offer comments on their suitability for the use proposed in the application.
 - (b) If the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application.
 - (c) For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO.
 - (d) Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO.

- (e) The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations 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 Building (Planning) Regulations 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.
- (d) 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 captioned 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 falls within the boundary of the 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 concerned lot(s) falls within a site under Stage 4 Works stages. 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 in question will not be arranged before the first population intake of the HSK NDA expected in 2024.

Water Supply

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

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

Others

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

- (a) As the Site is paved and disturbed, he has no strong view on the application from nature conservation point of view.
- (b) Should the application be approved, please advise the applicant to adopt good site practices and implement water pollution control measures as necessary to avoid affecting the nearby watercourse.

District Officer's Comment

10.1.11 Comment of District Officer/Yuen Long, Home Affairs Department (DO/YL, HAD):

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) Director of Leisure and Cultural Services (DLCS);
- (b) Commissioner of Police (C of P);
- (c) Chief Engineer/Sewerage Projects, DSD (CE/SP, DSD);
- (d) Director of Electrical and Mechanical Services (DEMS); and
- (e) Chief Engineer/Land Works, Civil Engineering Development Department (CE/LW, CEDD).

11. Public Comments Received During Statutory Publication Period

On 2.3.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 23.3.2018, no public comment was received.

12. Planning Considerations and Assessments

- 12.1 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.

- 12.2 The Site straddles over area zoned “G/IC” (about 55%), “R(B)2” (about 21%), “O” (about 8%) and areas shown as ‘Road’ (about 16%). The planning intentions of the “G/IC”, “R(B)2” and “O” zones 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; for medium-density residential developments and 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 respectively. Whilst the development is not in line with the planning intentions of the “G/IC”, “R(B)2” and “O” zones, the implementation programme for this part of NDA is still being formulated and PM/NTW of CEDD has no objection to the proposed temporary use for 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 implementation of government projects.
- 12.3 The Site is located in an area which is predominantly occupied by open storage yards and logistics centres. The applied use is not incompatible with the surrounding land uses (**Plan A-2**).
- 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 major adverse comment from concerned Government departments, except DEP. DEP does not support the application because there are sensitive uses in the vicinity (the closest residential dwelling being about 6m away) and environmental nuisance is expected (**Plan A-2**). However, there is no substantiated 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 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 revocation of the planning permission and UD on Site would subject to enforcement action by the Planning Authority. Should the application be approved, the applicant will be advised to follow the ‘Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites’ in order to minimize the possible environmental impacts on the nearby sensitive receivers.

- 12.6 The Committee has approved 6 previous applications for open storage of containers and logistics centres uses at the Site and 3 similar applications in the same “G/IC”, “R(B)2” and “O” zones were approved since the promulgation of TPB PG-No. 13E on 17.10.2008 (**Plans A-1a and 1b**).
- 12.7 There is no public comment received on the application during the statutory publication period.

13. Planning Department’s Views

- 13.1 Based on the assessment made in paragraph 12 above, the Planning Department considers that the temporary logistics centre 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 **20.4.2021**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) no operation between 9:00 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 cutting, dismantling, cleansing, repairing, compaction, tyre repair, vehicle repair, container repair and workshop activity, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the submission of a 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 **20.10.2018**;
- (f) in relation to (e) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **20.1.2019**;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a tree preservation and 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 **20.10.2018**;
- (i) in relation to (h) above, the implementation of the tree preservation and landscape proposal within **9** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **20.1.2019**;

- (j) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **20.10.2018**;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **20.1.2019**;
- (l) the provision of fencing of the Site within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **20.10.2018**;
- (m) if any of the above planning conditions (a), (b), (c), (d) 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;
- (n) if any of the above planning conditions (e), (f), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

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

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

- (a) the temporary logistics centre is not in line with the planning intentions of the "G/IC", "R(B)2" and "O" 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; for medium-density residential developments; and 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. There is no strong planning justification in the submission for a departure from the planning intentions, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the temporary use of the Site would not have adverse environmental impact on the surrounding areas.

14. Decision Sought

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

- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form received on 21.2.2018
Appendix Ia	Supplementary planning statement with vehicular access plan, proposed layout plan, proposed landscape and tree preservation plan and proposed drainage plan
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 “G/IC”, “R(B)2” and “O” zones on the draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan since the promulgation of TPB PG-No. 13E on 17.10.2008
Appendix V	Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	Proposed Landscape & Tree Preservation Plan
Drawing A-4	Proposed Drainage Plan
Drawing A-5	Catchment 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
APRIL 2018**