

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/105

- Applicant** : Wah Tung Development Company Limited
- Site** : Lots 1802 S.B RP (Part), 1807 (Part), 1808 RP (Part), 1819 (Part), 1825 (Part), 1826, 1827 S.A, 1827 S.B (Part), 1828 (Part), 1829 (Part), 1830 (Part), 1831 (Part), 1835 (Part), 1836 (Part), 1837, 1838, 1839 (Part) 1843 (Part) and 1844 (Part) in D.D. 125, Ha Tsuen, Yuen Long
- Site Area** : 9,500 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2 (currently in force)
[Draft HSK & HT OZP No. S/HSK/1 at the time of submission]
- Zoning** : "Government, Institution or Community" ("G/IC") (about 42.8%)
[Restricted to maximum building height (BH) of 8 storeys];
- "Open Space" ("O") (about 32.7%)
- "Residential (Group A) 4" ("R(A)4") (about 21.8%)
[Restricted to maximum PR of 5 and maximum BH of 120mPD];
- "Residential (Group A) 3" ("R(A)3") (about 0.9%)
[Restricted to maximum PR of 5.5 and maximum BH of 140mPD]; and
- an area shown as 'Road' (about 1.8%)
- Application** : Temporary Storage of Construction Materials and Containers, Logistics Centre and Ancillary Workshop 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 storage of construction materials and containers, logistics centre and ancillary workshop uses for a period of 3 years (**Plan A-1a**). The Site straddles over "G/IC"(42%), "O" (32.7%), "R(A)4"(21.8%), "R(A)3"(0.9%) and an area shown as 'Road' (1.8%) on the approved HSK and HT 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. In any area shown as 'Road' on the approved HSK and HT OZP, all uses or developments require planning permission from the Board.

- 1.2 The Site is related to 21 previous applications Nos. A/YL-HT/7, 22, 46, 188, 222, 223, 348, 354, 355, 379, 509, 510, 512, 532, 609, 666, 706, 717, 860, 862 and 961, covering different extent of the Site for various open storage, recycling centre, logistics centre and flea market uses. The last application No. A/YL-HT/961, which covers the same extent of the Site, was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 4.9.2015 submitted by the same applicant for the same applied use for a period of 3 years. All the time-specific approval conditions have been complied with. The Site is currently being used for the applied use, but the planning approval has lapsed on 5.9.2018.
- 1.3 The Site is accessible from Ping Ha Road via a local track (**Drawing A-1**). As shown on the layout plan at **Drawing A-1**, the ingress/egress is at the western boundary of the Site. A total of 5 temporary structures with a total floor area of 7,730m² are proposed. They include a single-storey (6m high) warehouse (600m²) for storage use, a single-storey (5m high) shelter (150m²) for workshop use, a single-storey (5m high) converted container site office (130m²) and a single-storey (2.6m high) converted container toilet (20m²) at the western part of the Site. Another single-storey (9m high) warehouse (6,830m²) for storage and logistic uses is proposed at the eastern part of the Site. 8 loading/unloading spaces are also proposed for heavy goods and container vehicles. 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 tree preservation and landscape plan and proposed drainage plan are at **Drawings A-2** and **A-3** respectively.
- 1.4 A comparison of the major development parameters of the last approved application and the current application is given in the following table:

Major Development Parameters	Last Approved Application (A/YL-HT/961) (a)	Current Application (A/HSK/105) (b)	Difference (b) – (a)
Applied Use	Temporary Storage of Construction Materials and Containers, Logistics Centre and Ancillary Workshop	Temporary Storage of Construction Materials and Containers, Logistics Centre and Ancillary Workshop	No change
No. of Structures	5	5	No change
Total Floor area	7,630 m ²	7,730 m ²	+100m ²
No. of Loading/Unloading Bays	9 loading/unloading spaces for heavy goods and container vehicles	8 loading/unloading spaces for heavy goods and container vehicles	-1 loading/unloading spaces for heavy goods and container vehicles

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

- (a) Application Form received on 21.9.2018 (Appendix I)
- (b) Supplementary planning statement with layout plan, proposed tree preservation and landscape plan and proposed drainage plan (Appendix Ia)
- (c) Letter from the applicant dated 12.10.2018 in response to Transport Department's comments (Appendix Ib)
- (d) Letter from the applicant dated 2.11.2018 to clarify the development parameters (Appendix Ic)

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 is located in "Category 1 areas" and the application is in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E). It was the subject of 6 previous planning approvals (Applications No. A/YL-HT/609, 706, 717, 860, 862 and 961) for similar open storage and port back-up uses. All the time-specific approval conditions have been complied with.
- (b) The Site is zoned "G/IC", "O", "R(A)4", "R(A)3" and an area shown as 'Road' on the OZP. While the planning intention could be hardly achieved in the near future, alternative temporary use which generates no significant nuisance should be encouraged in the interim to make economic use of scarce land resource;
- (c) The development is compatible with the surrounding open storage and port back-up uses.
- (d) The applicant will carry out landscaping, drainage, FSIs and environmental mitigation works, which can improve the greening, avoid the flooding issue and address the concerns of the relevant Government departments and locals.
- (e) Locals have been consulted and no objection has been received. The applicant would adopt a cooperative attitude, actively communicate with Government departments, comply with various regulations and make genuine efforts in the implementation of environmental mitigation works to ensure that the development would not generate any adverse impacts to the surrounding areas.

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. 31A) by posting site notice and sending notice to the relevant Rural Committee by registered post. Detailed information would be deposited at the meeting for Members' inspection.

4. Town Planning Board Guidelines

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

5. Background

The Site is currently not a subject of any active planning enforcement case. Notwithstanding, as the previous planning permission (A/YL-HT/961) on this Site has expired on 4.9.2018, investigation is underway to ascertain whether the current use of the Site constitutes 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 21 previous applications Nos. A/YL-HT/7, 22, 46, 188, 222, 223, 348, 354, 355, 379, 509, 510, 512, 532, 609, 666, 706, 717, 860, 862 and 961 covering different extent of the Site for various temporary open storage, recycling centre, logistics centre and flea market uses. 18 of the previous applications Nos. A/YL-HT/7, 46, 222, 348, 354, 355, 379, 509, 510, 512, 532, 609, 666, 706, 717, 860, 862 and 961 were approved with conditions by the Committee/the Board since 1996. However, application Nos. A/YL-HT/7, 46, 509, 512, 666, 860 and 862 were subsequently revoked due to non-compliance with the approval conditions. Details of these applications are summarized at **Appendix III** and their locations are shown on **Plan A-1b**.
- 6.2 Applications Nos. A/YL-HT/22, 188 and 223 for temporary open storage of containers with repair workshop, temporary flea market and temporary open storage of construction machinery and materials uses respectively were rejected by the Committee between 1996 and 2001 mainly on grounds that there was insufficient information to demonstrate the proposed developments would not have adverse impacts on the surrounding areas, the proposed development was incompatible with surrounding areas and approval of the applications would set an undesirable precedent for similar applications.
- 6.3 The last application No. A/YL-HT/961 submitted by the same applicant for the same applied use at the Site was approved by the Committee on 4.9.2015 for a period of 3 years. All the time-specific approval conditions have been complied with. However, the planning approval has lapsed on 5.9.2018.
- 6.4 Compared with the last application No. A/YL-HT/961, there is an increase in total gross floor area (+100 m²) and a decrease in the number of heavy goods and container vehicles loading/unloading spaces (-1).

7. Similar Applications

There are 9 similar applications for storage and logistics centre uses within areas covered by the same “G/IC”, “O”, “R(A)3” and “R(A)4” zones on the approved HSK and HT OZP

since the promulgation of TPB PG-No. 13E on 17.10.2008. All of these similar applications were approved by the Committee between 2012 and 2017. Among them, 4 applications were 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 (Plans A-1a to A-4d)

8.1 The Site is:

- (a) being used for the applied use; and
- (b) accessible from Ping Ha Road via a local track.

8.2 The surrounding areas have the following characteristics:

- (a) predominately occupied by open storage yards, logistics centres, warehouses, vehicle repair workshops, recyclable collection centre and parking of vehicles uses;
- (b) no residential structure was found in the vicinity of the Site;
- (c) there are open storage yards, logistics centres, recyclable collection centre and warehouses in the vicinity of the Site under valid planning applications Nos. A/YL-HT/993, 1053 and 1071 and A/HSK/11, 30 and 31 (**Plan A-2**);
- (d) other open storage yards and vehicle repair workshops in the vicinity are suspected unauthorized developments (UDs), except an open storage yard of containers to its northeast, an open storage yard of metal products and a vehicle repair workshop to its southeast which may be tolerated under the Town Planning Ordinance (**Plan A-2**); and
- (e) to its west, across Ping Ha Road and within the adjacent “Village Type Development” (“V”) zone, are a football pitch and a basketball court (**Plan A-2**).

9. Planning Intentions

9.1 The Site straddles over “G/IC”, “O”, “R(A)3” and “R(A)4” zones and an area shown as ‘Road’ on the approved HSK and HT OZP.

9.2 The “G/IC” zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

9.3 The “O” zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

9.4 The “R(A)3” and “R(A)4” zones are intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest two floors of a building excluding basements, or in a free-standing purpose-designed non-domestic building up to five storeys.

10. Comments from Relevant Government Departments

10.1 The following Government departments have been consulted and their views on the application 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 the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (b) The Site is accessible from Ping Ha Road through Government Land (GL) and private lot(s). His Office provides no maintenance works to the GL involved and does not guarantee any right-of-way over the GL to the Site.
- (c) The private lots which are covered by Short Term Waivers (STWs) are listed below:

Lot No(s). in D.D. 125	STW	Purposes
1827 S.B	3062	A water tank ancillary to open storage of containers
1828, 1843 and 1844	4056	Temporary logistics centre and warehouse for storage of metal with ancillary workshop
1831	4363	Temporary logistics centre
1807, 1826, 1827 S.A and 1837	4646	Temporary storage of construction materials and containers, logistics centre and ancillary workshop
1836 and 1838	4647	
1808 RP	4822	Temporary open storage of construction material with ancillary site office

- (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 his office for modification of the STW conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to his office for permitting the structures to be erected or to regularize any irregularities on site, if any. Besides, given the proposed

use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) 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(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 LandsD.

Traffic

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

- (a) He has no adverse comment on the application from traffic engineering point of view.
- (b) Sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.
- (c) The local track leading to the Site is not under TD's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site.

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

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

Environment

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

- (a) There was no environmental complaint pertaining to the Site received in the past 3 years.
- (b) Should the application be approved, the applicant is advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP').

Landscape

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

The applicant is reminded of the importance of tree monitoring and general tree care. Useful information on general tree risk management is available for reference in 私人物業樹木護養資料 (Chinese Version: https://www.greening.gov.hk/tc/tree_care/info_private.html) and the Handbook of Tree Management (Chinese Version: [https://www.greening.gov.hk/tc/tree_care/Handbook on Tree Management.html](https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html)) published by the GLTM Section, DEVB.

Drainage

10.1.6 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-HT/961 will be maintained for the subject development. He has no objection in principle to the development from drainage point of view.
- (b) Should the application be approved, he would suggest 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

10.1.7 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 (BA) for the existing structures at the Site, Buildings Department (BD) is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) If the existing structures (not being a New Territories Exempted Houses) are erected on leased land without approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the captioned 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 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

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

- (a) He has no objection in principle to the proposal subject to fire services installation (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. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans.
- (d) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Long Term Development

10.1.9 Comments of Project Manager (New Territories West), Civil Engineering and Development Department (PM/NTW, CEDD):

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 Comments

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

11. Public Comments Received During Statutory Publication Period

On 28.9.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 19.10.2018, no public comment was received.

12. Planning Considerations and Assessments

12.1 The Site straddles over “G/IC”, “O”, “R(A)3” and “R(A)4” zones and an area shown as ‘Road’ on the OZP. The planning intentions of the “G/IC” zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory; the “O” zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public; and the “R(A)3” and “R(A)4” zones are intended primarily for high-density residential developments. Whilst the applied development is not in line with the planning intentions, the implementation programme for this part of NDA is still being formulated, and DLCS and PM/NTW of CEDD have no objection to the proposed temporary use for a period of 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.

12.2 The Site is located in an area which is predominantly occupied by open storage yards, logistics centres, warehouses, vehicle repair workshops, recyclable collection centre and parking of vehicles uses. The applied use is not incompatible with the surrounding land uses (**Plan A-2**).

12.3 The Site falls within Category 1 areas under the TPB PG-No. 13E. The following considerations in the Guidelines are relevant:

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

be submitted if the proposed uses may cause significant environmental and traffic concerns.

- 12.4 The proposed development is generally in line with the TPB PG-No. 13E in that the Site falls within Category 1 areas which are considered suitable for open storage and port back-up uses; relevant proposals have been submitted to demonstrate that the proposed use would not generate adverse impacts; and technical concerns of relevant Government departments could be addressed through the implementation of approval conditions.
- 12.5 There is no adverse comment from the concerned Government departments. The applied use will unlikely create significant adverse environmental impacts to the surrounding area. In addition, there has been no substantiated environmental complaint pertaining to the Site in the past 3 years. To minimize any possible environmental impacts and nuisance on the surrounding developments, and to address the technical requirements of the 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 Site will be subject to enforcement action by the Planning Authority. Should the planning application be approved, the applicant will be advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' in order to minimize the possible environmental impacts on the nearby sensitive receivers.
- 12.6 The Committee has approved a previous application (No. A/YL-HT/961) for the same applied use on the Site (**Plan A-1b**) and 9 similar uses within areas covered by the same "G/IC", "O", "R(A)3" and "R(A)4" zones since the promulgation of TPB PG-No. 13E on 17.10.2008 (**Plan A-1a**). Thus, the approval of the subject application is in line with the Committee's previous decisions.
- 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, the Planning Department considers that the temporary storage of construction materials and containers, logistics centre and ancillary workshop 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 of 3 years until **16.11.2021**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the existing trees and landscape planting on the Site shall be maintained at all time during the planning approval period;
- (e) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) 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 **16.2.2019**;
- (h) the submission of a fire service installations proposal within **6** months to the satisfaction of the Director of Fire Services or of the Town Planning Board by **16.5.2019**;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within **9** months to the satisfaction of the Director of Fire Services or of the Town Planning Board by **16.8.2019**;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) 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 (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 V**.

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

- (a) the applied use is not in line with the planning intentions of the "G/IC", "O", "R(A)3" and "R(A)4" zones which are intended primarily for the provision of government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory; for 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; and for high-density residential developments. There is no strong justification to deviate from the planning intentions even on a temporary basis; and
- (b) the applicant fails to demonstrate that the applied development would not have adverse environmental impact on the surrounding areas.

14. Decision Sought

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

15. Attachments

Appendix I	Application Form received on 21.9.2018
Appendix Ia	Supplementary planning statement with layout plan, proposed tree preservation and landscape plan and proposed drainage plan
Appendix Ib	Letter from the applicant dated 12.10.2018 in response to Transport Department's comments
Appendix Ic	Letter from the applicant dated 2.11.2018 to clarify the development parameters
Appendix II	Relevant Extracts of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E)
Appendix III	Previous s.16 applications covering the Application Site
Appendix IV	Similar Applications within areas covered by the same "G/IC", "O", "R(A)3" and "R(A)4" zones on the Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan since the promulgation of TPB PG-No. 13E on 17.10.2008
Appendix V	Advisory Clauses
Drawing A-1	Proposed Layout Plan
Drawing A-2	Proposed Tree Preservation and Landscape Plan
Drawing A-3	Proposed Drainage Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to 4d	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2018**