

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL FOR TEMPORARY  
USE UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HSK/145**

- Applicant** : Mandarin Concepts Limited represented by Metro Planning and Development Company Limited
- Site** : Lots 2941 RP (Part), 3066 (Part), 3077 (Part), 3092 (Part), 3094 (Part), 3095, 3096 (Part), 3098 S.B (Part), 3098 S.C (Part), 3098 S.D (Part), 3099, 3100 (Part), 3101, 3102, 3103, 3104, 3105 (Part), 3114 RP (Part), 3115 RP (Part) and 3116 RP (Part) in D.D. 129 and Adjoining Government Land, Ha Tsuen, Yuen Long
- Site Area** : 11,762 m<sup>2</sup> (about) (including about 8m<sup>2</sup> of GL)
- 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
- Zoning** : "Residential (Group B) 2" ("R(B)2") (about 61%)  
[Restricted to maximum plot ratio (PR) of 2.5 and maximum building height (BH) of 90mPD];  
  
"Open Space" ("O") (about 24%);  
  
"Residential (Group B) 1" ("R(B)1") (about 12%)  
[Restricted to maximum PR of 3.5 and maximum BH of 90mPD]; and  
  
an Area shown as 'Road' (about 3%)
- Application** : Renewal of Planning Approval for Temporary Logistics Centre with Ancillary Site Office for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of planning approval to continue using the application site (the Site) for temporary logistics centre with ancillary site office for a period of 3 years (**Plan A-1**). The Site straddles over "R(B)2" (61%), "O" (24%) and "R(B)1" (12%) zones and an area shown as 'Road' (3%) on the approved HSK and HT OZP No. S/HSK/2. There is no provision for such use within the "R(B)1", "R(B)2" and "O" zones. However, 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 zone 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 OZP, all uses or developments require planning permission from the Board. The Site is currently occupied by a logistics centre under a valid planning permission No. A/YL-HT/1017 up to 13.5.2019 (**Plan A-1b**).

- 1.2 The Site is related to 7 previous applications (No. A/YL-HT/242, 307, 308, 500, 501, 934 and 1017). The last application No. A/YL-HT/1017 for the same applied use for a period of 3 years was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 13.5.2016 for a period of 3 years. All the time-specific approval conditions including the implementation of accepted drainage, landscape proposals, run-in/out proposal and fire services installations (FSIs) proposals have been complied with. The permission is valid up to 13.5.2019. Details of the previous applications are at paragraph 6 and **Appendix IV**. Compared with the last application, the current application is submitted by the same applicant for the same use on the same site, and the development parameters and the site layout remain unchanged.
- 1.3 The site is abutting Lau Fau Shan Road (**Plan A-2**) with the ingress/egress point at the north-eastern part of the Site. As shown on the layout Plan at **Drawing A-1**, a total of 5 structures with floor area of 9,024 m<sup>2</sup> is proposed. It includes a two-storey (12m high) logistics centre (8,170m<sup>2</sup>) with site office (380m<sup>2</sup>) and rain shelter (340m<sup>2</sup>), a single-storey (6.5m high) water tank and pump room (100m<sup>2</sup>), a single-storey (4m high) electricity meter room (10m<sup>2</sup>), a single-storey (4m high) toilet (20m<sup>2</sup>) and a single-storey (4m high) guard room (4m<sup>2</sup>). Two loading/unloading bays for container trailers/tractors (16m x 3.5m each) and four loading/unloading bays for medium and heavy goods vehicles (11m x 3.5m each) are also proposed. A 2.5m high fencing has been erected along the periphery of the Site. The operation hours are from 11:00 a.m. to 7:00 p.m. Monday to Saturday. There will be no operation on Sundays and public holidays. According to the applicant, no repairing, recycling, cleaning, dismantling work and workshop activity will be carried out at the Site. The proposed landscape and tree preservation plan and drainage plan submitted by the applicant are at **Drawings A-2 to A-3**.
- 1.4 The development parameters of the previously approved application and current application are totally the same.

<b>Major Development Parameters</b>	<b>Previous Submission No. A/YL-HT/1017 (a)</b>	<b>Current Submission No. A/HSK/145 (b)</b>
<b>Site Area</b>	About 11,762m <sup>2</sup>	
<b>Applied Use</b>	Temporary Logistics Centre with Ancillary Site Office for a Period of 3 Years	
<b>No. and Height of Structures</b>	5 - 1 logistics centre with site office and rain shelter	

	(12m high) (Total GFA of 8,890m <sup>2</sup> ) - 1 water tank and pump room (6.5m high) (GFA of 100m <sup>2</sup> ) - 1 electricity meter room (4m high) (10 m <sup>2</sup> ) - 1 toilet (3m high) (GFA of 20m <sup>2</sup> ) - 1 guard room (4m high) (GFA of 4m <sup>2</sup> )
<b>Total Floor Area</b>	About 9,024m <sup>2</sup>
<b>No. of Loading/ Unloading Spaces</b>	- 4 for medium/heavy goods vehicle (11 m x 3.5m each) - 2 for container trailer/tractor (16m x 3.5m each)
<b>Operation Hours</b>	11:00 a.m. to 7:00 p.m. Monday to Saturday. No operation on Sundays and public holidays.

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

- (a) Application Form received on 13.3.2019 **(Appendix I)**
- (b) Supplementary Planning Statement with proposed layout plan, proposed landscape and tree preservation plan and proposed drainage plan **(Appendix Ia)**

**2. Justifications from the Applicant**

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

- (a) The application is subject to previous planning permission No. A/YL-HT/1017 for the same applied use for a period of 3 years and the applicant managed to comply with all the planning conditions imposed by Board. There has been no significant change in the planning circumstances of the Site since the last planning permission in 2016.
- (b) The subject development largely falls within the Category 1 Area under the TPB PG-No. 13E, in which open storage and port back-up uses are considered suitable.
- (c) The adjoining land lots are almost wholly occupied by logistics centres and workshop uses, which make the applied use compatible with the surrounding area.
- (d) There is a shortage of land for open storage use and container depots and the temporary approval of the applied development would not jeopardize the long term planning intention of the Site, which could not be realized within the coming 3 years.
- (e) The applied use would not generate significant impact to the surrounding area and the applicant has also recommended a number of environmental mitigation measures including provision of fencing on the Site, restrictions on operation hours and no workshop activities on the Site to minimize potential environmental impact.

### **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 notices on three local newspaper. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Background**

The Site is not subject to any active planning enforcement action.

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

5.1 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 within Category 1 areas under the Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

5.2 The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34B) are relevant to the application. The relevant assessment criteria are at **Appendix III**.

### **6. Previous Applications**

6.1 The Site is the subject of 7 previous applications (No. A/YL-HT/242, 307, 308, 500, 501, 934 and 1017) for various temporary vehicle repairing workshop, container trailer/tractor park, open storage and logistics centre uses. All of these were approved with conditions by the Committee or the Board from 2002 to 2016. Among these, two applications (No. A/YL-HT/242 and 934) 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-1b**.

6.2 The last application No. A/YL-HT/1017 for the same temporary use submitted by the same applicant was approved with conditions by the Committee on 13.5.2019. All time-specific approval conditions have been complied with. The planning permission is still valid up to 13.5.2019. Compared with the last approved application (No. A/YL-HT/1017), the current application is submitted by the same applicant for the same applied use at the same site, and the development parameters and the site layout remain unchanged.

### **7. Similar Applications**

There are 9 similar applications (No. A/YL-HT/953, 970, 1058 and 1062 and A/HSK/5, 7, 50, 59 and 108) for temporary logistics centre use within the same “R(B)1”, “R(B)2” and “O” zones on the approved HSK and HT OZP since the promulgation of the TPB PG-No.

13E on 17.10.2008. All were approved with conditions by the Committee. However, four of the approved applications (No. A/YL-HT/953, 970 and 1058 and A/HSK/7) were subsequently revoked due to non-compliance with approval conditions. Particulars of these applications and the decisions of the Committee are summarized at **Appendix V** and their locations are shown on **Plan A-1a**.

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

8.1 The site is:

- (a) currently used by its applied use under a valid planning permission; and
- (b) abutting Lau Fau Shan Road.

8.2 The surrounding areas have the following characteristics:

- (a) to its immediate north is an open storage yard of construction materials and machinery. To its further north are two open storage yards under valid planning permissions No. A/YL-HT/1063 and A/HSK/104, a vehicle repair workshop and some residential dwellings;
- (b) to its northeast across Lau Fau Shan Road are a cluster of residential dwellings and a yard for open storage of construction materials. To its immediate east is an open storage yard of construction materials;
- (c) to its south is a logistics centre operating under a valid planning approval No. A/HSK/108; and
- (d) to its immediate west and further northwest is another logistics centre operating under a valid planning approval No. A/HSK/59.

## **9. Planning Intention**

9.1 The Site straddles over “R(B)2” , “O” and “R(B)1” zones and an area shown as ‘Road’ on the approved HSK and HT OZP.

9.2 The planning intention of the “R(B)1” and “R(B)2” zones are intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted with or without application to the Board.

9.3 The planning intention of 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 residential 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 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 prior approval of the Government.
- (b) No permission is given for occupation of Government land (GL) of about 8m<sup>2</sup> in area (subject to verification) included in the Site. The act of occupation of GL without Government's prior approval is not allowed.
- (c) The private lots which are covered by Short Term Waivers (STWs) in the Site are listed below:

<b>Lot No(s). in D.D.129</b>	<b>STW No.</b>	<b>Purposes</b>
3066, 3103	4964	Temporary Logistics Centre with Ancillary Site Office
3077	4965	
3094, 3095, 3099, 3100, 3102, 3105, 3115 RP, 3116 RP	4966	
3096	4967	
3098 S.B	4968	
3098 S.C	4969	
3098 S.D	4970	
3101	4971	
3104	4972	
3114 RP	1975	Storage and Repair of Container Boxes

- (d) The Site is accessible from Lau Fau Shan Road through private lot. His office does not guarantee any right-of-way to the Site.
- (e) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (f) Should the application be approved, the STW holders will need to apply to LandsD for modification of the STW conditions where appropriate. The owner(s) of lot without STW will need to apply to LandsD to permit the structures to be erected or regularize any irregularity on site, if any. The applicant has to either exclude the remaining GL from the Site or apply for a formal approval prior to the actual occupation of the remaining GL. 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 viewpoint.
- (b) Sufficient manoeuvring spaces shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.

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

- (c) The access arrangement should be commented by TD.
- (d) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site onto nearby public roads/drains.

### **Drainage**

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

- (a) He has no objection in principle to the application 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/1017 will be maintained for the subject development.
- (c) Should the application be approved, he would suggest imposing a planning condition requiring the applicant to maintain the existing drainage facilities and submit condition record of the existing drainage facilities to the satisfaction of his Division.

### **Environment**

10.1.5 Comment of the Director of Environmental Protection (DEP):

- (a) He does not support the application because there are sensitive uses on the vicinity of the Site (the nearest residential dwelling being about 30m away at the opposite side of Lau Fau Shan Road) (**Plan A-2**) and environment nuisance is expected.
- (b) No substantiated environmental complaint against the Site has been

received over the past 3 years.

- (c) Should the application be approved, the applicant is reminded to follow the latest “Code of Practice (COP) on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimize any potential environmental nuisance.

### **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 for the structures existing 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 under the Buildings Ordinance (BO) and should not be designated for any approved 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 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 the Director of Fire Services (D of FS):

- (a) He has no objection to the proposal subject to fire services 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.
- (d) The applicant is reminded that if the proposed structure(s) is required to comply with the BO (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

### **Nature Conservation**

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

- (a) As the Site is paved and disturbed, he has no strong view on the application from nature conservation point of view.
- (b) Should the application be approved, the applicant is advised to adopt good site practices and implement water pollution control measure as necessary to avoid affecting the nearby watercourse.

### **Long Term Development**

#### 10.1.9 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) The Site is zoned “R(B)1”, “R(B)2” and “O” and an area shown as ‘Road’ on the approved HSK and HT OZP No. S/HSK/2. The portion zoned “O” is not on the priority list for development agreed by the Yuen Long District Council. His office has no plan to develop the Site into public open space at present.
- (b) He notes the application period is only three years and has no in-principle objection to the captioned application.

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

- (a) He has no objection to the application for a period of three 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 concerned lot(s) falls within a site under Advance Works and Stage 4 Works stages. 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**

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

- (a) He has not received any comment on the application from the locals.
- (b) He has no comment on the application from his departmental point of view.

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

- (a) Commissioner of Police (C of P); and
- (b) Chief Engineer/Development (Construction), Water Supplies Department (CE/C, WSD).

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

On 22.3.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 12.4.2019, no public comment was received from the public.

## **12. Planning Considerations and Assessment**

12.1 The subject application is for the renewal of planning permission under previous application No. A/YL-HT/1017 for temporary logistics centre with ancillary site office for a period of 3 years at "R(B)1", "R(B)2" and "O" zones and an area shown 'Road' on the OZP. The planning intentions of these zones are primarily for medium-density residential developments and the provision of outdoor open-air public space for active and/or passive recreational uses respectively. Whilst the development is not in line with the planning intentions, the implementation programme for this part of NDA is still being formulated, and PM/NTW of CEDD and DLCS have no objection to the temporary use for a period of 3 years. In this regard, approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area. 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 the implementation of government projects.

12.2 The Site is situated in an area predominately occupied by logistics centres, workshops and open storage yards (**Plan A-2**), the applied use is not incompatible with the surrounding area.

- 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 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 The current application is a renewal application of the last approved application (No. A/YL-HT/1017) for three more years. Other than the change in zoning of the Site on the OZP, there has been no major change in circumstances of the Site and the surrounding areas since the previous temporary approval. Approval of the application on a temporary basis would not jeopardize the implementation of the zoned uses. Furthermore, there would be no adverse planning implications arising from the renewal of the temporary planning approval and that the applicant has complied with all the approval conditions under previous approval. The 3-year approval period sought is reasonable and of the same timeframe as the previous approval. In view of the above, the renewal application is considered generally in line with the TPB PG-No. 34B.
- 12.6 There is no major adverse comment from the concerned Government departments, except DEP. DEP does not support the application because there are sensitive uses in the vicinity (the nearest residential dwelling being about 30m away at the opposite side of the Lau Fau Shan Road), and environmental nuisance is expected (**Plan A-2**). However, there was no substantive environmental complaint pertaining to the Site in the past three years. To address the concerns on the possible environmental nuisances or the technical requirements of the other concerned Government departments, relevant approval conditions are recommended in paragraph 13.2 below. Any non-compliance with these approval conditions would result in revocation of the planning permission and any unauthorized development on Site would be subject to enforcement action by the Planning Authority. Should the application be approved, the applicant will be advised to follow the '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.
- 12.7 The Committee has approved 7 previous applications on the Site and 9 similar applications within the subject "R(B)1", "R(B)2" and "O" zones for similar temporary open storage, logistic centres and container trailer/tractor park uses since 2002 (**Plans A-1a and A-1b**). Approval of the subject application is in line with the Committee's previous decisions.
- 12.8 No public comment on the application has been received.

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

- 13.1 Based on the assessment made in paragraph 12 above, the Planning Department considers that the temporary logistic centre with ancillary site office could be tolerated for a further 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 from **14.5.2019 until 13.5.2022**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### Approval conditions

- (a) no operation between 7:00 p.m. and 11:00 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) no repairing, recycling, cleaning, dismantling work and workshop activity, as proposed by the applicant, is allowed on site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at all times during the planning approval period;
- (e) the existing fencing on the Site shall be maintained at all time during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities within **3** months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **14.8.2019**;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the existing trees and landscape planting on the Site shall be maintained at all time during the planning approval period;
- (i) the submission of a fire service installations proposal within **6** months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **14.11.2019**;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within **9** months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **14.2.2020**;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (g) or (h) 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; and

- (l) if any of the above planning conditions (f), (i) or (j) 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.

*[Approval conditions (a) to (d), (i) to (l) are the same as those under the permission for application No. A/YL-HT/1017, while conditions (e) to (h) are updated and the submission and implementation of run-in/out proposal and reinstatement clause are deleted.]*

#### 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:

- (a) the continuous occupancy of the Site for the development is not in line with the planning intentions of the "Residential (Group B) 1", "Residential (Group B) 2" and "Open Space" zones, which are primarily for medium-density residential developments and the provision of outdoor open-air public space for active and/or passive recreational uses. There is no strong justification to deviate from the planning intention 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**

<b>Appendix I</b>	Application Form received on 13.3.2019
<b>Appendix Ia</b>	Supplementary Planning Statement with, proposed layout plan, proposed landscape and tree preservation plan and proposed 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>	Relevant extracts of Town Planning Board Guidelines for Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or

<b>Appendix IV</b>	Development (TPB PG-No. 34B)
<b>Appendix V</b>	Previous Applications covering the Application Site Similar Applications within the subject “R(B)1”, “R(B)2” and “O” Zones on the approved HSK and HT OZP since the promulgation of TPB PG-No.13E on 17.10.2008
<b>Appendix VI</b>	Advisory Clauses
<b>Drawing A-1</b>	Proposed Layout Plan
<b>Drawing A-2</b>	Proposed Landscape and Tree Preservation Plan
<b>Drawing A-3</b>	Proposed Drainage Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Location Plan with Previous Applications
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to 4b</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2019**