

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/215

- Applicant** : Yee Hop Environmental Protection Ltd. represented by Mr Wong Sun Wo William
- Site** : Lots 1842 (Part), 1844 (Part), 1845 (Part) and 1846 (Part) in D.D.125, Ha Tsuen, Yuen Long
- Site Area** : about 2,182m²
- 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 (A)3” (“R(A)3”)
[restricted to a maximum plot ratio of 5.5, maximum building height of 140mPD]
- Application** : Temporary Recyclable Collection Centre (Including Plastics, Paper and Metals) with Ancillary Factory 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 recyclable collection centre (including plastics, paper and metals) with ancillary factory for a period of 3 years (**Plan A-1a**). The Site falls within an area zoned “R(A)3” 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 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. The Site is currently used for recyclable collection centre without a valid planning permission (**Plans A-4a and 4b**).
- 1.2 The Site is involved in 8 previous applications No. A/YL-HT/7, 223, 345, 511, 608, 706, 965 and 1071 for various open storage and recyclable collection centre uses (**Plan A-1b**). The last application No. A/YL-HT/1071 for the similar applied use as the current one was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 17.3.2017 for a period of 3 years but the permission was subsequently revoked on 17.8.2019 due to non-compliance with time-specific approval conditions on the implementation of landscaping and fire service installations (FSIs) proposals. The current application is submitted by the same applicant for the similar use with a different layout and fewer structures at the same site.

- 1.3 The Site is accessible from Ping Ha Road via a local track and the ingress/egress point is at the eastern boundary of the Site (**Drawing A-1, Plans A-2 and A-3**). As shown on the layout plan at **Drawing A-1**, 5 structures with a total floor area of 855m², including three 6m high single-storey structures for plastic processing factory (with a floor area of 225m²), metal processing factory (with a floor area of 225m²) and paper processing factory (with a floor area of 150m²), one 4.5m 2-storey structure (with a floor area of 240m²) for ancillary office, rest room and canteen uses, and a 3m high single-storey structure for toilet (with floor area of 15m²), are proposed. According to the supplementary information provided by the applicant at **Appendix Ia**, there will not be any melting of plastic materials activity in the proposed factory and all plastic and metal materials will only be cut into small pieces/particles for packing and transportation. 2 private car parking spaces together with 1 medium goods vehicle and 1 light goods vehicle loading/unloading bays are proposed. The open area is mainly for manoeuvring space. According to the applicant, the operation hours are from 8:00 a.m. to 6:00 p.m. from Mondays to Saturdays, and no operation would be carried out on Sundays and public holidays. The proposed layout and vehicular access plan, landscape and tree preservation plan, drainage plan and FSIs proposal are shown at **Drawings A-1 to A-5** respectively.
- 1.4 A comparison of the major development parameters of the current application and the last approved application is given in the following table:

Major Development Parameters	Last Approved Application (A/YL-HT/1071) (a)	Current Application (A/HSK/215) (b)	Difference (b) - (a)
Applied Use	Proposed Temporary Recyclable Collection Centre (Including Plastics, Paper, Metals and Used Batteries with Electronic Appliances) with Ancillary Workshop and Site Offices (3 years)	Temporary Recyclable Collection Centre (Including Plastics, Paper and Metals) with Ancillary Factory (3 years)	Used batteries and electronic appliances will not be involved
Site Area	2,182 m ²		same
No. of Structures	10	5	-5
Total Floor Area	868m ²	855m ²	-13m ² (-2.6%)
No. of Private Car Parking Spaces	2	2	same
No. of Loading/ Unloading Bay	1 for medium goods vehicle	• 1 for light goods vehicle • 1 for medium goods vehicle	+1 for light goods vehicle
Operation Hours	8:00 a.m. to 6:00 p.m., Mondays to Saturdays, with no operation on Sundays and public holidays		same

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

- (a) Application Form and proposed vehicular access and layout plan, landscape and tree preservation plan and drainage plan received on 27.2.2020 **(Appendix I)**

- (b) Supplementary information from the applicant received on 5.3.2020 clarifying the operation of the plastic, metal and paper factory **(Appendix Ia)**
- (c) Further Information (FI) from the applicant received on 9.4.2020 providing FSIs plan and proposal **(Appendix Ib)**
[accepted and exempted from publication and recounting requirements]

2. Justifications from the Applicant

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

The Site has been used for recyclable collection centre for a long time. Due to the non-compliance with the approval condition on the implementation of FSIs proposal, the planning permission of the last application No. A/YL-HT/1071 was revoked. In this regard, the applicant has employed a new consultant to follow up the compliance with approval conditions. The applicant promises to comply with all the approval conditions within a short period of time should the application be approved.

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 Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

On 27.3.2020, the Board promulgated the revised Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13F). Since the nature of recyclable collection centre is akin to open storage of recyclable materials (about 61% of the Site is uncovered), the TPB PG-No. 13F is relevant to the current application. The Site falls within Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) under the revised Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

The use on the Site will be subject to planning enforcement action.

6. Previous Applications

6.1 The Site is related to 8 previous applications No. A/YL-HT/7, 223, 345, 511, 608, 706, 965 and 1071 for various open storage and recyclable collection centre uses. Except application No. A/YL-HT/223, all these applications were approved with

conditions by the Committee/the Board on review between 1996 and 2017. However, the permissions under applications No. A/YL-HT/7, 511, 512, 965 and 1071 were subsequently revoked due to non-compliance with the time-specific approval conditions.

- 6.2 The last application No. A/YL-HT/1071 for similar temporary recyclable collection centre with ancillary workshop and site offices was approved by the Committee on 17.3.2017 for a period of 3 years but the permission was subsequently revoked on 17.8.2019 due to non-compliance with time-specific approval conditions on the implementation of landscaping and FSIs proposals. The current application is submitted by the same applicant for similar use with a different layout and fewer structures at the same site. Details of these applications are summarized at **Appendix III** and their locations are shown on **Plan A-1b**.

7. **Similar Applications**

There are 7 similar applications (No. A/YL-HT/609, 626, 683, 703, 844 and 921 and A/HSK/30) for open storage of recyclable materials/recyclable collection centre uses within the same “R(A)3” zone on the approved HSK and HT OZP. All of these similar applications were approved with conditions by the Committee between 2009 to 2017. However, the permissions under applications No. A/YL-HT/626, 683 and 703 were subsequently revoked due to non-compliance with the time-specific approval conditions. Details of the above 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-4b)**

8.1 The Site is:

- (a) currently used for recyclable collection centre without a valid planning permission; and
- (b) accessible from Ping Ha Road via a local track.

8.2 The surrounding areas have the following characteristics:

- (a) to its immediate north is a temporary warehouse under a valid planning permission (Application No. A/HSK/31) while to its further north is an open storage of construction materials;
- (b) to its east are a shrubland and Tin Ying Road;
- (c) to its south is an open storage of scrap metal under a valid planning permission (Application No. A/HSK/122) while to its southwest is a works area for warehouse under a valid planning permission (Application No. A/HSK/177); and
- (d) to its west is a warehouse under a valid planning permission (Application No. A/HSK/105).

9. Planning Intention

The Site falls within an area zoned “R(A)3” on the approved HSK and HT OZP. The planning intention of the “R(A)3” zone is 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 received are summarized as follows:

Land Administration

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

- (a) The Site comprises Old Scheduled 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 private lots which are covered by Short Term Waivers (STWs) are listed below:

Lot No(s). in D.D.125	STW No.	Purposes
1845	3616	Temporary Recyclable Collection Centre (Including Plastics, Paper and Metals) with Ancillary Workshop and Site Offices
1846	4454	
1846	4057	Temporary Logistics Centre and Warehouse for Storage of Metal with Ancillary Workshop
1842	4164	Temporary Open Storage of Construction Machinery and Materials, and Scrap Metal with Ancillary Packaging Activities
1844	5005	Temporary Logistics Centre and Warehouse for Storage of Metal with Ancillary Workshop and Temporary Storage of Construction Materials and Containers, Logistics Centre and Ancillary Workshop

- (c) Should the application be approved, the STW holders will need to apply to his office for modification of the STW conditions where appropriate. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Application(s) for any of the above will be considered by 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 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 comments on the application from traffic engineering view point.
- (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.
- (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) 3 substantiated environmental complaints of noise and dark smoke pertaining to the Site were received in the past three years.
- (b) In view of the environmental concerns, should the application be approved, the melting of plastics at the Site should be prohibited, as proposed by the applicant, to minimise odour. In addition, the applicant is advised to follow the relevant mitigation measures and requirement in the latest 'Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses' (COP) to minimise possible dust and noise problems, in particular the following:
 - (i) Dusty operations including cutting, grinding, polishing, loading, unloading or transfer of dusty construction materials, etc, are not permitted at the open area of the Site as these activities, unless to be carried out in purposely-built enclosures and appropriate dust suppression measures are provided, would have potential environmental impacts on the present and future occupants in the surrounding area.

- (ii) If storage materials would generate dust to the surrounding environment, they should be kept inside enclosures. Otherwise, appropriate dust suppression measures such as water spraying, tarpaulin covering, etc. should be taken to mitigate the dust impact.
- (iii) Noise generating activities should be located away as far as possible from any noise sensitive receivers. In addition, the following measures should be adopted as far as practicable in order to minimise the noise nuisance -
 - the erection of 2.5m solid boundary wall; and
 - prohibition of any noisy operations during sensitive hours.
- (c) Residents have lodged complaints to ex-District Council member about the noise and odour issue for the open recycling sites nearby. Generally, most of the open recycling sites will apply machinery to cut plastic and metal materials into small pieces/particles, which is likely to create dust and noise problems. However, according to the applicant, the proposed development is not an open recycling site and there will not be melting of plastic at the Site.

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 development from a drainage point of view.
- (b) According to the planning statement submitted by the applicant, the existing drainage facilities will be maintained for the subject development.
- (c) Should the application be approved, approval conditions requiring the applicant to maintain the existing drainage facilities and submit condition record of the existing drainage facilities to the satisfaction of his Division should be imposed.
- (d) The applicant should be reminded that the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal.

Building Matters

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

- (a) There is no record of approval by the Building Authority (BA) for the existing structures at the Site.

- (b) If the existing structures (not being a New Territories Exempted Houses) are erected on leased land without approval of the BA, 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 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 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 (B(P)R) 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 B(P)R 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 in principle to the application subject to 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 him 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, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Landscape

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

- (a) The Site is the subject of a previous planning Application No. A/YL-HT/1071 for temporary recyclable collection centre use, which was revoked due to failure to comply with planning conditions including the landscape condition. The current application seeks planning permission for similar use for a period of 3 years by the same applicant.
- (b) With reference to the aerial photo of 2019, the Site is in an area of rural landscape character predominated by open storage yards and temporary structures. Significant change to the landscape character arising from the application is not envisaged.
- (c) Having reviewed the submitted information, it is considered that imposing planning approval conditions to submit and implement a revised landscape proposal to reflect the new site layout is appropriate, should the application be approved.
- (d) The applicant is reminded that approval of the planning application does not imply approval of tree works such as felling, transplanting or pruning under the lease. The applicant should approach relevant authority/government direct to obtain the necessary approval for any proposed tree preservation or removal scheme involving trees within or outside the Site.

Long-Term Development

10.1.9 Comments of the Project Manager (West), Civil Engineering and Development Department (PM/W, CEDD):

- (a) He has no objection to the application for temporary use for 3 years, which should be considered in accordance with the provisions of the existing OZP and infrastructure capacities.
- (b) The Site falls within the boundary of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). According to the Planning and Engineering Study for the HSK/HT NDA and the latest plan, to ensure timely and orderly implementation, the development of HSK/HT 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 4 in the latest programme of the HSK/HT NDA. While the detailed implementation programme for the project is still being formulated, it is envisaged that clearance of the Site will not be arranged before 2024.

District Officer's Comments

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

- (a) He has no comment on the application from departmental point of view.

- (b) 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); and
- (b) Commissioner of Police (C of P).

11. Public Comments Received During Statutory Publication Period

On 6.3.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 27.3.2020, one public comment from an individual was received. The commenter considered that the area should be developed for residential use while the brownfield uses should be accommodated into a large industrial park instead (**Appendix V**).

12. Planning Considerations and Assessment

- 12.1 The application is for temporary recyclable collection centre (including plastics, paper and metals) with ancillary factory for a period of 3 years at the site falling within “R(A)3” zone on the approved HSK and HT OZP. The planning intention of the “R(A)3” zone is primarily for high-density residential developments. Whilst the applied use is not in line with the planning intention, the implementation programme for this part of NDA is still being formulated, and PM/W of CEDD has no objection to the temporary use for a period of 3 years at 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 the implementation of government projects.
- 12.2 The recyclable collection centre (including plastics, paper and metals) with ancillary factory is not incompatible with the surrounding land uses which are predominantly used for open storage yards and warehouses and there are no residential dwellings in the surrounding area (**Plan A-2**).
- 12.3 The Site falls within the HSK/HT NDA and the recyclable collection centre under application is akin to an open storage of recyclable materials. For applications in NDAs, the following considerations under the TPB PG-No. 13F are relevant:

For existing open storage and port back-up uses with previous planning approval(s) and/or permitted under the previous OZPs, sympathetic consideration may be given to the application (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant) until the concerned site is required for implementation of NDA development, provided that the relevant approval conditions, if any, have been complied with. Technical assessments, where appropriate, should be submitted to demonstrate that the continued operation of the current uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas and the concerns of the departments and local residents, if any, can be addressed through the implementation of the approval conditions. In view of the impending implementation of NDAs, new open storage and port back-up uses are generally not

encouraged to infiltrate into the NDAs. There is a general presumption against such uses at greenfield areas and/or at sites with land use compatibility issue, e.g. in close proximity to existing residential dwellings which may be subject to environmental nuisances caused by the open storage and port back-up uses.

- 12.4 The applied use is generally in line with the TPB PG-No. 13F in that the Site falls within HSK/HT NDA and previous planning approvals have been given under the previous OZPs. While the planning permission under the last approved application (No. A/YL-HT/1071) was revoked due to non-compliance with approval conditions on the implementation of landscaping and FSIs proposals, relevant proposals have been included in the current submission to demonstrate that the proposed use would not generate adverse impacts on the surrounding areas and concerned departments have no adverse comments on the application. The applicant has committed to the compliance with the relevant approval conditions. Moreover, the current application has a different layout with reduced number of structures. As such, sympathetic consideration may be given to the application.
- 12.5 Concerned Government departments including DEP, AC for T/NT, CE/MN, DSD and D of FS have no objection to or adverse comment on the application. It is noted that there are some environmental complaints pertaining to the Site and the open recycling sites nearby creating dust, noise and odour issues in the past few years. However, unlike the last approved application No. A/YL-HT/1071, the current application do not involve storage/processing of used batteries and electronic appliances. In addition, the applicant advised that all operations will be undertaken within the proposed structures and there will not be any melting of plastic materials in the proposed factory and all plastic and metal materials will only be cut into small pieces/particles for packing and transportation. The open area is intended for manoeuvring space and parking spaces or loading/unloading area. The operation of the proposed development will be restricted to limited hours from Mondays to Saturdays only.
- 12.6 To address the concerns on the possible environmental nuisances or the technical requirements of the concerned Government departments, relevant approval conditions have been 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 thus be subject to enforcement action by the Planning Authority. Should the application be approved, the applicant will also be advised to follow the 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites', particularly for clauses on the dusty operations, noise generating activities and operations within enclosures in order to minimize the possible environmental impacts on the nearby sensitive receivers.
- 12.7 There are 7 approved planning applications for various open storage and recyclable collection centre uses at the Site and 7 similar applications approved for various open storage of recyclable materials/recyclable collection centre uses in the same "R(A)3" zone on the approved HSK and HT OZP. Approval of the subject application is in line with the Committee's previous decisions. However, as the last planning permission (Application No. A/YL-HT/1071) was revoked on 17.8.2019 due to non-compliance with time-specific approval conditions, shorter compliance periods are recommended in order to closely monitor the progress of compliance with approval conditions. Should the application be approved, the applicant should also be advised that sympathetic consideration may not be given

by the Committee to any further application should he failed to comply with the approval condition(s) again resulting in the revocation of the planning permission.

- 12.8 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 assessments made in paragraph 12 above and having taken into account the public comment mentioned on paragraph 11, the Planning Department considers that the temporary recyclable collection centre (including plastics, paper and metals) with ancillary factory could be tolerated for a period of 3 years.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until **24.4.2023**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no operation from 6:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no melting of plastic materials activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) the submission of a condition record of the existing drainage facilities within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **24.7.2020**;
- (e) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of a landscape proposal within **3** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **24.7.2020**;
- (g) relation to (f) above, the implementation of the landscape proposal within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **24.10.2020**;
- (h) the submission of a fire service installations proposal within **3** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **24.7.2020**;
- (i) in relation to (h) above, the implementation of the 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 **24.10.2020**;

- (j) if any of the above planning conditions (a), (b), (c) or (e) 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 (d), (f), (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 VI**.

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

the development is not in line with the planning intention of the "R(A)3" zone, which is intended primarily for high-density residential developments. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

14. Decision Sought

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

15. Attachments

Appendix I	Application Form and proposed vehicular access and layout plan, landscape and tree preservation plan and drainage plan received on 27.2.2020
Appendix Ia	Supplementary information from the applicant received on 5.3.2020 clarifying the operation of the plastic, metal and paper factory
Appendix Ib	FI from the applicant received on 9.4.2020 providing fire service installations plan and proposal
Appendix II	Relevant Extracts of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13F)
Appendix III	Previous applications covering the Site
Appendix IV	Similar Applications within the same "R(A)3" Zone on the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2 since 17.10.2008
Appendix V	Public Comment
Appendix VI	Advisory Clauses

Drawing A-1	Proposed Vehicular Access and Layout Plan
Drawing A-2	Proposed Landscape and Tree Preservation Plan
Drawing A-3	Proposed Drainage Plan
Drawing A-4	Proposed Fire Service Installations Plan
Drawing A-5	Fire Service Installations Proposal
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 4b	Site Photos

**PLANNING DEPARTMENT
APRIL 2020**