

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

**APPLICATION NO. A/YL-PS/589**

- Applicant** : Ms. TANG Shuk Fan represented by Metro Planning and Development Company Limited
- Site** : Lots 568 (Part), 569 RP (Part), 585 (Part), 586, 590 (Part) and 591 (Part) in D.D. 122 and adjoining Government Land, Ping Hing Lane, Ping Shan, Yuen Long, New Territories
- Site Area** : About 4,150 m<sup>2</sup> (including about 76 m<sup>2</sup> Government Land (GL))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/18
- Zoning** : “Village Type Development” (“V”) (about 48%)  
[Restricted to a maximum building height of 3 storeys (8.23m)],
- “Residential (Group E) 2” (“R(E)2”) (about 25%)  
[Restricted to a maximum plot ratio of 0.6 and a maximum building height of 5 storeys including car park],
- “Residential (Group B) 1” (“R(B)1”) (about 16%) and  
[Restricted to a maximum plot ratio of 1, a maximum site coverage of 40% and a maximum building height of 5 storeys (15m) including car park]
- “Comprehensive Development Area” (“CDA”) (about 11%)  
[Restricted to a maximum plot ratio of 1 and a maximum building height of 5 storeys including car park].
- Application** : Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary public vehicle park for private car and light goods vehicle for a period of 3 years at the application site (the Site) (**Plan A-1a**). The Site is currently used for the applied use (with a valid planning permission under Application No. A/YL-PS/521 until 29.7.2019).

- 1.2 According to the Notes for the “V”, “R(E)2”, “R(B)1” and “CDA” zones on the OZP, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use which requires permission from the Town Planning Board (the Board). The applicant is currently seeking temporary permission for a period of 3 years.
- 1.3 The Site is the subject of 8 previous applications (No. A/YL-PS/115, 159, 212, 239, 292, 356, 458 and 521) for temporary public vehicle park for private cars, light goods vehicles and/or light vans/buses (**Plan A-1b**). The last application No. A/YL-PS/521 for similar use was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 29.7.2016 for a period of 3 years. All the time-specific 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:

Major Development Parameters	Previous Approved Application (A/YL-PS/521) (a)	Current Application (A/YL-PS/589) (b)	Difference (b) – (a)
Applied Use	Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles and Light Buses) for a Period of 3 Years	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	Without light buses
Site Area	About 4,150 m <sup>2</sup> (including about 76 m <sup>2</sup> GL)		No change
Total Floor Area (Non-domestic)	Not exceeding 87 m <sup>2</sup>	Not exceeding 84 m <sup>2</sup>	-3 m <sup>2</sup> (-3.4%)
No. of Structures	5 (for toilet, site office, storage use, lighting facility and open shed rain shelter)	4 (for toilet, site office, storage use and open shed rain shelter)	Without lighting facility (12m)
Height of Structures	<ul style="list-style-type: none"> <li>● All 1 storey</li> <li>● About 3.5m for toilet, site office, storage use and open shed rain shelter</li> <li>● About 12m for lighting facility</li> </ul>	<ul style="list-style-type: none"> <li>● All 1 storey</li> <li>● About 3.5m for toilet, site office, storage use and open shed rain shelter</li> </ul>	
No. of Parking Spaces	<ul style="list-style-type: none"> <li>● 83 for private cars/light goods vehicles</li> <li>● 9 for light buses</li> </ul>	<ul style="list-style-type: none"> <li>● 83 for private cars</li> <li>● 32 for light goods vehicles</li> </ul>	+ 23 (+25%)
Operation Hours	7:00 a.m. to 11:00 p.m. daily		No change

- 1.5 Compared with the last application No. A/YL-PS/521, the current application is submitted by a different applicant for similar use on the same site with similar layout and more parking spaces (+23 spaces).
- 1.6 The lot index plan, location plan, proposed layout plan, proposed landscape and tree preservation plan and as-built drainage plan are at **Drawings A-1**

to **A5** respectively.

- 1.7 According to the applicant, the Site is accessible from Castle Peak Road – Ping Shan Section via Ping Ha Road and Ping Hing Lane (**Plan A-2**). No medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers will be allowed to park/store on or enter/exit the Site. A notice shall be posted at a prominent location of the Site to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers will be allowed to park/store on or enter/exit the Site. No vehicle without valid licences issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site. No vehicle washing, repairing, dismantling, paint spraying and other workshop activity will be carried out at the Site. No vehicle will be allowed to queue back to or reverse onto/from public roads at any time.
- 1.8 In support of the application, the applicant has submitted the following documents:
- (a) Application form of 12.4.2019 (received on (**Appendix I**) 21.5.2019)
  - (b) Supplementary Planning Statement with lot index (**Appendix Ia**) plan, location plan, proposed layout plan, proposed landscape and tree preservation plan and as-built drainage plan and supplementary information received on 23.5.2019
  - (c) Letter of 4.6.2019 providing responses to the (**Appendix Ib**) Transport Department (TD)'s comment  
*(accepted and exempted from publication and recounting requirements)*
  - (d) Letter of 4.7.2019 addressing the potential light (**Appendix Ic**) pollution from the existing lighting facility  
*(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 I to Ic**. They can be summarised as follows:

- (a) The applicant has complied with all the planning conditions imposed to the last approved application No. A/YL-PS/521.
- (b) The 'Public Vehicle Park' is a Column 2 use in "V", "R(E)2", "R(B)1" and "CDA" zones. The proposed development which is temporary in nature, would not jeopardize the planning intentions of the "V", "R(E)2", "R(B)1" and "CDA" zones in the long run.
- (c) The applied use can help to meet the acute parking demand of Hang Tau Tsuen. The approval of the similar applications for public vehicle parks

adjacent to the Site not only meets the parking demand of the nearby residents, they also cater for the holiday parking demand because of its proximity to Ping Shan Heritage Trail.

- (d) The proposed development is compatible with the surrounding environment.
- (e) The planning circumstances pertaining to the Site is similar to the approval of the last planning permission No. A/YL-PS/589.
- (f) The proposed development will generate insignificant traffic, environmental and drainage impacts to its surrounding.
- (g) The applicant will maintain the implemented landscaping and drainage facilities so as to making the co-existence of the proposed development and nearby developments in harmony.
- (h) To address the potential pollution due to the existence of the light facility, the light facility will be removed.

### **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 currently in use and the previous planning approval is still valid. As such the subject use is not subject to planning enforcement action. Follow-up investigation will be taken upon expiry of the current planning permission if the subject application is not approved by the Board.

### **5. Previous Applications**

- 5.1 The Site was involved in 8 previous applications (No. A/YL-PS/115, 159, 212, 239, 292, 356, 458 and 521) for temporary public vehicle park for private cars, light goods vehicles and/or light vans/buses. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1b**.
- 5.2 Applications No. A/YL-PS/115, 159, 212, 239 and 292 for temporary public vehicle park for private cars and light vans/light goods vehicles were approved by the Committee on 26.7.2002, 29.8.2003, 13.5.2005, 7.4.2006 and 5.12.2008 respectively for 3 years on the considerations that the vehicle park was not incompatible with the surrounding land uses; it would help satisfy the parking demand; there was no permanent development proposal

at the Site; the proposed development would not jeopardize long-term planning intention; and no adverse comments were received from relevant government departments. The planning permission of Application No. A/YL-PS/212 was revoked on 29.9.2005 due to non-compliance with the condition of prohibiting parking of heavy vehicles on site.

- 5.3 Applications No. A/YL-PS/356, 458 and 521 for the temporary public vehicle park for private cars, light goods vehicles and light buses were approved by the Committee on 21.10.2011, 17.10.2014 and 29.7.2016 respectively for 3 years on the considerations that the vehicle park was not incompatible with the surrounding land uses; it would help satisfy the parking demand; there was no permanent development proposal at the Site; the proposed development would not jeopardize long-term planning intention; and no adverse comments were received from relevant government departments. The planning permission of A/YL-PS/458 was revoked on 19.8.2015 due to non-compliance with the condition of restriction on operation hours.
- 5.4 Compared with the last application No. A/YL-PS/521, the current application is submitted by different applicant for similar use on the same site with similar layout and more parking spaces (+23 spaces).

## **6 Similar Applications**

- 6.1 There are 26 similar applications (No. A/YL-PS/293, 307, 310, 363, 366, 382, 390, 395, 410, 425, 452, 466, 468, 479, 489, 492, 498, 516, 522, 543, 549, 553, 554, 561, 562 and 583) for temporary public vehicle park for private cars and light goods vehicles use within the same “V”, “R(E)2”, “R(B)1” and “CDA” zones. Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.
- 6.2 All of these 26 similar applications were approved by the Committee on considerations that the temporary use would not jeopardize the long term planning intention; the proposed development was not incompatible with the surrounding land uses; and the use was unlikely to create significant adverse traffic, environmental, drainage and visual impacts on the surrounding areas. Amongst these approved applications, Applications No. A/YL-PS/468, 498 and 553 were subsequently revoked due to non-compliance with approval conditions.

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

- 7.1 The Site is:
- (a) currently used as a public vehicle park (with a valid planning permission under Application No. A/YL-PS/521 until 29.7.2019) and
  - (b) accessible from a local track connecting Ping Hing Lane which links to Ping Ha Road.

- 7.2 The surrounding areas have the following characteristics:
- (a) to the immediate north and northwest are residential dwellings intermixed with parking of vehicles and open storage of vehicles which are suspected unauthorized developments (UDs);
  - (b) to the immediate east and northeast are open storage of construction materials which is suspected UD and warehouse; to the further east is residential development of Ka On Garden;
  - (c) to the southeast, south and southwest are Ping Shan Home for the Aged and residential development of Yan Wing Mansion and to the further south is Ping Hing Lane; and
  - (d) to the immediate west are residential development of Green Orchid and an orchard.

## **8 Planning Intentions**

- 8.1 The planning intention of “V” zone is to reflect existing recognised 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.
- 8.2 The “R(E)2” zone is intended primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.
- 8.3 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.
- 8.4 The “CDA” zone is intended for comprehensive development/redevelopment of the area for residential use with commercial, open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

**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) Within the Site, the following private lots are currently covered by Short Term Waivers (STWs) whereas the GL therein is covered by Short Term Tenancy (STT). Details of which are listed below:

Lot No./GL in D.D. 122	STW/STT No.	Permitted Use
Lot No. 568	STW 3539	Ancillary use to public vehicle park for private cars, light goods vehicles and light buses
Lot No. 586	STW 3540	
<b><i>Lot No. 586</i></b> GL	<b><i>STW 3540</i></b> STT 3107	Temporary public vehicle park (private cars, light goods vehicles and light buses)

- (c) The Site is accessible from Ping Hing Lane via GL and private land. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site.
- (d) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (e) Should planning approval be given to the planning application, the STW/STT holder(s) will need to apply to his office for modification of the STW/STT conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to his office to permit the structures to be erected or regularize 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.

- (f) There is no Small House application received or approved at the Site and in its vicinity (within 30m).

### **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 roads 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 Hing Lane.

### **Environment**

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

- (a) The applicant is advised to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by DEP to minimise potential environmental nuisance to the surrounding area.
- (b) There was no substantiated 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 to previous approved planning application No. A/YL-PS/521 for temporary public vehicle park use. With reference to the site records and aerial photo of 2018, it is observed that the Site is hard paved and with existing trees generally along the Site boundary. Significant change to the landscape character arising from the continued use is not envisaged.
- (b) The applicant is advised that the approval of the application by the Board does not imply the approval of tree works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works.

### **Drainage**

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

- (a) According to the applicant's submission, the existing drainage facilities which was implemented under an approved application No. A/YL-PS/521 will be maintained for the subject development. He has no objection in principle to the application 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 to submit condition record of the existing drainage facilities to the satisfaction of his department.
- (b) The applicant should be 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.

### **Fire Safety**

#### 9.1.7 Comments of the Director of Fire Services (D of FS):

- (a) He has no objection to the proposal subject to 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) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (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 approval of BD, they are unauthorized building works (UBW) under the 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 BD should be obtained, otherwise they are UBW. An Authorized Person 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.

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

- 9.1.9 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 on the application:

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

## **10 Public Comments Received During the Statutory Publication Period**

On 28.5.2019, the application was published for public inspection. During the first 3 weeks of the statutory public inspection periods, which ended on 18.6.2019, three public comments were received (**Appendices IV-1 to IV-3**). Ka On Garden Owners' Corporation objects to the application on grounds of the light pollution generated from the proposed development. One individual objects to the application mainly on grounds of inefficient land use and parking could be provided in stacked facilities. Another individual expressed the concern that heavy vehicles were found at the Site.

## **11 Planning Considerations and Assessments**

11.1 The current application is for temporary public vehicle park for private car and light goods vehicle for a period of 3 years at the Site zoned "V" (48%), "R(E)2" (25%), "R(B)1" (16%) and "CDA" (11%). The "V", "R(E)2", "R(B)1" and "CDA" zones are generally intended for Small House developments/residential developments as stated in paragraph 8 above. The applied use is not entirely in line with the planning intentions. However, the development could provide vehicle parking spaces to meet any such parking demands in the area. There is currently no permanent development proposal and programme at the Site. DLO/YL, LandsD also advises that there is no Small House application at the Site for the time being. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the four zones.

11.2 The Site is mainly surrounded by residential dwellings with home for the

aged, orchard and open storage yard (**Plan A-2**). The proposed development is considered not incompatible with the surrounding land uses.

- 11.3 Relevant government departments, including AC for T/NT of TD, CE/MN of DSD, CTP/UD&L of PlanD and DEP have no objection to or no adverse comments on the application. The proposed development will unlikely create significant adverse traffic, drainage, landscape and environmental impacts on the surrounding areas. There has been no substantiated 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 unauthorized 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 eight previous applications (No. A/YL-PS/115, 159, 212, 239, 292, 356, 458 and 521) for the same or similar uses at the Site. Within the same “V”, “R(E)2”, “R(B)1” and “CDA” zones, there are 26 similar applications approved by the Committee since 2009. Approval of the current application is in line with the previous decisions of the Committee.
- 11.5 There are three public comments received during the statutory publication period objecting to/expressing concerns on the application on grounds as summarised in paragraph 10 above. The planning considerations and assessments in the paragraphs 11.1 to 11.4 are relevant. Regarding the concern on potential light pollution, the applicant confirmed that the lighting facility will be removed.

## **12 Planning Department’s Views**

- 12.1 Based on the assessment made in paragraph 11, and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application.
- 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 **19.7.2022**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### *Approval conditions*

- (a) no operation between 11:00 p.m. and 7:00 a.m. as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 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 any time during the planning approval period;

- (c) 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;
- (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 exceeding 5.5 tonnes, 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 washing, repairing, dismantling, paint spraying and other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (g) the existing fencing of the Site shall be maintained at all times during the planning approval period;
- (h) the existing vegetation within the Site shall be maintained in good condition at all times during the planning approval period;
- (i) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (j) 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 **19.10.2019**;
- (k) the submission of a 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 **19.1.2020**;
- (l) in relation to (k) above, the implementation of the 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 **19.4.2020**;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) 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
- (n) if any of the above planning conditions (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.

Advisory clauses

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

- 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 "V", "R(E)", "R(B)" and "CDA" zones are generally for residential developments. The proposed development is not in line with the planning intentions of these zones. No strong planning justification has been given in the submission for a departure from the planning intentions, 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 of 12.4.2019 (received on 21.5.2019)
<b>Appendix Ia</b>	Supplementary Planning Statement with lot index plan, proposed layout plan, proposed landscape and tree preservation plan and as-built drainage plan and supplementary information received on 21.5.2019 and 23.5.2019 respectively
<b>Appendix Ib</b>	Letter of 4.6.2019 providing responses to the Transport Department (TD)'s comment
<b>Appendix Ic</b>	Letter of 4.7.2019 addressing the potential light pollution from the existing lighting facility
<b>Appendix II</b>	Previous Applications covering the Site
<b>Appendix III</b>	Similar Applications Within the Same "V", "R(E)2", "R(B)1" and "CDA" Zones on the Approved Ping Shan OZP No. S/YL-PS/18
<b>Appendices IV-1 to IV-3</b>	Public comments received during statutory publication period
<b>Appendix V</b>	Advisory Clauses
<b>Drawing A-1</b>	Lot Index Plan
<b>Drawing A-2</b>	Location Plan

<b>Drawing A-3</b>	Proposed Layout Plan
<b>Drawing A-4</b>	Proposed Landscape and Tree Preservation Plan
<b>Drawing A-5</b>	As-built Drainage Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Application Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
JULY 2019**