

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

**APPLICATION NO. A/NE-FTA/194**

- Applicant** : Mr. LIU Tak Sun and Mr. LIU Loi Hei, Managers of Liu Hu Pak Tso represented by M&D Planning and Surveyors Consultant Ltd.
- Site** : Lots 182 RP (Part) and 183 RP (Part) in D.D. 52, Fu Tei Au, Sheung Shui, New Territories
- Site Area** : About 1,807.6 m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plans** : (i) Approved Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/16  
(ii) Approved Fanling North Outline Zoning Plan (OZP) No. S/FLN/2
- Zonings** : (i) “Other Specified Uses” annotated “Port Back-Up” (“OU(PBU)”) (about 1,569 m<sup>2</sup> or 86.8% of the Site) on the approved Fu Tei Au and Sha Ling OZP  
(ii) Area shown as ‘Road’ (about 155.5 m<sup>2</sup> or 8.6% of the Site) on the approved Fanling North OZP  
(iii) “Agriculture” (“AGR”) (about 83.1 m<sup>2</sup> or 4.6% of the Site) on the approved Fu Tei Au and Sha Ling OZP
- Application** : Temporary Cargo Handling and Forwarding Facility for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary cargo handling and forwarding facility for a period of three years at the application site (the Site). The Site falls mostly within an area zoned “OU(PBU)” and “AGR” on the Fu Tei Au and Sha Ling OZP with a minor portion on an area shown as ‘Road’ (about 8.6%) on the Fanling North OZP (**Plan A-1**). According to the Notes of the Fu Tei Au and Sha Ling OZP, cargo handling and forwarding facility in “OU(PBU)” zone is a Column 2 use, and such use in “AGR” zone on a temporary basis not exceeding a period of three years requires planning permission from the Town Planning Board (the Board) notwithstanding that the use is not provided for under the Notes of the OZP. For area shown as ‘Road’ on the Fanling North OZP, such use also requires planning permission from the Board.
- 1.2 According to the information submitted by the applicant, the temporary development comprises five structures (**Drawing A-1**). Details of the development parameters are as

follows:

Structure	Proposed Gross Floor Area	Proposed Building Height	Temporary Use
1	996.03 m <sup>2</sup>	Max. 5m	Cargo Handling and Storage Use
2	60 m <sup>2</sup>	Max. 5.2m	Ancillary Office and Staff Rest Room
3	15 m <sup>2</sup>	Max. 2.6m	Ancillary Kitchen and Washroom
4	11.5 m <sup>2</sup>	Max. 2.5m	Storage Use
5	14.8 m <sup>2</sup>	Max. 2.6m	Storage Use
Total	1097.33 m <sup>2</sup>	-	-

- 1.3 The Site is mainly used for unpacking imported electronic goods and distribution to different areas in Hong Kong, and no dangerous goods will be stored within the Site. The operation hours are from 10:00 a.m. to 4:00 p.m. from Mondays to Saturdays and there will be no operation on Sundays and public holidays. The Site is connected to Man Kam To Road via a vehicular access to the south of the Site (**Plans A-1 and A-2**). Four loading/unloading spaces for light goods vehicles (under 5.5 tonnes) are provided within the Site. All vehicular traffic will be restricted to 10:00 a.m. to 4:00 p.m. A plan showing the layout of the Site is at **Drawing A-1**. The Site is currently used for the applied use without valid planning permission.
- 1.4 The Site is the subject of eight previously approved planning applications (No. A/NE-FTA/29, 44, 80, 99, 108, 113, 154 and 167) for container trailer park/goods distribution and storage use. The last application No. A/NE-FTA/167 was approved with conditions by the Rural and New Town Planning Committee (the Committee) on 6.4.2018 for a period of three years. The planning application, however, was revoked on 6.7.2018 due to the non-compliance with approval conditions in relation to the submission of a condition record of existing drainage facilities and proposals for water supplies for fire-fighting and fire service installations. Details of the previous applications are set out in paragraph 6 below.
- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application form with attachments received on 27.11.2019 (**Appendix I**)
  - (b) Supplementary Information received on 2.12.2019 (**Appendix Ia**)
  - (c) FI received on 7.1.2020 ^ (**Appendix Ib**)
  - (d) Email dated 9.1.2020 requesting for deferment of consideration of the application (**Appendix Ic**)
  - (e) FI received on 12.3.2020 ^ (**Appendix Id**)
  - (f) FI received on 24.3.2020 ^ (**Appendix Ie**)
- ^ [*accepted and exempted from publication*]
- 1.6 At the request of the applicant (**Appendix Ic**), the Committee agreed on 17.1.2020 to defer making a decision on the application for two months pending the preparation of further information to address the departmental comments. The applicant submitted further information (**Appendices Id and Ie**) on 12.3.2020 and 24.3.2020 and the application is re-scheduled for consideration by the Committee on 24.4.2020.

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

The justifications put forth by the applicant in support of the application are detailed in Part 7 of the application form at **Appendix Ib**. They can be summarized as follows:

- (a) over 86% of the Site falls within the “OU(PBU)” zone on the Fu Tei Au and Sha Ling OZP and the temporary cargo handling and forwarding facility use under the application is in line with the planning intention for port back-up uses of this zone;
- (b) the development can help cater for the demand for cross-boundary trade;
- (c) the Site falls largely within Category 1 area under the Town Planning Board Guidelines. Favourable consideration should be given to this application;
- (d) the development is compatible with the surrounding land uses;
- (e) the development will optimize the use of land resource, bring economic activities and create job opportunities;
- (f) the development would not have adverse traffic, environmental and drainage impacts on the surroundings; and
- (g) fire safety equipment and emergency access have been provided at the Site.

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

The applicant is one of the “current land owners”. In respect of the other “current land owners”, the applicant has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent / Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No.31A) by taking reasonable steps to give notification to the other owners including sending notice to the Sheung Shui District Rural Committee by registered mail and posting notice at the Site. Detailed information would be deposited at the meeting for Members’ inspection.

## **4. Background**

According to the advice of the Chief Town Planner/Central Enforcement and Prosecution, Planning Department (CTP/CEP, PlanD), the Site is currently not a subject of any active enforcement action. Should there be sufficient evidence to prove that the use on the Site constitutes an unauthorised development under the Town Planning Ordinance, enforcement action will be taken.

## **5. Town Planning Board Guidelines**

Town Planning Board Guidelines No. 13F for ‘Application for Open Storage and Port Back-up Uses’ (TPB PG-No.13F) promulgated by the Board on 27.3.2020 are relevant to the application. The Site falls mostly within Category 1 area under the Guidelines. A minor portion of the Site falls within Category 3 area under the Guidelines. Relevant extract of the Guidelines is attached at **Appendix II**.

## 6. Previous Applications

- 6.1 The Site is part of the subject of eight previous planning applications. Five previous planning applications (No. A/NE-FTA/29, 44, 80, 99 and 108) for temporary container trailer park were approved with conditions between 1999 and 2011 mainly on considerations that the uses under application were in line with the planning intention of the “OU(PBU)” zone; the applied uses were not incompatible with the surrounding land uses; the applications were in line with the then TPB PG-No. 13E; and previous applications for similar uses had been approved.
- 6.2 The remaining three applications No. A/NE-FTA/113, 154 and 167 for temporary goods distribution and storage use for a period of three years were approved with conditions by the Committee between 2012 and 2018. The applications were approved by the Committee on similar grounds as mentioned in the previous planning applications in paragraph 6.1 above. The last application No. A/NE-FTA/167, however, was revoked on 6.7.2018 due to the non-compliance with approval conditions in relation to the submission of a condition record of existing drainage facilities and proposals for water supplies for fire-fighting and fire service installations. The current application for a temporary cargo handling and forwarding facility on a slightly smaller site area is submitted by a different applicant.
- 6.3 Details of the previous applications are at **Appendix III** and their locations are shown on **Plan A-1**.

## 7. Similar Application

- 7.1 There is one similar application No. A/NE-FTA/189 for temporary logistics warehouse mostly within the “OU(PBU)” zone in the vicinity of the Site (**Plan A-1**). It was approved by the Committee on 17.5.2019 mainly on the grounds that the development was in line with the planning intention of “OU(PBU)” zone; the use under application was not incompatible with the surrounding land uses; and the technical concerns of Government departments could be addressed through the implementation of relevant approval conditions.
- 7.2 Details of the similar application are at **Appendix IV** and its location is shown on **Plan A-1**.

## 8. The Site and Its Surrounding Areas (Plans A-1 and A-2, aerial photo on Plan A-3 and site photos on Plan A-4)

- 8.1 The Site is:
- (a) hard-paved, fenced off and currently used for cargo handling and forwarding facility;
  - (b) occupied with some temporary open-sided structures and container-converted structures;
  - (c) being used as the applied use without valid planning permission; and
  - (d) accessible from a local track to its south leading to Man Kam To Road.

8.2 The surrounding areas have the following characteristics:

- (a) to the immediate north is vegetated hillslope within “Green Belt” (“GB”) zone with some graves;
- (b) to the east are warehouse, vacant land and a logistics warehouse approved under planning application No. A/NE-FTA/189;
- (c) to the immediate west are a warehouse, logistics centre and some active agricultural land; and
- (d) to the immediate south is a local track, across which is the abandoned meander of Ng Tung River, and to the southeast, there are warehouse, some domestic structures and a site for open storage of construction materials approved under planning application No. A/NE-FTA/190.

## **9. Planning Intentions**

- 9.1 The planning intention of the “OU(PBU)” zone is intended primarily for accommodating the anticipated increasing cross-boundary freight traffic, especially the parking of container vehicles, including container trailers and tractors and other port back-up uses.
- 9.2 The planning intention of the “AGR” zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 9.3 The area shown as ‘Road’ in the Fanling North area is primarily reserved for the proposed road works for Fanling Bypass Western Section providing a linkage between Man Kam To Road and the Fanling Bypass Eastern Section.

## **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/North, Lands Department (DLO/N, LandsD):
  - (a) the lots under application are Old Schedule lots held under the Block Government Lease (demised for agricultural use) without any guaranteed right of access. The applicants should make their own arrangement for acquiring access. The Government shall accept no responsibility in such arrangement, and there is no guarantee that any adjoining Government land will be allowed for the vehicular access of the proposed use;
  - (b) the application lots are covered by a valid Short Term Waiver (STW) No. 1292 for the purpose of “container trailer park and ancillary office and

storage” uses;

- (c) according to the conditions of STW Letter No. 1292, the permitted site coverage should not exceed 37.16m<sup>2</sup> and the height of the structures should not exceed 4.8m. However, the total site coverage and height of the existing structures erected in the application lots exceed the permitted ones. Warning letter requiring the waivee to perform rectification works had been issued on 2.7.2019, but the waivee failed to perform any rectification works as STW required. His office reserves the right to take any termination and lease enforcement actions in this regard;
- (d) one of the existing structures on the application lots was erected for toilet use. The applicant should note that any proposed septic tank and soakage pit system should meet current health requirements, and has to apply for Certificate of Exemption (Drainage Works) from his office before any works starts; and
- (e) should planning approval be granted, the waivee of STW No. 1292 should apply to his office for modification of the terms and conditions of STW No. 1292 so as to cover all the existing structures on the application lots. The application will be considered by Government in its landlord’s and relevant capacities and there is no guarantee that it will be approved. If the modification of STW is approved, it will be subject to such terms and conditions to be imposed payment of waiver fee for the additional site coverage and administrative fee as considered appropriate by his office. Further, the commencement date will be backdated to the first date of discovery.

## **Traffic**

### 10.1.2 Comments of the Commissioner for Transport (C for T):

- (a) having reviewed the further information submitted by the applicant (**Appendix Ib**), he has the following comments on the application:
  - (i) in view of the proposal from the applicant that the operation of the proposed development would be restricted between 10:00 a.m. and 4:00 p.m. from Mondays to Saturdays only, he has no further comment on and no objection to the application from the traffic engineering point of view; and
  - (ii) the Site connects Man Kam To Road via a local village track, which is not managed by the Transport Department (TD). The land status of the access leading to the Site should be checked with the lands authority. The management and maintenance responsibilities of the access should be clarified with the relevant lands and maintenance authorities accordingly.

## **Environment**

### 10.1.3 Comments of the Director of Environmental Protection (DEP):

- (a) there was no environmental complaint against the Site during the past

three years; and

- (b) the applicant is advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' issued by DEP to minimize the potential environmental impacts on the surrounding areas.

### **Landscape Aspect**

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

- (a) she has no objection to the application from the landscape planning perspective;
- (b) based on the aerial photo of 2019 on **Plan A-3**, the Site is located in an area of rural landscape character comprises open storages, temporary structures and existing tree groups. Significant adverse impact arising from the temporary use under the application on existing landscape resources is not anticipated;
- (c) since the Site has no major public frontage, it is not necessary to impose a landscape condition as its effect on enhancing the quality of public realm is not apparent;
- (d) should the application be approved by the Board, the applicant should be advised to maintain all existing trees within the Site at all times during the planning approval period; and
- (e) the applicant should be advised of the following:
  - (i) the approval of application does not imply approval of tree works such as pruning, transplanting and felling under lease. Tree removal applications should be submitted direct to DLO/N, LandsD for approval; and
  - (ii) useful information published by the Greening, Landscape & Tree Management Section, Development Bureau on general tree maintenance and tree risk management is available for reference on its website.

### **Drainage**

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

- (a) he has no objection to the application;
- (b) he has no comments on the submitted drainage proposal (**Appendix Id**). Should the application be approved, a condition should be included to request the applicant to submit and implement a drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent area; and

- (c) the Site is in an area where no public sewerage connection is available.

### **Building Matters**

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

- (a) there is no record of approval by the Building Authority for the existing buildings/structures at the Site and BD is not in a position to offer comments on their suitability for the use related to the application; and
- (b) there is also no record of submission of the proposed building/ structure to BD for approval. His advisory comments are at **Appendix VI**.

### **Fire Safety**

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

- (a) having reviewed the further information submitted by the applicant (**Appendix Ie**), he has no in-principle objection to the application subject to fire service installations (FSIs) and water supplies for fire-fighting being provided to satisfaction of his department;
- (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 FSD for approval. In addition, the applicant should also be advised on the following points:
  - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
  - (ii) the location of where the proposed FSI to be installed should be clearly marked on the layout plans; and
- (c) the applicant is reminded that if the proposed structure(s) is required to comply with the BO (Cap. 123), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.

### **Water Supply**

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

- (a) he has no objection to the application;
- (b) part of the Site encroaches the Waterworks Reserve (WWR) (**Plan A-2**);
- (c) no structure or support for any structure, except boundary fences, shall be placed or erected and no motor vehicles is allowed to park or remain for any purposes including for display within the waterworks reserve shown on the **Plan A-2**. Free access shall be made available at all times for staff of the Director of Water Supplies or his authorized contractor to carry out construction, inspection, operation, maintenance and repair works; and



- (d) for provision of water supply to the development, the applicant may need to extend the 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.

### **Agriculture and Nature Conservation**

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

- (a) she does not support the application regarding the area of the Site falling within the "AGR" zone from the agricultural point of view;
- (b) agricultural activities are active in its vicinity and agricultural infrastructures such as road access and water source are available. As part of the Site possesses potential for agricultural rehabilitation, the Site can be used for agricultural activities such as greenhouses, plant nurseries, etc.; and
- (c) from nature conservation point of view, the Site is located just to the north of an abandoned meander currently maintained by her Department for ecological purposes under the "Main Drainage Channel for Fanling, Sheung Shui and Hinterland project". Should the application be approved, the applicant should be advised to adopt good site practices and implement necessary environmental measures, including but not limited to provision of screen planting/hoarding and control of surface runoff to avoid disturbance to the abandoned meander.

### **Project Interface**

#### 10.1.10 Comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD):

- (a) he has no comment on the application from the project interface point of view; and
- (b) the Site falls within the project boundary of the remaining phase of Fanling North New Development Area (FLN NDA) project which is anticipated to commence in 2024.

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

#### 10.1.11 Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

he has consulted the locals regarding the application. The former and current North District Council (NDC) members of the subject constituency, the Indigenous Inhabitant Representatives (IIR) and Resident Representative (RR) of Sheung Shui Heung have no comment on the application and provide views that concerned department should take note of the drainage problem of the local track leading to Man Kam To Road.

10.2 The Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) has no comment on the application.

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

On 6.12.2019, the application was published for public inspection. During the statutory public inspection period, the Chairman of Sheung Shui District Rural Committee indicates no comment on the application (**Appendix V**).

## **12. Planning Considerations and Assessments**

12.1 The application is for temporary cargo handling and forwarding facility for a period of three years. The Site falls mostly within Category 1 area under the TPB PG-No. 13F on 'Application for open Storage and Port Back-up Uses' promulgated by the Board on 27.3.2020. The following considerations in the Guidelines are relevant:

Category 1 areas: Favourable consideration will normally be given to applications with 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 Majority portion (about 86.8%) of the Site falls within an area zoned "OU(PBU)" on the Fu Tei Au and Sha Ling OZP. The temporary cargo handling and forwarding facility use under application is considered generally in line with the planning intention of the "OU(PBU)" zone which is primarily for accommodating the anticipated increasing cross-boundary freight traffic, especially the parking of container vehicles, including container trailers and tractors, and other port back-up uses.

12.3 About 8.6% of the Site falls within an area shown as 'Road' on the Fanling North OZP. According to PM(N), CEDD, the Site falls within the project boundary of the remaining phase of the Fanling North NDA which is anticipated to commence in 2024. In this regard, he has no comment on the application from the project interface point of view. Approval of the application for a temporary period of three years would not jeopardise the long-term planning intention for the NDA development.

12.4 For the minor portion (about 4.6%) of the Site falling within the "AGR" zone on the Fu Tei Au and Sha Ling OZP, the proposed use is not in line with the planning intention of the "AGR" zone which is to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. DAFC does not support the application from the perspective of agricultural development. Nevertheless, given its temporary nature and small in scale, it is considered that the approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the "AGR" zone.

12.5 The temporary cargo handling and forwarding facility is considered not incompatible with the surrounding land uses, which comprise mainly warehouses, open storage yards and some temporary structures (**Plans A-2 and A-3**). Since significant adverse impact

arising from the temporary use under the application on existing landscape resources is not anticipated, CTP/UD&L of PlanD has no objection from landscape planning perspective. Having reviewed the further information from the applicant (**Appendix Ib**), C for T has no further comment on the application from the traffic engineering point of view. Other Government departments consulted, including DEP, D of FS, CE/C of WSD and CE/MN of DSD, have no objection to or no adverse comment on the application.

- 12.6 The use under application is considered in line with the TPB Guidelines No. 13F in that the Site largely falls within Category 1 area and favourable consideration will normally be given with no major adverse departmental comments and no local objection have been received on the application.
- 12.7 The Site is the subject of eight previously approved applications for similar temporary container trailer park / goods distribution and storage use (**Plan A-1**). The last planning application (No. A/NE-FTA/167) was approved by the Committee on 6.4.2018 mainly on the grounds that the use under application was in line with the planning intention of the “OU(PBU)” zone; the applied use was not incompatible with the surrounding areas; and the application was in line with the then TPB PG-No. 13E and previous applications for similar uses were approved. The planning approval was revoked on 6.7.2018 due to non-compliance of approval conditions in relation to the submission of a condition record of existing drainage facilities and proposals for water supplies for fire-fighting and fire service installations (FSIs). The current application for a similar use is submitted by a different applicant and D of FS and CE/MN, DSD have no adverse comment on the submitted drainage and FSIs proposals.
- 12.8 There is one similar application No. A/NE-FTA/189 for temporary logistics warehouse partly within the “OU(PBU)” zone in the vicinity of the Site (**Plan A-1**). It was approved with conditions by the Committee on 17.5.2019 mainly on the grounds that the development was in line with the planning intention of “OU(PBU)” zone; the use under application was not incompatible with the surrounding land uses; and the technical concerns of Government departments could be addressed through the implementation of relevant approval conditions. The planning circumstances of the current application are similar to the approved application.
- 12.9 There is no adverse public comment received against the application.

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

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department considers that the temporary use under application 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 24.4.2023. The following conditions of approval and advisory clauses are suggested for Members’ reference:

#### Approval Conditions

- (a) no operation between 4:00 p.m. and 10:00 a.m. on Mondays to Saturdays, 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 medium and heavy goods vehicles exceeding 5.5 tonnes, as defined in the Road Traffic Ordinance, is allowed for the operation of the Site at any time during the planning approval period;
- (d) all vehicles entering and exiting the Site during the planning approval period shall be restricted to non-peak hours (i.e. 10:00 a.m. to 4:00 p.m.), as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the maintenance of all existing trees within the Site at all times during the planning approval period;
- (f) 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 24.10.2020;
- (g) in relation to (f) above, the provision of drainage facilities 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 24.1.2021;
- (h) the submission of proposals for fire service installations and water supplies for firefighting 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 24.10.2020;
- (i) in relation to (h) above, the implementation of proposals for fire service installations and water supplies for firefighting 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 24.1.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (e) 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
- (k) if any of the above planning conditions (f), (g), (h) or (i) 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 at **Appendix VI**.

13.3 There is no strong planning reason to recommend rejection of the application.

## **14. Decision Sought**

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

14.2 Should the Committee decide to approve the application, Members are invited to consider

the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**15. Attachments**

<b>Appendix I</b>	Application Form with Attachment received on 27.11.2019
<b>Appendix Ia</b>	Supplementary Information received on 2.12.2019
<b>Appendix Ib</b>	FI received on 7.1.2020
<b>Appendix Ic</b>	Email dated 9.1.2020 requesting for deferment of consideration of the application
<b>Appendix Id</b>	FI received on 12.3.2020
<b>Appendix Ie</b>	FI received on 24.3.2020
<b>Appendix II</b>	Relevant extract of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13F)
<b>Appendix III</b>	Previous s.16 Applications
<b>Appendix IV</b>	Similar s.16 Application within or partly within the “OU(PBU)” zone in the vicinity of the Site in the Fu Tei Au and Sha Ling area
<b>Appendix V</b>	Public Comments
<b>Appendix VI</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Site Layout Plan
<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 to A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
APRIL 2020**