

RNTPC Paper No. A/HSK/219
For Consideration by
the Rural and New Town
Planning Committee
on 12.6.2020

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

APPLICATION NO. A/YL-HSK/219

- Applicant** : Profit Richest Investment Ltd. represented by Metro Planning and Development Company Limited
- Site** : Lots 805 S.B RP, 807 RP, 808 RP, 809 RP (Part), 813 RP (Part), 814 RP (Part), 815 (Part) and 816 S.B RP (Part) in D.D. 125 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long
- Site Area** : 4,699m² (about) (including about 190m² 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 A)3” (“R(A)3”)(73.3%);
[restricted to a maximum plot ratio of 5.5 and maximum building height of 140mPD]
“Open Space” (“O”)(11.3%); and
an area shown as ‘Road’ (about 15.4%)
- Application** : Renewal of Planning Approval for Temporary Logistics Centre with Ancillary 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 a temporary logistics centre with ancillary office for a period of 3 years (**Plan A-1a**). The Site is mainly zoned “R(A)3” (73.3%) with minor portions zoned “O” (11.3%) and within an area shown as ‘Road’ (15.4%) 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 used for the applied use with a valid planning permission (**Plans A-4a and 4b**).
- 1.2 The Site is related to 14 previous applications (No. A/YL-HT/26, 38, 73, 155, 231, 270, 422, 587, 650, 697, 762, 830, 990 and 1078 for temporary open storage, logistics centre, vehicle park and vehicle repair workshop uses (**Plan A-1b**). The last application No. A/YL-HT/1078 for the same applied use ~~submitted by a~~

~~different applicant~~ was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 14.7.2017 for a period of 3 years. The applicant has complied with all the approval conditions. The planning permission is valid until 14.7.2020. **Compared with the last application, the current application is submitted by a different applicant for the same use with the same layout and the same development parameters covering the same site.**

- 1.3 The Site is accessible from Ping Ha Road via a short local track leading to Yu Yip New Road with the ingress/egress at its southern corner of the Site (**Plan A-2**). As shown on the proposed layout plan at **Drawing A-1**, 3 structures with a total floor area of not exceeding 3,468m² are proposed including a single-storey structure (not exceeding 10m high, with a floor area of not exceeding 3,270m²) for logistics centre use, a single-storey structure (not exceeding 3.5m high, with a floor area of not exceeding 18m²) for toilet use and a 2-storey structure (not exceeding 7.5m high, with a total floor area of not exceeding 180m²) for ancillary site office, pump room and water tank uses. A total of 4 loading and unloading bays (2 for medium and heavy goods vehicles and 2 for light goods vehicles) are proposed. According to the applicant, the operation hours are from 7:00 a.m. to 11:00 p.m. from Mondays to Saturdays and there will be no operation on Sundays and public holidays. The proposed landscape and tree preservation plan, as-built drainage plan and fire service installations (FSIs) proposal are at **Drawings A-2 to A-4**.
- 1.4 The development parameters of the current application and the last approved application are the same and are summarised in the following table:

Major Development Parameters	Last Approved Application (A/YL-HT/1078) (a)	Current Application (A/HSK/219) (b)
Applied Use	Temporary Logistics Centre with Ancillary Office for a Period of 3 Years	
Site Area	4,699m ²	
No. of Structures	3	
Total Floor area	3,468m ²	
No. of parking spaces	Nil	
No. of loading/ unloading bay	2 for medium/heavy goods vehicles 2 for light goods vehicles	
Operation hours	7:00a.m. to 11:00p.m., Mondays to Saturdays, with 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 14.4.2020 with proposed layout plan, landscape and tree preservation plan and as-built drainage plan **(Appendix I)**
 - (b) Supplementary Information from the applicant received on 17.4.2020 clarifying a minor typo error on the type of loading/unloading bay **(Appendix Ia)**
 - (c) Further Information (FI) from the applicant received on 25.5.2020 providing the certificates of FSIs and equipment **(Appendix Ib)**
[accepted and exempted from publication and recounting requirements]

- (d) FI from the applicant received on 28.5.2020 providing the revised FSI notes **(Appendix Ic)**
[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:

- (a) The current application is a renewal application. All the layout and development parameters are the same as the last planning permission No. A/YL-HT/1078.
- (b) The Site is subject to a number of previous planning permissions since 1998. The applied use of the current application is the same as the approved use since 2016. The applicant has complied with all the approval conditions under the previous planning permission.
- (c) The proposed development conforms with the Town Planning Board Guidelines TPB PG-No. 13F since it is subject to previous planning permissions.
- (d) The proposed development is temporary in nature and would not jeopardize the long term planning intention of the area.
- (e) The proposed development is not incompatible with the surrounding environment including open storage use and port back-up activities. The planning circumstance pertaining to the Site is similar to those nearby open storage yards and port back-up uses approved by the Board. Similar preferential treatment should be granted to the current application.
- (f) There is shortage of land for port back-up purpose in Ha Tsuen.
- (g) Insignificant environmental and noise impacts since the applied use is housed within enclosed structure. Insignificant drainage impact because surface U-channel is provided at the Site.

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

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

4. Town Planning Board Guidelines

- 4.1 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). 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**.

- 4.2 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. 34C) are relevant to the application. The relevant assessment criteria are at **Appendix III**.

5. Background

- 5.1 The Site is currently covered by a valid planning permission No. A/YL-HT/1078 for temporary logistics centre with ancillary site office. As such, the use is not subject to planning enforcement action. Follow-up investigation will be taken upon expiry of the current planning permission if the subject application is not approved by the Board.
- 5.2 The Site was previously fell within the “Comprehensive Development Area” (“CDA”) zone on the then approved Ha Tsuen OZP No. S/YL-HT/10, which was subsequently rezoned to “R(A)3” and “O” zones and an area shown as ‘Road’ on the draft HSK and HT OZP No. S/HSK/1.

6. Previous Applications

- 6.1 The Site is related to 14 previous applications (No. A/YL-HT/26, 38, 73, 155, 231, 270, 422, 587, 650, 697, 762, 830, 990 and 1078 for temporary open storage, logistics centre, vehicle park and vehicle repair workshop uses. Except for application No. A/YL-HT/26, all other applications were approved with conditions by the Committee between 1998 and 2017 mainly on grounds that the temporary use would not jeopardize the long-term planning intention; the development was generally compatible with the surrounding land uses; and the technical concerns could be addressed by appropriate approval conditions. However, six of them were subsequently revoked due to non-compliance with the time-specific approval conditions. Details of these applications are at **Appendix IV** and their locations are shown on **Plan A-1b**.
- 6.2 Application No. A/YL-HT/26 for proposed public car park on a permanent basis was rejected by the Committee on 20.6.1997 on grounds that the applicant had not submitted any Master Layout Plan; the proposed development was not in line with the planning intention and would jeopardize the future planning and implementation of the then “CDA” zone; would affect the implementation of road project and approval of the application would set an undesirable precedent for similar applications.
- 6.3 The last application No. A/YL-HT/1078 for the same applied use submitted by a different applicant was approved with conditions by the Committee on 14.7.2017 for a period of 3 years. The applicant has complied with all the approval conditions. The planning permission is valid until 14.7.2020. All the applied use, layout and development parameters of the current application are the same as the last planning application. The current application is a renewal application.

7. Similar Applications

There are 10 similar applications for temporary logistics centre use within the same “R(A)3” and “O” zones on the approved HSK & HT OZP. All of these similar applications were approved with conditions by the Committee between 2008 and 2018 on similar considerations as mentioned in para. 6.1 above. However, the permissions under applications No. A/YL-HT/939 and 1014 were subsequently revoked due to non-compliance with the time-specific approval conditions. Details of the above applications are summarized at **Appendix V** 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) being used for the applied use with a valid planning permission; and
- (b) accessible from Ping Ha Road via local track and another road.

8.2 The surrounding areas have the following characteristics:

- (a) to its north is a logistics centre under a valid planning permission (Application No. A/HSK/94) and a public works regional laboratory;
- (b) to its east are a car park, a parking of trailers and an open storage of construction materials, while to its further east is Yu Yip New Road;
- (c) to its south is Ping Ha Road; and
- (d) to its northwest and west are a logistics centre, an open storage of recycle material and open storage of scrap metal under a valid planning permission (Application No. A/HSK/47), two vehicle repair workshops, two residential dwellings (the nearest one is about 24m away) (**Plan A-2**).

9. Planning Intention

9.1 The planning intention of the “R(A)3” zone is primarily for high-density residential developments where commercial uses serving the residential neighbourhood may be permitted with or without application to the Board.

9.2 On the other hand, the planning intention of the “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

10. Comments from Relevant Government Departments

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

Land Administration

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

- (a) The Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (b) The GL in the Site (about 190m² subject to verification) is covered by Short Term Tenancy No. 2864 (STT2864) for the purpose of Temporary Vehicle Park for Private Cars, Light and Heavy Goods Vehicles and Container Tractors/Trailers with Ancillary Freight Forwarding Facility, Vehicle Repair Workshop and Open Storage of Scrap Metal.
- (c) The private lots within the Site covered by Short Term Waivers (STWs) are listed below:

Lot No(s). in D.D.125	STW No.	Purposes
814 RP	2202	Storage and Workshop for Construction Machinery
816 S.B RP	3126	Office, Storage and Ancillary Use to Public Car Park
805 S.B RP	3127	
807 RP	5105	Temporary Logistics Centre with Ancillary Site Office
808 RP	5106	
809 RP	5107	
815	5108	

- (d) Should the application be approved, the STW/STT holders will need to apply to his office for modification of the STW/STT conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to his office for permitting the structures to be erected or to regularize any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for 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 comment on the application from traffic engineering point of view.

- (b) Sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.

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) DEP does not support the application because there are sensitive uses in the vicinity of the Site (the nearest being about 24m away) (**Plan A-2**) and environmental nuisance is expected.
- (b) There was no environmental complaint pertaining to the Site received in the past 3 years.
- (c) Should the application be approved, the applicant is advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP').

Drainage

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

- (a) The application is a renewal of planning approval of the previous application No. A/YL-HT/1078. According to the applicant's submission, the existing drainage facilities would be maintained. He has no objection in principle to the development from a drainage point of view.
- (b) Should the application be approved, he would suggest a condition should be stipulated in the approval letter requiring the applicant to maintain the existing drainage facilities and submit condition record of the existing drainage facilities to the satisfaction of his Division.
- (c) The applicant is 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 the BD to effect their removal in accordance with the prevailing 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 BA 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):

He has no objection in principle to the renewal application subject to the existing FSIs implemented on the Site being maintained in efficient working order at all times.

Long Term Development

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

- (a) He has no objection to the 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 Stages 3 and 4 works 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 the first population intake of the HSK/HT NDA expected in 2024.

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

- (a) The Site is zoned “R(A)3” and “O” on the approved HSK & 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. He has no plan to develop the Site into public open space at present.
- (b) Since the application involves private lots only, he has no in-principle objection to the application.

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) Commissioner of Police (C of P);
- (b) Director of Agriculture, Fisheries and Conservation (DAFC); and
- (c) Chief Engineer/Development(2), Water Supplies Department (CE/Dev(2), WSD).

11. Public Comments Received During Statutory Publication Period

On 21.4.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period, one public comment from an individual was received and urged that the planned developments in the HSK/HT NDA should be implemented according to specified timelines instead of approving temporary developments (**Appendix VI**).

12. Planning Considerations and Assessment

12.1 The application is for renewal of planning approval for temporary logistics centre with ancillary site office for a period of 3 years at a site zoned “R(A)3” and “O” and an area shown as ‘Road’ on the approved HSK and HT OZP. The planning intention of the “R(A)3” zone is primarily for high-density residential developments, whereas

the that of the “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. Whilst the applied use is not in line with the planning intentions, the implementation programme for this part of NDA is still being formulated, and PM/W of CEDD and DLCS have 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 Site is located in an area which is predominantly occupied by vehicle park, open storage, logistics centre and workshop uses. The applied use is not incompatible with the major surrounding land uses (**Plan A-2**).

12.3 The current application is a renewal application of the last approved application (No. A/YL-HT/1078) for three more years. There has been no other major change in planning circumstances of the Site and the surrounding areas since the previous temporary approval. As explained above, the approval of the application on a temporary basis would not jeopardize the implementation of the zoned uses. Compared with the last approved application No. A/YL-HT/1078, the current application is submitted by a different applicant and all the approval conditions under previous application were complied with. Furthermore, there would be no adverse planning implications arising from the renewal of the temporary planning approval. In view of the above, the renewal application is considered generally in line with the TPB PG-No. 34C.

12.4 The Site falls within the HSK/HT NDA. 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.

12.5 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. All approval conditions under the previous application were complied with and the applicant also submitted FSIs plan and certificate for this renewal application (**Appendix Ib**). As such, sympathetic consideration may be given to the application.

- 12.6 There is no adverse comment from 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 24m away), and environmental nuisance is expected (**Plan A-2**). However, there is no environmental complaint pertaining to the Site in the past three years. Furthermore, relevant approval conditions have been recommended in paragraph 13.2 to address the concerns on the possible environmental nuisances or the technical requirements of the other concerned Government departments. Any non-compliance with these approval conditions would result in revocation of the planning permission and any unauthorized development on the Site would 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 13 previous applications for temporary open storage, logistics centre, vehicle park and vehicle repair workshop uses at the Site (**Plan A-1b**) and 10 similar logistics centre use within the subject "R(A)3" and "O" zones on the OZP (**Plan A-1a**). Approval of the current application is in line with the Committee's previous decisions.
- 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 assessment made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department considers that the ~~renewal of planning approval~~ for temporary logistics 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 of 3 years from **15.7.2020 until 14.7.2023**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle is allowed queue back to or reverse onto/from the public road at any time 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 existing drainage facilities on the Site shall be maintained at all times during the planning approval period;

- (f) the existing fire services installations shall be maintained *in efficient working order* at all times during the planning approval period;
- (g) the submission of a condition record of 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 **15.10.2020**;
- (h) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

*[Conditions (a), (b), (c) and (e) are all the same as the previous Application No. A/YL-HT/1078 while the previous conditions on submission and implementation of tree preservation and landscape proposal are replaced by condition (d) as the existing landscape planting will be maintained; the previous conditions on submission and provision of fire service installations are replaced by condition (f), as the latest fire certificates in **Appendix Ib** have been accepted by DFS]*

Advisory clauses

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

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

- (a) the temporary logistics centre is not in line with the planning intentions of the "R(A)3" and "O" zones which are intended primarily for high-density residential developments, and for provision of outdoor open-air public space for active and/or passive recreational uses respectively. There is no strong justification to deviate from the planning intentions, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the applied development would not have adverse environmental impact on the surrounding areas.

14. Decision Sought

14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form received on 14.4.2020 with proposed layout plan, landscape and tree preservation plan and as-built drainage plan
Appendix Ia	Supplementary Information from the applicant received on 17.4.2020 clarifying a minor typo error on the type of loading/unloading bay
Appendix Ib	FI from the applicant received on 25.5.2020 providing the certificates of fire service installation and equipment
Appendix Ic	FI from the applicant received on 28.5.2020 providing the revised FSI notes
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	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 Development (TPB PG-No. 34C)
Appendix IV	Previous applications covering the Site
Appendix V	Similar applications within the same “R(A)3” and “O” zones on the Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2
Appendix VI	Public Comment
Appendix VII	Advisory clauses
Drawing A-1	Proposed Layout Plan
Drawing A-2	Proposed Landscape and Tree preservation Plan
Drawing A-3	As-built Drainage Plan
Drawing A-4	Fire Service Installations Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to 4b	Site Photos

**PLANNING DEPARTMENT
JUNE 2020**