

RNTPC Paper No. A/HSK/60A  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 6.7.2018

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

**APPLICATION NO. A/HSK/60**

- Applicant** : TANG Chun Kee represented by New Creation Consultant Engineering Company Limited
- Site** : Lots 1804 (Part), 1805 (Part), 1808 RP, 1809 RP (Part) and 1817 (Part) in D.D. 124, San Lee Uk Tsuen, Yuen Long
- Site Area** : About 2,628 m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/1
- Zoning** : “Village Type Development” (“V”)  
[Restricted to a maximum building height of 3 storeys (8.23 m)]
- Application** : Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) with Ancillary Car Beauty Services and Office for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for proposed temporary public vehicle park (private cars and light goods vehicles) with ancillary car beauty services and office use for a period of 3 years (**Plan A-1**). The Site is currently vacant with a few container-converted structures and a large shelter (**Plan A-4**).
- 1.2 According to the Notes for the “V” zone on the OZP, ‘Public Vehicle Park (excluding container vehicles)’ and ‘Shop and Services’ are Column 2 uses which require planning permission from the Town Planning Board (the Board). The applicant currently seeks temporary permission for a period of 3 years.
- 1.3 The Site is related to four previous applications (Nos. A/YL-PS/320 and 442 for temporary public vehicle park (private cars and light goods vehicles) with ancillary car beauty services, No. A/YL-PS/536 for temporary minibus seating assembling workshop, open storage of minibus and vehicle parts with ancillary office and No. A/HSK/23 for temporary open storage of new minibus with

ancillary office). The last application No. A/YL-PS/442 for temporary public vehicle park for private cars and light goods vehicles with ancillary car beauty service for a period of 3 years approved by the Rural and New Town Planning Committee (the Committee) of the Board on 25.4.2014 was revoked on 4.1.2016 due to non-compliance with approval conditions. Details of the previous applications are summarised at paragraph 5 below and at **Appendix II**.

1.4 A comparison of the major development parameters of the current application and the last approved application is as follows:

<b>Major Development Parameters</b>	<b>Last Approved Application (A/YL-PS/442) (a)</b>	<b>Current Application (A/HSK/60) (b)</b>	<b>Difference (b) – (a)</b>
Site Area	About 2,850m <sup>2</sup>	About 2,628m <sup>2</sup>	- 222m <sup>2</sup>
Applied Use	Proposed Temporary Vehicle Park for Private Cars and Light Goods Vehicles (not exceeding 5.5 tonnes) with Ancillary Car Beauty Service for a Period of 3 Years	Proposed Temporary Vehicle Park (Private Cars and Light Goods Vehicles) with Ancillary Car Beauty Service and Office for a Period of 3 Years	Additional office use
Maximum Floor Area (non-domestic)	60 m <sup>2</sup>	807.25m <sup>2</sup>	+ 747.25m <sup>2</sup>
No. of Structures	3 (site office, guardroom and storeroom for car beauty service)	3 (site office, car beauty service centre and storeroom for car beauty service)	No change
Maximum Height of Structures	1 storey (3m)	1 storey (2.5m - 4.6m)	+ 1.6m
No. of Private Car Parking Spaces	50 spaces (5m x 2.5m each)	24 spaces (5m x 2.5m each)	- 22 spaces (- 44%) (overall)
No. of Light Goods Vehicles Parking Spaces	(for private cars and light goods vehicles)	4 spaces (7m x 3.5m each)	
Operation Hours	7:00 a.m. to 11:00 p.m. daily (including Sundays and public holidays)	7:00 a.m. to 12:00 a.m. daily (including Sundays and public holidays)	+ 1 hour (extended from 11:00 p.m. to 12:00 a.m.)

- 1.5 The Site is accessible via a local track connecting Tin Ha Road. The site plan, tree preservation proposal and proposed drainage plan are at **Drawings A-1 to A-3** respectively.
- 1.6 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 27.2.2018 with layout plan, drainage proposal and tree preservation proposal **(Appendix I)**
  - (b) Further information received on 14.5.2018 to address Transport Department (TD)'s comment and clarification on the covered area of the Site **(Appendix Ia)**
  - (c) Further information received on 27.6.2018 to clarify that the working partner will be a new operator and the mode of operation **(Appendix Ib)**
- 1.7 The application was originally scheduled for the consideration by the Committee on 20.4.2018. On 6.4.2018, the Committee agreed to defer a decision on the application for two months as requested by the applicant. On 14.5.2018, further information was received. Therefore, the application is scheduled for consideration by the Committee at this meeting.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed at **Appendices I, Ia and Ib**. They can be summarised as follows:

- (a) The previous approval for temporary vehicle park with ancillary car beauty service was revoked as the previous tenant had used the Site for other uses. The unauthorised development (UD) was terminated and the Site is vacant and has been reinstated.
- (b) The customers need to make appointments for car beauty services to avoid queueing of too many cars. The shelter will not be enclosed and the area is required to provide servicing to two vehicles at the same time.
- (c) The contract of the previous operator was cancelled and the working partner will be a new operator.
- (d) No vehicle repair, dismantling, paint spraying or workshop activity will be allowed. Besides, no vehicle without valid license issued under the Road Traffic Ordinance, or medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, are allowed to be parked/stored on or enter/exit the Site. A notice will be posted to indicate that only private cars and light good vehicles are allowed to enter/be parked on the Site.
- (e) The operation hours will be from 7 a.m. to 12 a.m. daily (including Sundays and public holidays).

### **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 notice of the application outside the Site and sending registered mail to Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Background**

The Site is not subject to any active enforcement case.

### **5. Previous Applications**

- 5.1 The site is involved in four previous planning applications Nos. A/YL-PS/320, 442, 536 and A/HSK/23. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.
- 5.2 Application Nos. A/YL-PS/320 and 442 for temporary public vehicle park for private cars and light goods vehicles with ancillary car beauty services were approved by the Committee with conditions for a period of 3 years on 13.8.2010 and 25.4.2014 respectively mainly on grounds that temporary use would not frustrate the long-term use planning intention of the “V” zone, the applied use was not incompatible with the surrounding land uses, and the development would unlikely generate significant adverse environmental, traffic, drainage and landscape impacts on the surrounding areas. However, application No. A/YL-PS/320 was revoked on 26.4.2011 due to non-compliance with approval condition on prohibiting parking of goods vehicles exceeding 5.5 tonnes, while application No. A/YL-PS/442 was revoked on 4.1.2016 due to non-compliance with approval conditions on prohibiting vehicle repair activities, prohibiting parking/storage of vehicles without valid licence, prohibiting parking of vehicles exceeding 5.5 tonnes, and requirement for posting notice indicating the type of vehicle allowed to enter/be parked.
- 5.3 Application No. A/YL-PS/536 for temporary minibus seating assembling workshop, open storage of minibus and storage of vehicle seating and parts with ancillary office for a period of 3 years and application No. A/HSK/23 for temporary open storage of new vehicles (minibus) with ancillary office for a period of 3 years were rejected by the Board on review on 18.8.2017 and by the Committee on 10.11.2017 respectively for the reasons of not in line with the planning intention, not compatible with surrounding land uses, failure to demonstrate no adverse environmental impact, not comply with TPB PG-No. 13E in that the application site fell within Category 4 areas and no strong planning justification to demonstrate exceptional circumstances, and undesirable precedent.
- 5.4 Compared with the last approved application No. A/YL-PS/442, the current application is submitted by the same applicant for the same use with a smaller site area and different layout.

## **6. Similar Application**

There is one similar application (No. A/YL-PS/500) for temporary public vehicle park (private cars and light goods vehicles) for a period of 3 years within the same “V” zone on the OZP. Details of the similar application is summarised at **Appendix III** and its location is shown on **Plan A-1**.

## **7. The Site and Its Surrounding Areas (Plans A-1 to A-4)**

7.1 The Site is:

- (a) fenced, hard paved and currently vacant; and
- (b) accessible from a local track from Tin Ha Road.

7.2 The surrounding areas have the following characteristics:

- (a) to the north is a site for parking of vehicles which is a suspected UD;
- (b) to the east are some residential dwellings and vacant land;
- (c) to the south are some residential dwelling and parking of vehicles. To the further south are an orchard, agricultural land and unused land; and
- (d) to the west is a nullah. To the immediate southwest is a site for storage of metal ware with workshop which is an existing use tolerated under the Town Planning Ordinance. To the further southwest are sites for a machinery factory, a workshop and storage and warehouses, which are suspected UD. To the northwest across the nullah are sites for open storage and an occupational training centre which are suspected UD.

## **8. Planning Intention**

The planning intention of “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and re-provisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

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

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

### **Land Administration**

#### 9.1.1 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 private land of Lots Nos. 1805 and 1817 both in D.D. 124 are currently covered by Short Term Waiver (STW) No. 3915 to permit structures for the purpose of “Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles (Not Exceeding 5.5 Tonnes) with Ancillary Car Beauty Service”.
- (c) The Site is accessible to Tin Ha Road via a local road on government land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way.
- (d) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (e) Should planning approval be given to the subject planning application, the STW holder will need to apply to his office for modification of the STW conditions if there are any irregularities on site and the lot owner(s) of the lots without STW will need to apply to his office for permit the structures to be erected or regularise any irregularities on site. Such application(s) will be considered by the LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD.
- (f) According to his record, there are 2 Small House (SH) applications under processing and 1 approved case in the vicinity of the Site and no SH application within the Site.

### **Building Matters**

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

- (a) As there is no record of approval by the Building Authority for the existing structures at the Site, he is not in a position to offer comment on their suitability for the use proposed in the application.

- (b) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorised 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 UBQ 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 site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorised Person (AP) should be appointed as the co-ordinator 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 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.

### **Environment**

#### 9.1.3 Comments of the Director of Environmental Protection (DEP):

- (a) Should the application be approved, the applicant will be advised to follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling Environment Aspects of Temporary Uses and Open Storage Sites".
- (b) Nevertheless, he would like to remind the applicant that effluent discharges from the proposed use are subject to control under the Water Pollution Control Ordinance (WPCO). A discharge license under the WPCO should be obtained before a new discharge is commenced. It is the obligation of the applicant to meet all statutory requirements under relevant pollution control ordinances and provide necessary mitigation measures.
- (c) There was no environmental complaint pertaining to the Site received in the past 3 years.

## **Traffic**

- 9.1.4 Comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD):
- (a) He has no adverse comment on the application from traffic engineering point of view.
  - (b) Sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.
  - (c) The local track leading to the Site is not under TD's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site.
- 9.1.5 Comments of the Chief Highways 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 Tin Ha Road.

## **Drainage**

- 9.1.6 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):
- (a) He has no objection in principle to the proposed development from a drainage point of view.
  - (b) He notes that the drainage proposal was generally identical to the one submitted under the previous application No. A/YL-PS/442. Although the application was subsequently revoked due to non-compliance with some approval conditions, the implementation of the drainage facilities was found satisfactory.
  - (c) Should the Board consider that the application is acceptable from the planning point of view, he would suggest that a condition should be stipulated in the approval letter requiring the applicant to maintain the existing drainage facilities and submit condition record of the drainage facilities to the satisfaction of his Division.



## **Fire Safety**

### 9.1.7 Comments of the Director of Fire Services (D of FS):

- (a) He has no objection in principle to the proposal subject to fire service installations (FSIs) being provided to his satisfaction.
- (b) In consideration of the design/nature of the proposal, FSIs are anticipated to be required. 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, and the location of where the proposed FSIs to be installed should be clearly marked on the layout plans.
- (d) However, the applicant should be 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.

## **Landscape**

### 9.1.8 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 the landscape planning point of view.
- (b) With reference to the site photos and the aerial photo, it is observed that the Site is hard paved with trees generally along the site boundary. The Site is situated in an area of village landscape character but disturbed by open storage yards. As the applicant proposes to retain all the trees within the Site, significant change to the landscape character arising from the application is not anticipated.
- (c) Should the Board approve this application, he would advise the applicant to maintain all screen planting including trees and shrubs within the Site in good condition throughout the duration of the approval period.
- (d) In consideration of the temporary nature and site location, in event of any tree requiring replacing the applicant may wish to propose a tree species of short life span habit or with less vigorous root system in lieu of the *Fiscus microcarpa*.
- (e) Useful information on general tree maintenance is available for reference in 護養樹木的簡易圖解 (<http://www.greening.gov.hk/>)

filemanager/content/pdf/tree\_care/Pictorial\_Guide\_for\_Tree\_Maintenance.pdf) and the Handbook of Tree Management (Chinese Version: [http://www.greening.gov.hk/tc/tree\\_care/Handbook\\_on\\_Tree\\_Management.html](http://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html)) published by the GLTM Section, DEVB.

- (f) The applicant is reminded that approval of tree preservation and landscape proposal does not imply approval of tree works such as pruning, transplanting or felling under lease. Tree felling applications should be submitted directly to DLO for approval.

### **Others**

#### 9.1.9 Comments of the Director of Electrical and Mechanical Services (DEMS):

He has no particular comment on the application from electricity supply safety aspect. However, in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the mentioned application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

### **District Officer’s Comments**

#### 9.1.10 Comments of the DO(YL), HAD:

His office has not received any comment from locals upon the end of consultation period.

#### 9.2 The following Government departments have no comment on the application:

- (a) Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Director of Leisure and Cultural Services (DLCS);
- (c) Antiquities and Monuments Office, Leisure and Cultural Services Department (AMO, LCSD);
- (d) Commissioner of Police (C of P);
- (e) Director of Food and Environmental Hygiene (DFEH);
- (f) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (g) Chief Engineer/Special Tasks, Civil Engineering and Development Department (CE/ST, CEDD); and
- (h) Project Manager (West) (PM(W)), CEDD.

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

On 6.3.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 27.3.2018, two objecting public comments by an individual and a group of villagers of Lee Uk Tsuen (**Appendices IVa and IVb**) were received on the grounds of malpractices by the previous operators which caused noise and flooding to the surrounding areas, the previous approvals had been revoked by the Board for not complying with the approvals, and adverse impact on the safety of the nearby residents.

## **11. Planning Considerations and Assessments**

- 11.1 The “V” zone is intended is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. The proposed development is not in line with the planning intentions of the “V” zone. However, DLO/YL, LandsD advises that there is no Small House application being processed at the Site. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “V” zone. The development may also serve some of the parking needs of the local residents.
- 11.2 The proposed development is not incompatible with the surrounding land uses which are predominantly occupied by village houses intermixed with agricultural land and some storages and factories (**Plan A-2**).
- 11.3 Relevant Government departments, including AC for T/NT, DEP, CE/MN of DSD and CTP/UD&L of PlanD, have no objection to or adverse comment on the application. The proposed use will unlikely create significant adverse traffic, environmental, drainage and landscape impacts to the surrounding areas. There has been no environmental complaint concerning the Site received in the past 3 years. To minimize any potential environmental nuisances and to address the technical requirements of concerned Government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorized development on Site will be subject to enforcement action by the Planning Authority. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimise the possible environmental impacts on the nearby sensitive receivers.
- 11.4 The Committee has approved two previous applications (Nos. A/YL-PS/320 and 442) for the same use at the Site. Both applications were subsequently revoked due to non-compliance with approval conditions (paragraph 5.2 above and **Plan A-1** refer). According to recent site inspection, the Site is currently vacant (**Plan A-4**). For the current application, although it is submitted by the same applicant, the applicant has undertaken that the proposed development would be managed by a different operator with a different parking layout. Sympathetic consideration may be given to the current application. Should the application be approved, the

applicant should be advised that if there is further non-compliance with the approval condition(s) leading to revocation of the permission, sympathetic consideration may not be given to any further application.

- 11.5 There are two public comments objecting to the application received on the grounds as summarized in paragraph 10. The planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant.

## 12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department considers that the proposed temporary public vehicle park (private cars and light goods vehicles) with ancillary car beauty services and office could be tolerated for a period of 3 years.
- 12.2 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 6.7.2021 to monitor the situation on the Site. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) no operation between 12:00 a.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle repair, dismantling, paint spraying or workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (c) no vehicle without valid license issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the Site at any time during the planning approval period;
- (d) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (e) a notice shall be posted at a prominent location of the Site at all times to indicate that only private cars and light goods vehicles not exceeding 5.5 tonnes as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the submission of the condition record of the existing drainage facilities on the Site 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 **6.10.2018**;

- (h) in relation to (g) above, the existing drainage facilities shall be maintained at all times during the planning approval period;
- (i) all screen planting including trees and shrubs within the Site shall be maintained in good condition during the planning approval period;
- (j) the submission of a fire service installations proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **6.1.2019**;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **6.4.2019**;
- (l) the provision of boundary fencing within **6** months from the date of the planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **6.1.2019**;
- (m) in relation to (l) above, the maintenance of boundary fencing at all times during the planning approval period;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (h), (i) or (m) 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;
- (o) if any of the above planning conditions (g), (j), (k) or (l) 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; and
- (p) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory clauses

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

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

the planning intention of "V" zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. The proposed development is not in line with the planning intention of

the “V” zone. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

**13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.
- 13.3 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.

**14. Attachments**

<b>Appendix I</b>	Application form received on 27.2.2018 with layout plan, drainage proposal and tree preservation proposal
<b>Appendix Ia</b>	Further information received on 14.5.2018 to address Transport Department (TD)’s comment and clarification on the covered area of the Site
<b>Appendix Ib</b>	Further information received on 27.6.2018 to clarify that the working partner will be a new operator and the mode of operation
<b>Appendix II</b>	Previous Applications covering the Site
<b>Appendix III</b>	Similar Application within the same “V” Zone
<b>Appendices IVa to IVb</b>	Public comments received during statutory publication period
<b>Appendix V</b>	Advisory Clauses
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Tree preservation proposal
<b>Drawing A-3</b>	Drainage proposal
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
JULY 2018**