

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

**APPLICATION NO. A/HSK/71**

- Applicant** : Ms. LIU Mei Li represented by Metro Planning and Development Company Limited
- Site** : Lots 282 (Part) and 285 (Part) in D.D. 125, Ha Tsuen, Yuen Long
- Site Area** : 1,354 m<sup>2</sup> (about) (including about 38 m<sup>2</sup> Government Land)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/1
- Zoning** : "Open Space" ("O") (76.5%) and an area shown as 'Road' (23.5%)
- Application** : Temporary Open Storage of Recyclable Materials (including Metal and Plastic) 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 open storage of recyclable materials (including metal and plastic) for a period of 3 years (**Plan A-1**). The Site falls within "O" zone (76.5%) and an area shown as 'Road' (23.5%). 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. The Site is currently being used for the applied use without valid planning permission.
- 1.2 The Site is related to 1 previous application. The last application No. A/YL-HT/1066 for the same applied use was approved by the Committee with conditions for a period of 3 year on 3.3.2017. However, it was subsequently revoked due to non-compliance with approval conditions, including the implementation of drainage, tree preservation and landscape and FSIs proposals.
- 1.3 The Site is accessible from Kai Pak Ling Road via local track (**Plans A-2 and A-3**). As shown on the layout plan at **Drawing A-2**, the ingress/egress is located

at the western boundary of the Site. There are three temporary structures for storage use on the Site with a total floor area of not exceeding 290m<sup>2</sup>, which include 3 open shed structures; two of them (not exceeding 5m high with a floor area of not exceeding 190m<sup>2</sup> and not exceeding 80m<sup>2</sup> respectively) at the southern part of the Site, and one (not exceeding 5.5m high with a floor area of not exceeding 20m<sup>2</sup>) at the northern part of the Site. A loading/unloading space for light goods vehicle is also proposed. The remaining area is for manoeuvring and open storage of recyclable materials use. According to the applicant, the operation hours of the Site are from 9:00 a.m. to 7:00 p.m. from Mondays to Saturdays and no operation on Sundays and public holidays. The proposed landscape plan, proposed drainage plan and fire service installations (FSIs) proposal are shown at **Drawings A-3 to A-6**.

1.4 Comparing with the last application No. A/YL-HT/1066, the current application is submitted by a different applicant for the same use on the same site with the same development parameters.

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

- (a) Application form received on 25.4.2018 **(Appendix I)**
- (b) Supplementary planning statement with vehicular access plan, proposed layout plan, proposed landscape plan, proposed drainage plan and FSIs proposal **(Appendix Ia)**
- (c) Letter from the applicant dated 30.5.2018 to clarify the background information of the Site **(Appendix Ib)**

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

The justifications put forth by the applicant in support of the application are detailed in the supplementary planning statement at **Appendix Ia**. They can be summarized as follows:

- (a) The planning intention of the “O” zone could not be realized in the near future due to concentration of open storage and port back-up uses in the “O” zone.
- (b) Open storage and port back-up uses such as logistics centre, open storage and container depot were in the same “O” zone and therefore the proposed use is not incompatible with the surrounding landscape. Almost all of the open storage yards and port back-up uses in the “O” zone were granted with planning permission by the Town Planning Board (the Board) on transient basis.
- (c) The Site is located in “Category 2 areas” in the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) where open storage and port back-up uses are considered suitable.

- (d) The proposed development would not generate significant impact to the surrounding environment. The applicant has proposed mitigation measures including hard paving of the Site; no workshop activity; provision of 2.5m high peripheral fencing and restricting the operation hours from 9:00 a.m. to 7:00 p.m. and no operation on Sundays and public holidays. Only light goods vehicle will access the Site for the delivery of recyclable materials.
- (e) The applicant claims that she is the latest occupant of the Site and she will comply with the planning conditions to be imposed by the Board.

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

### **4. Background**

The Site is currently not a subject of any active enforcement case. Notwithstanding, as the previous planning permission (No. A/YL-HT/1066) on this site was revoked on 3.3.2018, investigation is underway to ascertain whether the current use of the Site constitutes an unauthorized development. If confirmed, the Planning Authority will instigate enforcement action under the Town Planning Ordinance. A warning poster was posted on the Site on 29.5.2018.

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

On 17.10.2008, the Board promulgated the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E). The Site falls within Category 2 areas under the Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

### **6. Previous Application**

- 6.1 The Site is related to one previous applications No. A/YL-HT/1066 for the same applied use with the current application. Details of this application are summarized at **Appendix III** and its location is shown on **Plan A-1**.
- 6.2 The last approved application No. A/YL-HT/1066 for Temporary Open Storage of Recyclable Materials (including Metal and Plastic) was approved by the Committee with conditions for a period of 3 year on 3.3.2017. However, it was subsequently revoked due to non-compliance with approval conditions, including the implementation of drainage, tree preservation and landscape and FSIs

proposals.

- 6.3 Comparing with the last application No. A/YL-HT/1066, the current application is submitted by a different applicant for the same use on the same site with same development parameters.

## **7. Similar Applications**

There are 2 similar applications (Nos. A/YL-HT/981 and A/HSK/4) for temporary open storage uses within the same “O” zone on the draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan since the promulgation of the TPB PG-No. 13E on 17.10.2008. These two similar applications were approved by the Committee on 22.1.2016 and 13.10.2017 respectively. Amongst these approved applications, 1 of them (No. A/YL-HT/981) was subsequently revoked due to non-compliance with approval conditions. Details of the applications are summarized at **Appendix IV** and the location is shown on **Plan A-1**.

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

8.1 The Site is:

- (a) currently being used as the applied use without valid planning permission; and
- (b) accessible from Kai Pak Ling Road through a local track on both private lot and Government Land (GL).

8.2 The surrounding areas have the following characteristics:

- (a) predominately open storage/storage yards, warehouse, vehicle repair workshops, unused/vacant land and fallow agricultural lands;
- (b) scattered residential structures are found in the vicinity of the Site with the nearest one located about 3m to its southeast;
- (c) there are a warehouse to its southeast operating under valid planning application No. A/HSK/49 and two open storage yards to its west and northeast operating under valid planning applications Nos. A/HSK/4 and A/YL-HT/1000; and
- (d) other open storage/storage yards and vehicle repair workshops are suspected unauthorized developments (UDs)

## **9. Planning Intention**

The Site falls within “O” zone on the Draft Hung Shui Kiu and Ha Tsuen OZP. The “O” zone is intended primarily for the provision of outdoor open-air public space for active

and/or passive recreational uses serving the needs of local 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) No permission is given for occupation of Government Land (GL) (about 38m<sup>2</sup> subject to verification) included in the Site. The act of occupation of GL without Government's prior approval is not allowed.
- (c) The Site is accessible to Kai Pak Ling Road through a local track on both private lots and GL. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site.
- (d) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (e) Should the application be approved, the lots owners will need to apply to his office to permit the structures to be erected or regularize any irregularities on site. Furthermore, the applicant has to apply for a formal approval prior to the actual occupation of the GL portion. Such application(s) will be considered by the LandsD acting in the capacity of the landlord at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD.

### **Traffic**

10.1.2 Comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD):

- (a) He has no objection in principle to 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 the public roads.
- (c) Local track leading to the Site is not under Transport Department's (TD) 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 the nearby public roads/ drains.
- (c) His office shall not be responsible for the maintenance of any access connecting the Site and Fung Kong Tsuen Road, including Kai Pak Ling Road.

**Environment**

10.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) He does not support the application as there are sensitive receivers in the vicinity of the Site (the nearest dwelling being about 3m away) and environmental nuisance is expected.
- (b) There is no substantiated environmental complaint pertaining to the Site received over the past 3 years.
- (c) The applicant is advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses' (COP).

**Landscape**

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

- (a) He has no objection to the application from landscape planning point of view.
- (b) The Site, located to the north east of San Wai Sewage Treatment Plan and southwest of Fung Kong Tsuen, falls in an area partly zoned "Open Space" zone and an area shown as 'Road' on the draft OZP No. S/HSK/1. The Site is subject of previous Application No.

A/YL-HT/1066 for temporary open storage use to which we had no objection from the landscape planning perspective. While the submitted landscape proposal for Application No. A/YL-HT/1066 was accepted but not implemented. The current application seeks planning permission for the same use for a period of 3 years.

- (c) With reference to the aerial photo from 2017, it is observed that the Site is hard paved without any vegetation. The applied use appears to be in operation. The Site is situated in an area of rural landscape character dominated by open storage yards and temporary structures. Fishponds are observed to the immediate north of the site. Significant change to the landscape character arising from the application is not anticipated.
- (d) Having reviewed the submitted information, it is noted that the submitted landscape proposal is considered acceptable. In compliance with the “Technical Note on the Submission and Implementation of Landscape Proposals for Compliance with Conditions for Approved Applications for Open Storage and Port Back-up Uses” published by PlanD, the Applicant is advised that there should be a minimum soil provision of 1m (W) x 1m (L) x 1.2m (D) for each tree.
- (e) Should the application be approved, the following approval condition would be recommended to be included in the permission:  
*“The implementation of the approved landscape proposal to the satisfaction of the D of Planning or of the TPB”.*
- (f) The Applicant is advised that approval of the S.16 application by the Town Planning Board does not imply approval of the tree works such as pruning, transplanting and /or felling. Application for tree works should be submitted direct to DLO for approval.
- (g) 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](http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf)) and the Handbook of Tree Management (Chinese Version: [https://www.greening.gov.hk/tc/tree\\_care/Handbook\\_on\\_Tree\\_Management.html](https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html)) published by the GLTM Section, DEVB.

### **Drainage**

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

- (a) He has no objection in principle to the application from drainage point of view.
- (b) He noted that the drainage proposal was generally identical to the one submitted under the previous approved application no.

A/YL-HT/1066 on which he has no adverse comment.

- (c) Should the application be approved, he would suggest that a condition should be stipulated in the approval letter requiring the applicant to implement and maintain the proposed drainage facilities to the satisfaction of his Division.

### **Building Matters**

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

- (a) There is no record of approval by the Building Authority (BA) for the structures at the Site and Buildings Department (BD) is not in a position to offer comments on their suitability for the use related to the application.
- (b) If the existing structures (not being a New Territories Exempted Houses) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application.
- (c) For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO.
- (d) Before any new building works (including containers/open sheds as temporary buildings and land filling) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person (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 respectively.
- (f) If the Site does not abut on a specified street of not less than 4.5 m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulation at the building plan submission stage.

### **Fire Safety**

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



- (a) He has no objection to the proposal subject to fire service installations being provided to the satisfaction of the D of FS.
- (b) In consideration of the design/nature of the structures, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval.
- (c) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs are to be installed should be clearly marked on the layout plans. Attached good practice guidelines for open storage should be adhered to (**Appendix V**).
- (d) The following approval condition shall be added:  
  
“The provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of D of FS.”  
  
To address this additional approval condition, the applicant is advised to submit a valid fire certificate (FS 251) to his Department for approval.
- (e) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

### **Long Term Development**

#### **10.1.9 Comments of Project Manager (New Territories West), Civil Engineering and Development Department (PM/NTW, 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) However, the Site falls within the boundary of Hung Shui Kiu New Development Area (HSK NDA). According to the Planning and Engineering Study (P&E Study) for the HSK NDA, to ensure timely and orderly implementation, the development of HSK NDA and relevant site formation and infrastructure works would be implemented in five stages, viz. Advance Works and Stage 1 to Stage 4. The lot(s) concerned falls within a site under Stage 3 Works stage. While the detailed implementation programme for the project is still being formulated, based on the P&E Study, it is envisaged that clearance of the Site in question will not be arranged before the first population intake of the HSK NDA expected in 2024.

**District Officer's Comments**

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

He has not received any comment from 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);
- (c) Director of Leisure and Cultural Services (DLCS);
- (d) Chief Engineer/Construction Division, Water Supplies Department (CE/C, WSD);
- (e) Director of Electrical and Mechanical Services (DEMS); and
- (f) Chief Engineer/Sewerage Projects, Drainage Services Department (CE/SP, DSD).

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

On 4.5.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 25.5.2018, one public comment was received from a District Councillor, objecting the application on the ground of the revocation of the previous planning permission (**Appendix VI**).

**12. Planning Considerations and Assessments**

12.1 The Site falls within Category 2 areas under the TPB PG-No. 13E. The following considerations in the Guidelines are relevant:

Category 2 areas: permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments, where appropriate, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas.

12.2 The Site falls within "O" zone. "O" zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. Whilst the applied development is not in line with the planning intention of the "O" zone, the implementation programme for this part of NDA is still being formulated, and PM/NTW of CEDD and DLCS have no objection to the applied use for 3 years on 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 implementation of government projects.

- 12.3 The applied uses are not incompatible with the surrounding uses which are predominately occupied for open storage and warehouse uses (**Plan A-2**).
- 12.4 The Site falls within Category 2 areas; the proposed development is generally in line with the TPB PG-No. 13E in that there is no in principle objection to/adverse comment from concerned Government departments and the technical concerns raised by relevant departments on the proposal could be addressed by approval conditions as recommended in paragraph 13.2 below.
- 12.5 There is no adverse comment on the application from concerned Government departments, except DEP. DEP does not support the application as there are sensitive uses in vicinity (with the nearest residential dwelling is about 3m to the southeast of the Site (**Plan A-2**)), and environmental nuisance is expected. However, there has been no substantial environmental complaint concerning the Site received in the past 3 years. To address the concerns on environmental aspect and the technical requirements of other concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorized development on the Site will be subject to enforcement action by the Planning Authority. Should the planning application be approved, the applicant will also be advised to follow the relevant mitigation measures and requirements in the “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimize any potential environmental impact, and to keep the Site clean and tidy at all times.
- 12.6 The Committee has approved one previous application for the same use and 2 similar applications in the same “O” zone. Approval of the subject application is in line with the Committee’s previous decisions.
- 12.7 However, the last application No. A/YL-HT/1066 for the same applied use on the Site with the same development parameters, submitted by a different applicant, was revoked due to non-compliance with the time-limit approval conditions on the implementation of drainage, tree preservation and landscape and FSIs proposals. For the current application, the applicant claims that she is the latest occupant of the Site and will comply with the planning conditions to be imposed by the Board. In fact, the applicant has submitted a proposed drainage plan, a landscape proposal and a FSIs proposal. Concerned government departments, including CE/MN of DSD, CTP/UD&L of PlanD and D of FS have no objection to the application, and CTP/UD&L of PlanD has accepted the landscape proposal. As such, sympathetic consideration may be given to current application. Nevertheless, as the applied development, same as the revoked one, is in operation without valid planning permission, 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 be advised that should the applicant fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration would not be given to any further application.

12.8 There is 1 public comment received raising objection to the application mainly on grounds stated in paragraph 11. Planning assessments in paragraphs 12.1 to 12.7 are relevant to the public comment.

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

13.1 Based on the assessment made in paragraph 12 above and having taken into account the public comment mentioned in paragraph 11, the Planning Department considers that the temporary temporary open storage of recyclable materials (including metal and plastic) 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 year, until **15.6.2021**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### **Approval Conditions**

- (a) no operation between 7:00p.m. to 9:00a.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 cutting, dismantling, cleansing, compacting or other workshop activity is allowed on the Site at any time during the planning approval period;
- (d) no goods vehicles exceeding 5.5 tonnes, including medium goods vehicles, heavy goods vehicles, container tractor/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/ exit or to be parked/stored on on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (f) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of drainage proposal 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 **15.9.2018**;
- (h) in relation to (g) above, the implementation of the accepted drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **15.12.2018**;

- (i) in relations to (h) above, the implemented drainage facilities on site shall be maintained at all times during the planning approval period;
- (j) the implementation of the accepted 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 **15.12.2018**;
- (k) the provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within **6** weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **27.7.2018**;
- (l) the submission of a fire service installations proposal within **3** months from the date of planning approval to the satisfaction of Director of Fire Services or of the Town Planning Board by **15.9.2018**;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within **6** months from the date of planning approval to the satisfaction of Director of Fire Services or of the Town Planning Board by **15.12.2018**;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (i) 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;
- (o) if any of the above planning conditions (g), (h), (j), (k), (l) or (m) 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 expiry of the planning permission, the reinstatement of the application 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 VII**.

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

The applied use is not in line with the planning intention of the "O" zone, which is intended 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. 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 reasons for rejection should be given to the applicant.

#### **15. Attachments**

<b>Appendix I</b>	Application form received on 25.4.2018
<b>Appendix Ia</b>	Supplementary planning statement with vehicular access plan, proposed layout plan, proposed landscape plan, proposed drainage plan and FSIs proposal
<b>Appendix Ib</b>	Letter from the applicant dated 30.5.2018 to clarify the background information of the Site
<b>Appendix II</b>	Relevant extracts of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E)
<b>Appendix III</b>	Previous applications covering the Application Site
<b>Appendix IV</b>	Similar applications within the subject "O" zone on the Draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/1 since the promulgation of TPB PG-N0. 13E on 17.10.2008
<b>Appendix V</b>	Good Practice Guidelines for Open Storage issued by the Fire Services Department
<b>Appendix VI</b>	Public Comment received during statutory publication period
<b>Appendix VII</b>	Advisory clauses
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	Proposed Landscape Plan
<b>Drawing A-4</b>	Proposed Drainage Plan
<b>Drawing A-5</b>	Discharge Path
<b>Drawing A-6</b>	FSIs 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-4a to 4b</b>	Site Photos

**PLANNING DEPARTMENT  
JUNE 2018**