

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

**APPLICATION NO. A/HSK/180**

- Applicant** : Mr. LAM Kam Pang represented by Metro Planning and Development Company Limited
- Site** : Lots 352 S.C, 352 RP, 480 S.A RP (Part), 480 RP (Part), 481 (Part), 482 (Part) and 483 (Part) in D.D. 124, Ha Tsuen, Yuen Long
- Site Area** : 1,730m<sup>2</sup> (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
- Zoning** : “Open Space” (“O”) (5.6%);  
“Government, Institution or Community” (“G/IC”) (about 0.6%); and  
*[Restricted to maximum BH of 8 storeys]*  
area shown as ‘Road’ (about 93.8%)
- Application** : Temporary Open Storage of Vehicle Parts and Ancillary Vehicle Repair 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 open storage of vehicle parts and ancillary vehicle repair workshop for a period of 3 years (**Plan A-1a**). The Site straddles over an area partly zoned “O” (5.6%) and shown as ‘Road’ (93.8%) with minor encroachment into the “G/IC” zone (0.6%) 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 OZP, all uses or developments require planning permission from the Board. The Site is currently being used for the applied use without a valid planning permission (**Plan A-1b**).

- 1.2 The Site is involved in 14 previous applications for various temporary open storage and vehicle repair workshop use. The last approved application (No. A/YL-HT/919) for different temporary open storage was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 14.11.2014 for a period of 1 year. Compared with the last approved application No. A/YL-HT/919, the current application is submitted by a different applicant for a different open storage use at a much smaller site with different layout.
- 1.3 The Site is directly abutting a local track branching off Hung Chi Road and the ingress/egress point is located at the eastern part of the Site. (**Drawing A-1** and **Plans A-2** and **A-3**). As shown on the proposed layout plan at **Drawing A-1**, four temporary structures with a total floor area of not exceeding 328m<sup>2</sup>, including a 8m high single-storey open shed for ancillary vehicle repair workshop use (not exceeding 216m<sup>2</sup>), a 6m high 2-storey structure for site office use (not exceeding 90m<sup>2</sup>), a 3m single-storey high guard room (not exceeding 20m<sup>2</sup>) and a 3m high single-storey toilet (not exceeding 2m<sup>2</sup>) are proposed. 4 parking spaces for medium/heavy goods vehicle are proposed. The remaining areas are for open storage of vehicle parts. According to the applicant, the operation hours of the proposed development are from 8:00 a.m. to 9:00 p.m. from Mondays to Saturdays, and there will be no operation on Sundays and public holidays. The proposed layout plan, landscape and tree preservation plan and drainage plan are shown at **Drawings A-1** to **A-3** respectively.
- 1.4 The major development parameters of the current application are summarised in the following table:

	<b>Major Development Parameters</b>
<b>Site Area</b>	1,730m <sup>2</sup> (about)
<b>Applied Use</b>	Temporary Open Storage of Vehicle Parts and Ancillary Vehicle Repair Workshop for a Period of 3 Years
<b>No. of Structures</b>	4
<b>Total Floor Area</b>	About 328m <sup>2</sup>
<b>No. of Parking Spaces</b>	4 for medium/heavy goods vehicle

- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with supplementary letter and revised layout plan and landscape and tree preservation plan received on 29.7.2019 (**Appendix I**)
  - (b) Supplementary statement with proposed layout plan, landscape and tree preservation plan and 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 I**. They can be summarized as follows:

- (a) The planning intention of “G/IC” and “O” zones and ‘Road’ area could not be realised within the coming 3 years because land resumption for the development of Hung Shui Kiu New Development Area is yet to commence. The proposed temporary development would not jeopardise the long term planning intention.
- (b) The adjoining lots are mostly occupied by open storage and port back-up uses. The proposed development is compatible with the surroundings. Nearly all of the previous applications for similar uses were approved by the Committee. The planning circumstance pertaining the Site is similar to those approved open storage yards and port back-up uses nearby.
- (c) The proposed use will not cause adverse traffic impact on the local road network. The proposed development would not aggravate the traffic condition of adjoining road network.
- (d) The proposed development would not generate significant impact to the surrounding environment. To minimise potential environmental impact, mitigation measures including peripheral tree planting, provision of peripheral fencing and restricted operation hours (8:00 a.m. to 9:00 p.m. from Mondays to Saturdays and no operation on Sundays and public holidays) are proposed. All proposed drainage facilities will be maintained by the applicant’s own expense.

### **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 sending notice to the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Background**

As the storage uses on the Site are not covered by valid planning permission, they would be subject to planning enforcement action.

### **5. 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 3 areas under the revised Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

### **6. Previous Applications**

- 6.1 The Site is involved in a total of 14 previous applications No. A/YL-HT/74, 164, 212, 229, 245, 267, 406, 419, 574, 601, 602, 750, 849 and 919 for various open storage and/or vehicle repair workshop uses. 12 of the previous applications were approved with conditions by the Committee between 1999 and 2014. However, application Nos. A/YL-HT/164, 229, 574 and 601 were subsequently revoked on

22.3.2001, 21.3.2002, 24.4.2009 and 27.9.2009 respectively due to non-compliance with time-specific approval conditions.

- 6.2 The planning application No. A/YL-HT/212 for temporary vehicle repair workshop use were rejected by the Committee on 7.9.2001 mainly for the reason of not in line with the planning intention of “O” zone and also the adjoining “V” zone. Application No. A/YL-HT/750 for similar open storage uses was rejected by the Committee on 29.3.2011 for the reasons that the proposed development was not in line with the planning intention of “O” and “V” zones; there was no strong planning justification; not in line with the TPB PG-No. 13E; and the approval of the application would set an undesirable precedent for similar applications within the “V” zone; and the cumulative impact of approving such applications would result in a general degradation of the environment of the area.
- 6.3 The last application No. A/YL-HT/919 for temporary open storage of construction materials, tractors, trailers, scrap motor vehicles and scrap small speedboats, scrap metals, cargo compartments, construction machinery, and scrap car components with ancillary workshop and 5 heavy goods vehicle loading/unloading bays for 3 years was approved by Committee 14.11.2014 for a period of 1 year. The approval for a shorter approval period of one year was recommended to monitor the situation of the site to ensure that the applied use would not generate unacceptable nuisance to the nearby residential uses (residential houses nearby to the south are being under construction at the time of planning application). All the approval conditions have been complied with. The planning permission lapsed on 15.11.2015. Compared with the last approved application No. A/YL-HT/919, the current application is submitted by a different applicant for a different open storage use at a much smaller site with different layout. Details of these applications are summarized at **Appendix III** and their locations are shown on **Plan A-1b**.

## **7. Similar Applications**

There are 5 similar applications (No. A/YL-HT/585, 586, 691, 1001 and 1011) for various temporary open storage and workshop uses within the same “O” and “G/IC” zones on the HSK and HT OZP since the promulgation of the TPB PG-No. 13E on 17.10.2008. All 5 similar applications were located to the north of the Site and approved by the Committee between 2008 and 2016 taking into consideration that the applied uses were not incompatible with the surrounding uses. All the time-limited conditions have been complied with. Amongst these applications, applications No. A/YL-HT/585 and 691 were subsequently revoked on 19.12.2009 and 2.8.2011 respectively due to non-compliance with time-specific approval conditions. Particulars of the applications and the decisions of the Committee 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-4b)**

8.1 The Site is:

- (a) currently fenced off; and
- (b) accessible from Hung Chi Road via a local track.

8.2 The surrounding areas have the following characteristics:

- (a) to its immediate north is an open storage of recycling and construction materials and construction machinery; to its further north are some vehicle parks for cars, coaches and buses and two vehicle repair workshops; while to its northwest is a piece of agricultural land;
- (b) to its east is a local track branching off Hung Chi Road where the Site gains access from. Further east is Hung Tin Road; and
- (c) to its immediate south are two yards for car service and storage. To its further south are some vehicle parks, 5 residential houses under renovation (the closest one being about 21m away) and a private car park under valid planning permission No. A/HSK/64; while to its further southwest is an existing residential dwelling located about 45m away.

## **9. Planning Intention**

- 9.1 The Site straddles over “O” and “G/IC” zones and an area shown as ‘Road’ on the approved HSK and HT 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.
- 9.2 The planning intention of the “G/IC” zone is 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.

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

10.1 The following Government departments have been consulted and their views on the application and public comments 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) The Site is accessible from Hung Chi Road through Government land (GL). His office does not guarantee any right-of-way to the Site.
- (c) The Site does not fall within Shek Kong Airfield Height Restriction Area.

- (d) Should the application be approved, the lot owner(s) of lot(s) without Short Term Waiver (STW) will need to apply to his office for permitting the structures to be erected or regularize any irregularities on site, if any. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) of any of the above will be considered by the LandsD acting in the capacity as 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 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 vehicle is allowed to queue back to public road or reverse onto/from the public road.
- (c) The local track leading to the Site is not under TD's purview.

#### 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 Hung Tin Road.

### **Environment**

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

- (a) He does not support the application because there are sensitive uses in the vicinity of the Site (the nearest residential house under renovation and the existing residential dwelling are about 21m and 45m away respectively) (**Plans A-2 and A-4c**) and environmental 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 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' ('COP') to minimize any potential environmental nuisance.

### **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 application from a drainage point of view.
- (b) Should the application be approved, he would suggest imposing a planning condition requiring the applicant to implement and maintain the proposed drainage facilities to the satisfaction of his Division.
- (c) The applicant is reminded that the development should neither obstruct overland flow nor adversely affect existing stream course, natural streams, village drains, ditches and the adjacent areas.
- (d) The applicant should consult DLO/YL and seek consent from the relevant owners for any works to be carried out outside his lot boundary before commencement of the drainage works.

### **Landscape**

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

- (a) He has no objection to the application from landscape planning perspective.
- (b) With reference to the aerial photo of 2018, the Site is mainly hard paved with existing trees along the southern boundary within the Site. The Site is in an area of rural landscape character disturbed by open storage yards and temporary structures. In view of the previous approved application No. A/YL-HT/919, significant change to the landscape character arising from the continued use of the application is not envisaged.
- (c) In consideration that the Site is not adjoining any prominent public frontage and similar development is observed in close proximity, it is opined that the condition to maintain all existing vegetation within the Site in good condition for the duration of the planning approval period is adequate should the application be approved by the Board.
- (d) The applicant is advised that approval of the planning application by the Board does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works.
- (e) If replacement for existing tree is required, the Applicant may wish to consider other tree species with small mature size in lieu of *Ficus microcarpa* which has the characteristics of vigorous root system and large tree canopy in mature size.

### **Building Matters**

10.1.7 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 existing structures at the Site.
- (b) If the existing structures (not being a NTEH) 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 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, demolition 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) Regulation 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) Regulation 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 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. The applicant should adhere to the 'Good Practice for Open Storage' at **Appendix V**.



- (d) Moreover, having considered the nature of open storage, 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 (FS251) to his department for approval
- (f) 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 or referral from relevant licensing authority respectively.

### **Long Term Development**

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

- (a) The applied temporary use for 3 years, which should be considered in accordance with the provisions of the existing Outline Zoning Plan and infrastructure capacities. However, the Site falls within the boundary of Hung Shui Kiu New Development Area (HSK NDA).
- (b) According to the Planning and Engineering Study (P&E Study) for the HSK NDA and the latest plan, 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 majority of the Site falls within an area designated as ‘Road’ on the approved HSK and HT OZP No. S/HSK/2 which is currently to be formed under HSK NDA Advance Works Phase 2 Works. The construction of HSK NDA Advance Works Phase 2 Works will commence in 2020 tentatively based on the current planning which is under review and subject to funding approval, and the land resumption process will take place in 2020 tentatively. The applicant should be reminded that the site may be resumed at any time during the proposed approval period for implementation of government projects.

### **Other Aspects**

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

- (a) Since the Site involves private lot only, she has no in-principle objection to the application.
- (b) The Site falls within an area zoned “O”, “G/IC” and an area shown as ‘Road’ on the HSK and HT OZP. The portion zoned “O” is not on the priority list for development agreed by the Yuen Long District Council. She has no plan to develop the Site into public open space at present.

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

- (a) He has no objection to the application.
- (b) The proposed water mains shown on the plan will intersect the application area (**Plan A-2**). As the proposed water mains will be designed and implemented by CEDD's HSK Development consultancy and contract, the comment from WDO of CEDD for interfacing issue should be sought.

**District Officer's Comment**

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

- (a) He has no comment on the application from departmental point of view.
- (b) He 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); and
- (b) Director of Agriculture, Fisheries and Conservation (DAFC).

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

On 6.8.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 27.8.2019, one public comment from a private individual (**Appendix VI**) was received. The commenter raised concerns on the implementation programme for the subject area of the HSK NDA.

**12. Planning Considerations and Assessment**

12.1 The application is for temporary open storage of vehicle parts and ancillary vehicle repair workshop for a period of 3 years at a site mainly zoned "O" and shown as 'Road' with minor encroachment onto "G/IC" zone on the approved HSK & HT OZP. The planning intention of "O" and "G/IC" zones are for provision of outdoor open-air public space for active and/or passive recreation uses and the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory respectively. The proposed open storage use is not in line with the planning intentions of the "O" and "G/IC" zones and for the area designated as 'Road' on the OZP. There is no strong planning justification given in the submission for a departure from the planning intentions, even on a temporary basis.

12.2 The Site is situated in an area just adjoining the "V" zone of Shek Po Tsuen to its south which is predominated occupied by village houses and residential dwellings (the nearest residential house under renovation and the existing residential dwelling are located about 21m and 45m respectively away) (**Plan A-2**). Although there are open storage yards and workshops in the vicinity of the Site, most of them are

suspected unauthorised developments subject to enforcement actions by the Planning Authority. The applied use is not compatible within the surrounding environment, in particular the village cluster of Shek Po Tsuen.

- 12.3 The Site falls within Category 3 areas under the TPB PG-No. 13E. The following considerations in the Guidelines are relevant:

Category 3 areas: applications would normally not be favourably considered unless the applications are on sites with previous planning approvals. Sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Planning 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.

- 12.4 The proposed development is generally not in line with the TPB PG-No. 13E in that the Site falls within Category 3 areas which would normally not be favourably considered unless the applications are on sites with previous planning approvals and no adverse impacts on the surrounding areas should be generated. While there are previous planning approvals regarding the Site, the application will impose environmental impacts on the surrounding area as explained below and DEP does not support the application accordingly.
- 12.5 While there is no adverse comment from most of the concerned government departments, DEP does not support the application because there are sensitive uses in the vicinity (the nearest residential house under renovation and the existing residential dwelling are located about 21m and 45m respectively away), and environmental nuisance is expected (**Plan A-2**). The operation hours of the proposed development are from 8:00 a.m. and until 9:00 p.m. on weekdays which would generate nuisances to the nearby residential dwellings and the applicant has not provided sufficient information/mitigation measures in the application to demonstrate that the development would not impose adverse environmental impact on the surrounding area.
- 12.6 Although the Committee has approved a number of previous applications for temporary open storage and/or vehicle repair workshop uses, the last previous application was approved with a shorter approval period of one year to monitor the situation of the site to ensure environmental nuisance would not be generated to the nearby residential uses. However, it is noted that there are changes in circumstance and the number of residential houses in the adjoining area within the “V” zone to its south have increased which would further aggravate the land use interface issue and environmental impact.
- 12.7 There is one public comment received on the application during statutory publication period as summarised in paragraph 11. The planning considerations and assessments in the above paragraphs are relevant.

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

13.1 Based on the assessment made in paragraph 12 above and having taking consideration the public comment mentioned in paragraph 11, the Planning Department does not support the application for the following reasons:

- (a) the proposed development is not in line with the planning intentions for the "O" and "G/IC" zones and for the area designated as 'Road' which are for provision of outdoor open-air public space for active and/or passive recreation uses, Government, institution or community facilities and development of road. There is no strong planning justification to merit a departure from such planning intentions, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the proposed development would not cause environmental nuisances to the surrounding areas.

13.2 Alternatively, 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 **20.9.2022**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### Approval conditions

- (a) no operation between 9:00 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 or public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (d) the existing landscape planting on the Site shall be maintained at all times during the planning approval period;
- (e) the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **20.6.2020**;
- (f) in relation to (e) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) 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 **1.11.2019**;
- (h) 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 **20.3.2020**;

- (i) in relation to (h) 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 **20.6.2020**;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (f) 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
- (k) if any of the above planning conditions (e), (g), (h) or (i) 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.

Advisory clauses

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

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

**15. Attachments**

<b>Appendix I</b>	Application Form with supplementary letter and revised layout plan and landscape and tree preservation plan received on 29.7.2019
<b>Appendix Ia</b>	Supplementary Planning Statement with the proposed layout plan, landscape and tree preservation plan and 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 same “O” and “G/IC” zones on the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2 since the promulgation of TPB PG-No. 13E on 17.10.2008
<b>Appendix V</b>	‘Good Practice for Open Storage Sites’ by the Fire Services Department
<b>Appendix VI</b>	Public comment received during the statutory publication period
<b>Appendix VII</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>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4c</b>	Site Photos

**PLANNING DEPARTMENT  
SEPTEMBER 2019**