

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

**APPLICATION NO. A/HSK/45**

- Applicant** : Skyview Development Limited represented by Metro Planning & Development Company Limited
- Site** : Lots 1103 RP (Part), 1104 RP, 1105, 1106 (Part), 1107 (Part), 1131 (Part), 1132 (Part), 1138 (Part), 1139 S.A RP, 1139 RP (Part), 1140 (Part), 1141 RP, 1142, 1143 RP (Part), 1145 (Part), 1146 (Part), 1153 (Part), 1154 RP (Part), 1155 (Part), 1156 (Part) and 1169 RP (Part) in D.D. 125, Ha Tsuen, Yuen Long, New Territories
- Site Area** : 16,476 m<sup>2</sup> (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan (OZP) No. S/HSK/1
- Zoning** : "Other Specified Uses" annotated "Logistics Facility" ("OU(LF)") (75.1%) and "Open Space" ("O") (24.9%)
- Application** : Temporary Open Storage of Construction Machinery and Construction Material and Ancillary Site Office for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for temporary open storage of construction machinery and construction material and ancillary site office for a period of 3 years (**Plan A-1a**). The Site straddles mainly over "Other Specified Uses" annotated "Logistics Facility" ("OU(LF)") zone (75.1%) and "Open Space" "O" (24.9%) on the Draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1. According to the Notes of the OZP, "Open Storage (not elsewhere specified)" is a Column 1 use, which is always permitted, in the "OU(LF)" zone. On the other hand, open storage use is neither a Column 1 nor Column 2 use in the "O" zone on the OZP. According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years within the zones requires planning permission from the Town Planning Board (the Board) notwithstanding that the use or development is not provided for under the Notes of the OZP.

- 1.2 The Site is related to 14 previous planning applications (Nos. A/DPA/YL-HT/37, A/YL-HT/81, 154, 244, 390, 524, 540, 552, 576, 621, 634, 791, 900 and 924) for various open storage uses. The last approved application (No. A/YL-HT/924) for the same applied use was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board for a period of 3 years on 28.11.2014 (**Plan A-1**). All the planning approval conditions have been complied with, and the planning permission lapsed on 29.11.2017. The Site is being used for the applied use without a valid planning permission.
- 1.3 The Site is accessible from Ha Tsuen Road via an adjoining open storage yard and a local track. As shown on the proposed layout plan at **Drawing A-2**, the ingress and egress point is located at the southwestern boundary. There are 13 temporary structures on the Site. They include three 6.5m high structures, with a total floor area of 2,305m<sup>2</sup>, for storage of construction machinery and material are proposed along the northern boundary of the Site, ten structures (with a total floor area of 1,162m<sup>2</sup>, between 3m to 7.5m high) for storage of construction machinery and material, three 2-storey high site office, a 3m high open shed and a 3m high guard room in the west. The remaining open area are proposed for open storage use and 4 private car or light goods vehicle parking spaces and 1 loading/unloading bay for medium/heavy goods vehicle are also proposed within the Site.
- 1.4 According to the applicant, the operation hours are from 8:00 a.m. to 8:00 p.m. from Mondays to Saturdays and there will be no operation on Sundays and public holidays. The proposed landscape and tree preservation plan and as-built drainage plan are at **Drawings A-3** and **A-4** respectively.
- 1.5 A comparison of the major development parameters of the current application and the last approved application is given in the following table:

	<b>Previous Approved Applications No. A/YL-HT/924 (a)</b>	<b>Current Application No. A/HSK/45 (b)</b>	<b>Difference (b)- (a)</b>
Site Area	about 15,530 m <sup>2</sup>	about 16,476 m <sup>2</sup>	+946 m <sup>2</sup>
No. of Structures	13	13	-
Total GFA	3,507 m <sup>2</sup>	3,467 m <sup>2</sup>	-40m <sup>2</sup>
No. of Car Parking Spaces	4 for private car/ light goods vehicle	4 for private car/ light goods vehicle	-
No. of Loading/ Unloading Spaces	1 for medium goods vehicle	1 for medium/heavy goods vehicle	1 for medium/heavy goods vehicle

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

- (a) Application Form received on 19.12.2017 **(Appendix I)**
- (b) Supplementary planning statement with proposed layout **(Appendix Ia)** plan, proposed landscape and tree preservation plan and as-built drainage plan

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

The justifications put forth by the applicant in support of the application are detailed in the Supplementary Planning Statement at **Appendix Ia**. They can be summarized as follows:

- (a) The Site falls within both “Category 1” and “Category 2” areas of the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E), in which open storage and port back-up uses are considered suitable.
- (b) The Site is subject to two previous planning applications Nos. A/YL-HT/900 and A/YL-HT/924 for storage of construction machinery and material and ancillary site office, which are valid until 28.11.2017. For applications No. A/YL-HT/924, the applicant has complied with all the time-limited approval conditions.
- (c) The Site falls within areas zoned “OU” zone annotated “Logistics Facility” and “O” zone on the draft HSK and HT OZP, and is suitable for temporary open storage use. The Ha Tsuen area, especially areas along both sides of Ha Tsuen Road, is dominated by open storage and port back-up uses. There is a pressing demand for open storage and port back-up facilities in proximity to the western port.
- (d) The applied development does not frustrate the planning intention and would not affect the permanent land use of the Site as it is a temporary use.
- (e) There are also similar developments adjacent to the Site, including open storage and port back-up uses. The proposed development is compatible with the surrounding environment.
- (f) There are minimal traffic impact, insignificant environmental, landscape and drainage impacts from the development. Mitigation measures including restriction on opening hours from 8:00 a.m. to 8:00 p.m., no operation on Sundays and public holidays, no open storage activity will be carried out within 30m of the adjacent village houses, double row trees along the northern and eastern Site periphery to screen the development, no workshop activities, no repairing, dismantling, assembling of other workshop activity, the stacking height of material stored within 5m of the periphery of the Site would not exceed the height of the boundary fence are proposed.

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

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

**4. Town Planning Board Guidelines**

On 17.10.2008, the Board promulgated the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E). The Site falls mainly within Category 2 (86%) and partly within Category 1 (14%) areas under the Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

**5. Background**

The Site is currently not a subject of any active planning enforcement case. Notwithstanding, as the previous planning permission (A/YL-HT/924) on the Site has expired on 28.11.2017, investigation is underway to ascertain whether the current use of the Site constitute an unauthorized development (UD). If confirmed, the Planning Authority will instigate enforcement action under the Town Planning Ordinance.

**6. Previous Applications**

- 6.1 The Site is the subject of 14 previous applications Nos. A/DPA/YL-HT/37, A/YL-HT/81, 154, 244, 390, 524, 540, 552, 576, 621, 634, 791, 900 and 924 for various open storage uses covering different extent of the Site.
- 6.2 9 previous applications (Application Nos. A/YL-HT/81, 154, 244, 390, 540, 621, 791, 900 and 924) were approved with conditions by the Committee between 1999 and 2014. Application Nos. A/YL-HT/154, 540, 791 and 900 were subsequently revoked due to non-compliance with approval conditions.
- 6.3 Application Nos. A/DPA/YL-HT/37, A/YL-HT/524, 552, 576 and 634 for various open storage uses were rejected by the Committee mainly on grounds that the developments were not in line with the then TPB PG-No. 13 for Application for Open Storage and Port Back-up Uses and the planning intentions of the zonings, adverse traffic, environmental, visual and/or drainage impacts on the surrounding areas and the north-eastern portion of the Site was not compatible with the nearby village settlements.
- 6.4 The planning permission of the last approved application (A/YL-HT/924) for the same applied use has expired on 28.11.2017. All the approval conditions have been complied with. Details of these applications are summarized at

**Appendix III** and their location is shown on **Plan A-1b**.

- 6.5 Compared with the last application, the current application is submitted by the same applicant for the same use with a larger site area (+946m<sup>2</sup>) and a largely the same layout. The total floor area slightly decreases from 3,507m<sup>2</sup> to 3,467m<sup>2</sup> (-40m<sup>2</sup>). A loading/unloading space for medium goods vehicle changes to a loading/unloading space for both medium/heavy good vehicle.

## **7. Similar Applications**

There are 4 similar applications (Nos. A/YL-HT/643, 659, 840 and 984) for various open storage uses within the same “OU(LF)” and “O” zones on the OZP since the promulgation of the TPB PG-No. 13E on 17.10.2008. All of these similar applications were approved by the Committee. Among these applications, 1 application (A/YL-HT/643) was subsequently revoked due to non-compliance with approval conditions. Details of these applications are summarized at **Appendix IV** and their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) currently being used for the applied use without valid planning permission; and
- (b) accessible from Ha Tsuen Road via an adjoining open storage yard and a local track.

8.2 The surrounding areas have the following characteristics:

- (a) to its east and southeast, are open storage yard and a logistics centre, which are suspected unauthorized developments (UDs), and temporary structures for residential use (the nearest one being 18m away);
- (b) to its south across the nullah are a warehouse for storage of recyclable materials under the planning permission of Application No. A/YL-HT/1006 and a logistic centre, which is a suspected UD;
- (c) to it west are an open storage of construction materials under the planning permission of Application No. A/YL-HT/984; and
- (d) to its north, are the village settlement of Tseung Kong Wai, parking of vehicles, unused lands, cultivated agricultural lands and two open storage yards of construction materials and vehicles, in which the open storage yards and parking are suspected UD. To its north-east, are a group of residential dwellings and cultivated agricultural land.

## **9. Planning Intentions**

- 9.1 The Site straddles over “OU(LF)” and “O” zones on the Draft Hung Shui Kiu and Ha Tsuen OZP. The planning intention of the “OU(LF)” zone is intended primarily for development of modern logistic facilities to complement the development of Hong Kong as a Regional Distribution Centre and Logistic Hub. This zone is located just next to KSWH to capture the advantage of being easily accessible by strategic highways linking the Hong Kong International Airport, Shenzhen, and other parts of the territories.
- 9.2 The planning intention of the “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

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

- 10.1 The following Government departments have been consulted and their views on the application received are summarized as follows:

### **Land Administration**

#### 10.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site comprises Old Schedule Agricultural Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government.
- (b) The private land of Lot Nos. 1143 RP, 1153, 1154 RP and 1155 all in D.D. 125 are currently covered by Short Term Waivers (STW) Nos. 4356, 4357, 4358 and 4359 respectively all to permit structures for the purpose of “Temporary Open Storage of Construction Machinery and Construction Material and Ancillary Site Office”.
- (c) The Site is accessible to Ha Tsuen Road through a local track on both private lots and Government Land (GL). Her office provides no maintenance work for the GL involved and does not guarantee any right-of-way.
- (d) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (e) Should the application be approved, the STW holders will need to apply to her office for modification of the STW conditions if there are any irregularities on Site and the lot owner(s) of the lots without STW will need to apply to her office for permit the structures to be erected or regularize any irregularities on Site.

Such application(s) will be considered by Lands Department acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the Lands Department.

### **Traffic**

#### 10.1.2 Comments of the Assistant Commissioner for Transport/NT, Transport Department (AC for T/NTW, TD):

- (a) He has no adverse comment to the application from traffic engineering view point.
- (b) Sufficient manoeuvring spaces 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 Transport Department (TD)'s purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site.

#### 10.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) The access arrangement should be commented by TD.
- (b) Adequate drainage measures should be provided at the Site to prevent surface water flowing from the Site to the nearby public roads/drains.
- (c) HyD shall not be responsible for the maintenance of any access connecting the Site and Ha Tsuen Road.

### **Environment**

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

- (a) He does not support the application as there are sensitive receivers of residential use in the vicinity (with the nearest one about 18m to its east) (**Plan A-2**), and environmental nuisance is expected.
- (b) There was no substantiated environmental complaint concerning the Site received in the past 3 years.
- (c) Should the planning application be approved, the applicant will be advised to follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling

Environmental Aspects of Temporary Uses and Open Storage Sites”.

### **Drainage**

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

- (a) He has no objection in principle to the proposed development from a drainage point of view.
- (b) According to the applicant’s submission, the existing drainage facilities which was implemented under an approved application no. A/YL-HT/924 will be maintained for the subject development.
- (c) Should the application be approved, he would suggest that a condition should be stipulated in the approval letter requiring the applicant to maintain the existing drainage facilities and submit condition record of the existing drainage facilities to the satisfaction of his Division.

### **Building Matters**

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

- (a) There is no record of approval by the Building Authority (BA) for the existing structures at the Site and Buildings Department (BD) is not in a position to offer comments on their suitability for the use related to the application.
- (b) If the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of the BD, they are unauthorized building works (UBW) under the Building Ordinance (BO) and should not be designated for any proposed use under this 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 the Site, prior approval and consent of the BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO.



- (e) The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations respectively.
- (f) If the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulations at the building plan submission stage.

### **Fire Safety**

#### 10.1.7 Comments of 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 structures, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval.
- (c) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs are to be installed should be clearly marked on the layout plans. Attached good practice guidelines for open storage should be adhered to (**Appendix V**).
- (d) The following approval condition shall be added:  
“The provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of D of FS.”
- (e) To address this additional approval condition, the applicant is advised to submit a valid fire certificate (FS 251) to his Department for approval.
- (f) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

### **Long Term Development**

#### 10.1.8 Comments of Project Manager (New Territories West), CEDD (PM/NTW, CEDD):

- (a) He has no objection to the application for temporary use for 3 years, which should be considered in accordance with the provisions of the existing OZP and infrastructure capacities.

- (b) However, the Site falls within the boundary of Hung Shui Kiu New Development Area (HSK NDA). According to the Planning and Engineering Study (P&E Study) for the HSK NDA, to ensure timely and orderly implementation, the development of HSK NDA and relevant site formation and infrastructure works would be implemented in five stages, viz. Advance Works and Stage 1 to Stage 4. The lot(s) concerned falls within a site under Stage 3 Works stage. While the detailed implementation programme for the project is still being formulated, based on the P&E Study, it is envisaged that clearance of the Site in question will not be arranged before the first population intake of the HSK NDA expected in 2024.

### **District Officer's Comment**

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

His office has not received any comment from the locals on the application.

#### 10.2 The following Government departments have no comment on the application:

- (a) Commissioner of Police (C of P);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Chief Engineer/Sewerage Projects, DSD (CE/SP, DSD);
- (d) Director of Agriculture, Fisheries and Conservation (DAFC);
- (e) Director of Leisure and Cultural Services (DLCS); and
- (f) Director of Electrical and Mechanical Services (DEMS).

## **11. Public Comment**

On 29.12.2017, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 19.1.2018, no public comment was received.

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

### 12.1 The Site falls mainly within Category 2 (86%) and partly within Category 1 (14%) areas under the revised TPB PG-No. 13E. The following considerations in the Guidelines are relevant:

Category 1 areas: favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause

significant environmental and traffic concerns.

Category 2 areas: permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no 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, where appropriate, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas.

- 12.2 Major portion of the Site (about 74%) is zoned “OU(LF)” on the OZP where open storage use is always permitted. The remaining part (about 26%) of the Site is zoned “O” on the OZP. The planning intention of the “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. Whilst the development is not in line with the planning intention of the “O” zone, the implementation programme for this part of NDA is still being formulated, and PM/NTW of CEDD and DLCS have no objection to the applied use for 3 years on the Site. In this regard, approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the Site. However, should the application be approved, it is suggested to include an advisory clause stating that the Site may be resumed by the Government at any time during the planning approval period for implementation of government projects.
- 12.3 The applied use for open storage is not incompatible with the surrounding areas, which are predominantly occupied by open storage yards, logistic centre and warehouse uses.
- 12.4 The proposed development is generally in line with the TPB PG-No. 13E in that the Site falls within Category 1 and Category 2 areas which are considered suitable for open storage and port back-up uses; relevant proposals have been submitted to demonstrate that the proposed use would not generate adverse impacts; and technical concerns of relevant Government departments could be addressed through the implementation of approval conditions.
- 12.5 There is no adverse comment on the application from concerned Government departments, except DEP. DEP does not support the application there are sensitive uses in vicinity (with the nearest residential dwelling is about 18m to the east of the Site (**Plan A-2**)), and environmental nuisance is expected. However, there has been no substantial environmental complaint concerning the Site received in the past 3 years. To address the concerns on environmental aspect and the technical requirements of other concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorized development on the Site will be subject to enforcement action by the Planning Authority. Should the planning application be approved, the applicant will also be advised to follow the relevant mitigation measures and requirements in the “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” in

order to minimize any potential environmental impact, and to keep the Site clean and tidy at all times.

- 12.6 The Committee has approved 9 previous applications for various open storage uses covering different extent of the Site and 4 similar applications in the same “OU(LF)” and “O” zones.
- 12.7 There is no public comment received on the application during the statutory publication period.

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

- 13.1 Based on the assessment made in paragraph 12 above, the Planning Department considers that the proposed temporary open storage of construction machinery and construction material and ancillary site office 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 **9.2.2021**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

#### Approval conditions

- (a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) the stacking height of materials stored within 5m of the periphery of the Site shall not exceed the height of the boundary fence, as proposed by the applicant, at all times during the planning approval period;
- (d) no repairing, dismantling, assembling and workshop activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (f) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of existing drainage facilities within **3** months to the satisfaction of the Director of Drainage Services or of

the Town Planning Board by **9.5.2018**;

- (i) the existing trees and landscape planting on the Site shall be maintained at all time during the planning approval period;
- (j) the provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **23.3.2018**;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **9.8.2018**;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **9.11.2018**;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (i) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (h), (j), (k) or (l) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the site to an amenity area, to the satisfaction of the Director of Planning or of the Town Planning Board.

#### Advisory Clauses

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

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

The applied use is not in line with the planning intention of the "O" zone, which is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

**14. Decision Sought**

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

**15. Attachments**

<b>Appendix I</b>	Application Form received on 19.12.2017
<b>Appendix Ia</b>	Supplementary Planning Statement with proposed layout plan, proposed landscape and tree preservation plan, as-built drainage plan
<b>Appendix II</b>	Relevant extracts of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E)
<b>Appendix III</b>	Previous applications covering the Application Site
<b>Appendix IV</b>	Similar applications within the subject “OU(LF)” and “O” zones on the Draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan
<b>Appendix V</b>	Good Practice Guidelines for Open Storage issued by the Director of Fire Services
<b>Appendix VI</b>	Advisory Clauses
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	Proposed Landscape and Tree Preservation Plan
<b>Drawing A-4</b>	As-built Drainage Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to 4c</b>	Site Photos

**PLANNING DEPARTMENT  
FEBRUARY 2018**