

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

**APPLICATION NO. A/YL-PS/587**

- Applicant** : Chu Kwong Motor Engineering Co. Ltd. represented by Goodrich Planners & Surveyors Limited
- Site** : Lots 31 RP and 32 RP in D.D. 121, Ping Shan, Yuen Long, New Territories
- Site Area** : About 2,258.5 m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/18
- Zoning** : “Government, Institution or Community” (“G/IC”) (about 79%);  
“Residential (Group B)1” (“R(B)1”) (about 11%); and  
[Restricted to maximum plot ratio of 1; maximum site coverage 40%; maximum building height of 5 storeys (15m) including car park]  
“Village Type Development” (“V”) (about 10%)  
[Restricted to maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Car Testing Centre with Ancillary Office for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary car testing centre with ancillary office for a period of 3 years at the application site (the Site) (**Plan A-1**). The Site is currently used for a car testing centre with workshop activities without valid planning permission.
- 1.2 According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years 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. The applicant is currently seeking temporary permission for a period of 3 years.
- 1.3 The Site is involved in six previous applications (Nos. A/YL-PS/70, 129,

150, 154, 281 and 488) for temporary open storage, workshop, recyclable collection centre and temporary public vehicle park and car testing centre. The last application No. A/YL-PS/488 for temporary public vehicle park and car testing centre was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 23.10.2015 and valid until 23.10.2018. All the approval conditions have been complied with. Details of the previous applications are summarised at paragraph 5 and at **Appendix II**.

1.4 A comparison of the major development parameters of the last approved application and current application is as follows:

<b>Major Development Parameters</b>	<b>Approved Application (A/YL-PS/488) (a)</b>	<b>Current Application (A/YL-PS/587) (b)</b>	<b>Difference (b) – (a)</b>
Site area	About 2,256 m <sup>2</sup>	About 2,258.5 m <sup>2</sup>	+2.5 m <sup>2</sup> (+0.1%)
Applied Use	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) and Car Testing Centre (Private Cars and Light Goods Vehicles)	Temporary Car Testing Centre with Ancillary Office	No Public Vehicle Park
Total floor area	545.4 m <sup>2</sup>	739.4 m <sup>2</sup>	+ 194 m <sup>2</sup> (+35.6%)
No. of structures	4 structures <ul style="list-style-type: none"> <li>• 2 vehicle examination areas</li> <li>• 1 reserved area for extension of vehicle examination area</li> <li>• 1 ancillary office</li> </ul>	6 structures <ul style="list-style-type: none"> <li>• Vehicle examination area</li> <li>• Meter room</li> <li>• Office and toilet</li> <li>• Reserved area for extension of vehicle examination area</li> <li>• Storeroom with canopy</li> <li>• Storeroom</li> </ul>	+ 2 (+50%)
Height of Structures	6m (1 storey)	3m - 6m (1-2 storeys)	+ 1 storey
No. of parking spaces	<ul style="list-style-type: none"> <li>• Private cars: 24 (5m x 2.5m)</li> <li>• Light goods vehicles: 2 (7m x 3.5m)</li> </ul>	<ul style="list-style-type: none"> <li>• Private cars: 3 (5m x 2.5m)</li> </ul>	- 21 spaces for private cars; nil for light goods vehicles
No. of waiting spaces	<ul style="list-style-type: none"> <li>• Private cars: 5 (5m x 2.5m)</li> <li>• Light goods vehicles: 2 (7m x 3.5m)</li> </ul>	<ul style="list-style-type: none"> <li>• Private cars: 2 (5m x 2.5m)</li> <li>• Light bus: 11 (8m x 3m)</li> </ul>	+ 11 spaces for light bus; - 3 spaces for private cars; nil for light goods vehicles
Operation hours	<ul style="list-style-type: none"> <li>• Public Vehicle Park: 7 a.m. to 11 p.m. daily</li> <li>• Car Testing Centre: 8 a.m. to 10 p.m. daily</li> </ul>	Car Testing Centre: 9 a.m. to 6 p.m. (Mondays to Saturdays)	Shorter operation hours; no operation on Sundays and public holidays

- 1.5 Compared with the last application No. A/YL-PS/488, the current application is submitted by a different applicant for a similar use on the same site with a similar layout.
- 1.6 The location plan, lot index plan, layout plan, tree preservation and landscape proposal and drainage proposal are at **Drawings A-1 to A5** respectively.
- 1.7 According to the applicant, the Site is accessed via a track leading from Ping Kwai Road. No medium or heavy goods vehicles over 5.5 tonnes, as defined by the Road Traffic (Construction and Maintenance of Vehicles) Regulations, will be parked on the Site. No vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity will be carried out at the Site.
- 1.8 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 21.3.2019 **(Appendix I)**
  - (b) Executive summary with location plan, lot index plan, layout plan, tree preservation and landscape proposal and drainage proposal **(Appendix Ia)**
  - (c) Letter of 15.4.2019 providing replacement page of the application form, revised layout plan and clarification on the no. of parking spaces and waiting spaces for the applied use **(Appendix Ib)**  
*(accepted and exempted from publication and recounting requirements)*

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

The justifications put forth by the applicant in support of the application are detailed at **Appendices Ia to Ib**. They can be summarised as follows:

- (a) The Site is the subject of previous application No. A/YL-PS/488 for the same use for 3 years approved with conditions by the Committee on 23.10.2015. The applicant had complied with all the approval conditions. Approval of the current scheme is in line with the previous decision of the Committee.
- (b) The proposed use is on a temporary basis which would not frustrate the long term planning intention of the area.
- (c) The proposed car testing centre could serve the car users in the Yuen Long District. There are four items in the vehicle examination including visual inspection of chassis, light test, emission test and seat test. No noise, dust or smell would be expected.
- (d) No adverse environmental impact is anticipated. The proposed development is one to two storeys temporary structures. Most of the

structures are located at the east of the Site where there is a piece of woodland outside the southeast site boundary. The woodland provides a screening effect and no adverse visual impact is anticipated.

- (e) The emission test will be carried out in structure 5 (car testing centre) which is enclosed with ventilation system in order to minimise any potential adverse air impact to the surrounding environment. Other vehicle examination will be carried out in structure 2. No significant adverse noise, visual and air impacts are anticipated.
- (f) Regular horticultural maintenance shall be undertaken when necessary to ensure healthy establishment of trees. Regular tree inspection and appropriate remedial measure(s) will be proposed and implemented to ensure healthy tree growth.
- (g) The existing drainage facilities will be maintained in good condition throughout the approval period. A toilet would be provided and wastewater collected from the toilet will be treated in the existing septic tank and soakage pit.
- (h) The Site is accessible via a local track connecting Ping Kwai Road. Sufficient manoeuvring space will be provided within the Site. No queuing, reversing and manoeuvring of vehicles out of the Site is required for vehicles travelling into and out of the Site. The trip generated and attracted were less than the previously approved scheme. No significant traffic impact is anticipated.

### **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 Section 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 by registered mail. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Background**

The Site is subject to planning enforcement action against unauthorised development (UD) involving workshop use and storage use. Enforcement Notice (EN) was issued on 21.3.2019 requiring discontinuation of the UD. If the EN is not complied with, prosecution action may be taken.

### **5. Previous Applications**

- 5.1 The Site is involved in 6 previous applications (Nos. A/YL-PS/70, 129, 150, 154, 281 and 488) for temporary open storage, workshop, recyclable collection centre and temporary public vehicle park and car testing centre. While 3 applications (Nos. A/YL-PS/70, 150 and 488) were approved with conditions by the Committee, the remaining 3 applications (Nos. A/YL-PS/129, 154 and 281) were rejected. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

- 5.2 Application No. A/YL-PS/70 for proposed temporary open storage of plastic materials and workshop for 3 years at the western part of the Site were approved with conditions by the Committee on 18.2.2000 mainly on consideration that the proposed development was not expected to generate significant adverse environmental impact on the surrounding areas; no adverse comments from departments concerned; no local objection was received; no definite implementation programme of the schools in the "G/IC" zone; favourable consideration would be given to the application as an interim arrangement to alleviate the shortage of open storage land in the area. All the approval conditions were complied with.
- 5.3 Application No. A/YL-PS/129 for temporary open storage of plastic materials and workshop for 3 years was rejected by the Board upon review on 11.4.2003 for the reasons that the development was not in line with the planning intentions of the zones and there was insufficient information to demonstrate that no adverse drainage impacts on the surrounding areas.
- 5.4 Application No. A/YL-PS/150 for proposed temporary open storage of plastic materials and workshop was approved by the Board upon review on 31.10.2003, however only valid until 30.9.2005 (i.e. 23 months), on consideration that the Site was slightly enlarged since the previous application No. A/YL-PS/70; the applicant had complied with the approval conditions under the previous application, no adverse departmental comment or local objection were received; planned use of the Site would not be materialised in the foreseeable future; and allowing temporary use of the Site before resumption would be acceptable. All the approval conditions were complied with.
- 5.5 Application No. A/YL-PS/154 for temporary open storage of plastic materials and workshop for 3 years was rejected by the Committee on 25.7.2003 for the reasons that the development was not in line with the planning intentions of the zones and there was insufficient information to demonstrate that no adverse drainage impacts on the surrounding areas.
- 5.6 Application No. A/YL-PS/281 for temporary recyclable collection centre for 3 years was rejected by the Committee on 28.3.2008 for the reasons that there was insufficient information to demonstrate that no adverse environmental and drainage impacts on the surrounding areas; and the approval of the application would set an undesirable precedent for similar uses to proliferate in the surrounding areas.
- 5.7 Application No. A/YL-PS/488 for temporary public vehicle park and car testing centre for private cars and light goods vehicles for a period of 3 years was approved by the Committee on 23.10.2015 on consideration that the development would not jeopardise the long term planning intention of the zones; not incompatible with surrounding land uses; and no adverse departmental comments. All the approval conditions were complied with.
- 5.8 Compared with the last approved Application No. (A/YL-PS/488), the current application is submitted by a different applicant for a similar use on the same site with a different layout.

## **6. Similar Application**

There is no similar application for temporary car testing centre with ancillary office within the same zones.

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

7.1 The Site is:

- (a) currently used as a car testing centre with workshop activity without valid planning permission; and
- (b) accessible via a track leading from Ping Kwai Road.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate north is a site under construction for temporary shop for retail and wholesale of construction materials with planning permission under application No. A/YL-PS/560 and a temporary public vehicle park for private cars and light goods vehicles with planning permission under application No. A/YL-PS/540. To the further north is parking of lorries and coaches which is suspected unauthorised development;
- (b) to the east are residential dwellings of Tong Fong Tsuen;
- (c) to the immediate south is mainly covered by vegetation. To the further south is car park, electricity substation and Ping Pak Lane Park; and
- (d) to the southwest is a medium-density residential development La Mansion. To the west is the Light Rail track.

## **8. Planning Intentions**

8.1 The “G/IC” zone 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.

8.2 The “R(B)1” zone is intended primarily for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

8.3 The planning intention of the “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small

Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

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

9.1 The following Government Departments have been consulted and their views on the application and the public comments are summarised as follows:

### **Land Administration**

9.1.1 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) The Site is accessible from Castle Peak Road (Ping Shan) via government land (GL). His office does not provide maintenance work for GL involved and does not guarantee any right-of-way over the GL to the Site.
- (c) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (d) Should planning approval be given to the planning application, the lot owner(s) will need to apply to his office for permitting the structures to be erected or to regularise any irregularities on site, if any. 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 Building(s) will be considered or allowed. Applications for any of the above will be considered by the LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD.
- (e) There is no Small House application received or approved at the Site or in its vicinity.

## **Traffic**

9.1.2 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 point of view.
- (b) Sufficient manoeuvring space shall be provided within the Site. No vehicle is allowed to queue back to public road or reverse onto/from the 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.

9.1.3 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 Kwai Road.

## **Environment**

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

- (a) Based on the information provided by the applicant, he has no adverse comment on the application provided that adequate mechanical ventilation will be implemented to avoid accumulation of aerial emissions and any openings including the ventilation systems of the car testing structures will be directed away from nearby sensitive uses.
- (b) The applicant is also advised to follow the relevant mitigation measures and requirements in the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" ("COP") to minimise any potential environmental nuisance.
- (c) Should the Board consider to approve the application, consideration to impose relevant approval conditions with reference to the previous planning application as appropriate.
- (d) There was no environmental complaint pertaining to the Site received in the past 3 years.

### **Landscape**

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

- (a) The Site is subject of last approved application No. A/YL-PS/488 for temporary public vehicle park and car testing centre use. Significant change to the landscape character arising from the continued use is not envisaged.
- (b) It should be reminded that approval of the s.16 application by the Board does not imply the approval of tree works (such as felling/transplanting or pruning) and/or requirements under lease. Tree works applications should be submitted direct to DLO for approval.

### **Drainage**

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

According to the applicant's submission, the existing drainage facilities which was implemented under an approved application No. A/YL-PS/488 will be maintained for the subject development. He has no objection in principle to the proposed development from a drainage point of view. Should the Board consider that the application is acceptable from the planning point of view, he would suggest that a condition should be stipulated in the approval letter requiring the applicant to maintain the existing drainage facilities and submit a condition record of the existing drainage facilities to the satisfaction of his Division.

### **Fire Safety**

9.1.7 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 his satisfaction.
- (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 FSI to be installed should be clearly marked on the layout plans.
- (d) However, 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.

### **Building Matters**

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

- (a) As there is no record of approval by the Building Authority for the existing structures at the Site, he 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 the approval of the BD, they are unauthorised 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 and land filling) are to be carried out on site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorised Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (e) The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively.
- (f) If the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.

### **Others**

#### 9.1.9 Comments of the Secretary for Education (S for E):

It is noted that the subject application does not involve reserved school sites and the proposed use is not under the purview of the Education Bureau (EDB). In this regard, EDB is not in the position to comment on the application.

9.1.10 Comments of the Director of Social Welfare (DSW):

Since the proposed service of the application is outside welfare purview, he is not in the position to comment on the application. Regarding the public comment, subject to the availability of detailed planning parameters, the Social Welfare Department (SWD) stands ready to review the feasibility to incorporate welfare facilities in the concerned development.

**District Officer's Comments**

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

His office has not received any feedback from locals.

9.2 The following Departments have no comment/not in a position to comment on the application:

- (a) Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (ES(A&M), AMO);
- (c) Director of Leisure and Cultural Services (DLCS);
- (d) Director of Electrical and Mechanical Services (DEMS);
- (e) Commissioner of Police (C of P);
- (f) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (g) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD).

**10. Public Comment Received During the Statutory Publication Period**

On 2.4.2019, the application was published for public inspection. During the first 3 weeks of the statutory public inspection periods, which ended on 23.4.2019, one public comment was received (**Appendix III**). An individual raised concern on the need for GIC facilities and elderly and child care facilities in Ping Shan area.

**11. Planning Considerations and Assessments**

11.1 The subject application is for temporary car testing centre with ancillary office for a period of 3 years at a site zoned "G/IC", "R(B)1" and "V" on the OZP. The majority of the Site falls within an area zoned "G/IC" (about 79%). The "G/IC" zone 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. The “R(B)1” and “V” zones are generally intended for residential development. The proposed development is not in line with the planning intentions of the zones. However, having consulted concerned government departments, there is not yet any programme/known intention to implement the zoned use on the Site for the time being. Temporary approval of the application for a period of 3 years would not jeopardise the long-term planning intentions of the “G/IC”, “R(B)1” and “V” zones.

- 11.2 The Site is mainly surrounded by vehicle parks, temporary shop for retail and wholesale, and residential dwellings (**Plan A-2**). The proposed use is not incompatible with the surrounding land uses.
- 11.3 Relevant government departments, including AC for T/NT of TD, CHE/NTW of HyD, CE/MN of DSD, CTP/UD&L of PlanD and DEP have no objection to or no adverse comments on the application. The proposed use will unlikely create significant adverse traffic, drainage and environmental impacts on the surrounding areas. The nearest house at La Mansion is about 15m to the Site (**Plan A-2**). DEP has no adverse comment on the application provided that adequate mechanical ventilation will be implemented to avoid accumulation of aerial emissions and any openings including the ventilation systems of the car testing structures will be directed away from nearby sensitive uses. There has been no environmental complaint concerning the Site received in the past 3 years. To minimise any potential environmental nuisances and to address the technical requirements of concerned Government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorised development on Site will be subject to enforcement action by the Planning Authority. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimise the possible environmental impacts on the nearby sensitive receivers.
- 11.4 The Committee has approved one previous application for similar use at the Site. All the approval conditions were complied with. Approval of the current application is in line with the previous decisions of the Committee.
- 11.5 There is one public comment raised concern on the need for GIC facilities and elderly and child care facilities as summarised in paragraph 10. In response, DSW advised that subject to the availability of detailed planning parameters, SWD stands ready to review the feasibility to incorporate welfare facilities in the concerned development. The planning considerations and assessments in paragraphs 11.1 to 11.3 above are relevant.

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

- 12.1 Based on the assessment made in paragraph 11, and having taken into account the public comment mentioned in paragraph 10, the Planning Department considers that the temporary car testing centre with ancillary

office could be tolerated for a period of 3 years.

- 12.2 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 **17.5.2022**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, during the planning approval period;
- (c) no medium and heavy goods vehicles over 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at all times during the planning approval period;
- (d) a notice shall be posted at a prominent location of the Site at all times to indicate that no medium and heavy goods vehicles over 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at all times during the planning approval period;
- (e) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (g) any openings of the structures including the ventilation systems of the car testing structures shall be directed away from the nearby sensitive uses at all times during the planning approval period;
- (h) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (i) the existing fencing of the Site shall be maintained at all times during the planning approval period;
- (j) the existing vegetation within the Site shall be maintained in good condition at all times during the planning approval period;
- (k) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (l) the submission of a condition record of the existing drainage facilities within **3** months to the satisfaction of the Director of

Drainage Services or of the Town Planning Board by 17.8.2019;

- (m) the submission of 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 17.11.2019;
- (n) in relation to (l) above, the implementation of fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 17.2.2020;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (p) if any of the above planning conditions (l), (m) or (n) 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.

Advisory clauses

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

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

the planning intentions of the "G/IC", "R(B)1" and "V" zones are intended for the provision of "G/IC" facilities for sub-urban medium-density residential developments, and for reflecting existing recognised and other villages and provision of land considered suitable for village expansion and reprovision of village houses affected by government projects respectively. The proposed development is not in line with the planning intentions of the "G/IC", "R(B)1" and "V" zones. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

**13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.
- 13.3 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.

**14. Attachments**

<b>Appendix I</b>	Application form received on 21.3.2019
<b>Appendix Ia</b>	Executive summary with location plan, lot index plan, layout plan, tree preservation and landscape proposal and drainage proposal
<b>Appendix Ib</b>	Letter of 15.4.2019 providing replacement page of the application form, revised layout plan and clarification on the no. of parking spaces and waiting spaces for the applied use
<b>Appendix II</b>	Previous applications covering the Site
<b>Appendix III</b>	Public comment received during the statutory publication period
<b>Appendix IV</b>	Advisory Clauses
<b>Drawing A-1</b>	Location Plan
<b>Drawing A-2</b>	Lot Index Plan
<b>Drawing A-3</b>	Layout Plan
<b>Drawing A-4</b>	Tree Preservation and Landscape Proposal
<b>Drawing A-5</b>	Drainage Proposal
<b>Plan A-1</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  
MAY 2019**