

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/424

<u>Applicant</u>	:	Tobby's Friends Foundation Limited represented by Goldrich Planners & Surveyors Limited
<u>Site</u>	:	Lots 1397 (Part), 1398 S.A&B (Part), 1404 (Part), 1405 (Part) and 1410 in D.D. 118, Tai Tong, Yuen Long, New Territories
<u>Site Area</u>	:	1,571.4 m ² (about)
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/16
<u>Zoning</u>	:	"Agriculture" ("AGR")
<u>Application</u>	:	Proposed Temporary Animal Rehabilitation Centre for a Period of 3 Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary animal rehabilitation centre for a period of 3 years at the application site (the Site) (**Plan A-1**). The Site is currently formed and unpaved (**Plans A-2 and A-4**).

1.2 The major development parameters of the application are summarized as follows:

Site Area	About 1,571.4 m ²
Total Floor Area (Non-domestic)	566 m ²
No. of Structure	4 (for reception and multi-function room, kennels, and staff room and storeroom uses)
Height of Structure	4m (1 storey)
Parking Spaces	2 for private car 1 for light goods vehicle
Operation Hours	9:00 a.m. to 7:00 p.m., Mondays to Sundays including public holidays

- 1.3 The Site is accessible from Tai Shu Ha Road West to its northwest (**Plans A-2, A-3 and Drawing A-1**). According to the applicant, the proposed animal rehabilitation centre is intended to provide various support for rescued dogs and will accommodate a maximum of 30 dogs. 49% of the Site (770.6m²) would be hard paved with concrete/precast concrete paving blocks. All the dogs will be kept indoor between 7:00 p.m. to 9:00 a.m to avoid noise nuisance to nearby users. A notice showing the contact details of the on-duty staff member will also be posted at the entrance of the Site to handle enquiries and complaints. The temporary structures at the Site will be converted containers. For sound insulation purpose, the inner lining of the structures, except that used as staff room and storeroom, will be made of bricks. The applicant also undertakes that there will be no loud speaker, public announcement system or whistle blowing. Plans showing the vehicular access leading to the Site, site layout, landscape proposal, drainage proposal and plan showing the paved area submitted by the applicant are at **Drawings A-1 to A-5** respectively.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 8.1.2018 **(Appendix I)**
 - (b) Further information received on 14.2.2018 providing responses to the Transport Department's comment and to provide the paved ratio of the Site **(Appendix Ia)**
 - (c) Further information received on 22.2.2018 clarifying the materials used for paving and the provision of septic tank and soakaway system **(Appendix Ib)**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Appendices I and Ia attached to the application form. They can be summarized as follows:

- (a) "Animal Boarding Establishment" is a Column 2 use in "AGR" zone. A s.16 application to the Board is required. Albeit zoned as "AGR", no agricultural activities is observed at the Site and in the vicinity. No reduction of agricultural land will result from the proposed development. As the Site is situated at the fringe of the "AGR" zone, allowing the proposed development would not undermine the integrity of the agricultural land in the "AGR" zone. Since the proposed use is temporary in nature, it will not jeopardise the long-term planning intention of the "AGR" zone.
- (b) The proposed development is intended to serve the rescued dogs, which would be mostly sick, physically handicapped or near the end of their lives. It will fulfil the need of "interim centre" for dogs in need, which such services and facilities are not adequately provided in Hong Kong.
- (c) The Site is surrounded by temporary structures and vacant farmland. The nature, layout, form and scale of the proposed development are compatible with the surrounding environment.

- (d) The proposed development is visually compatible with the surrounding environment which comprises storage and warehouse uses, as well as vacant land.
- (e) As there is no existing tree within the Site, the proposed development will not induce any significant landscape impact. The planting of 11 trees along the Site boundary is proposed and the applicant undertakes that they would be properly maintained.
- (f) Drainage facilities are proposed and they would be maintained properly.
- (g) Although there are no residential dwellings found in the proximity of the Site, the applicant would reduce noise impacts from the proposed development by using bricks as the inner lining of the structure 1, 2 and 4 (**Drawing A-2** refers). All dogs will be kept within these structures between 7:00 p.m. and 9:00 a.m. Good housekeeping measures, as well as limiting the maximum number of dogs to 30, will further mitigate the noise impact.
- (h) The applicant undertakes that no vehicle will be allowed to enter or exist the Site from 7:00 a.m. to 9:00 a.m. Sufficient spaces within the Site will be provided for manoeuvring of vehicles.
- (i) No significant traffic impact is anticipated to the local road network due to the low level of trip generation and attraction rate. The applicant also undertakes that there will be no queuing, reversing and manoeuvring of vehicles out of the Site.
- (j) The proposed development is in line with the intention of the Agriculture, Fisheries and Conservation Department's Trap-Neuter-Return trial programme held in Tai Tong, the applicant aims to reduce the stray dog population and the associated nuisance in the area through providing care and support to the rescued (stray) dogs.

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 the notice to the Shap Pat Heung Rural Committee through registered post. Detailed information would be deposited at the meeting for Members' inspection.

4. Background

The Site is subject to investigation. Should there be sufficient evidence to form an opinion that an unauthorized development occurs at the Site, enforcement action would be instigated.

5. Previous Application

The Site was subject to a previous application (No. A/YL-TT/75) for pond filling for grass growing and tree plantation, which was approved by the Committee on 2.6.2000 mainly on grounds that the application site was not an active fish pond and had little ecological value, and grass growing and tree plantation are always permitted under “AGR” zone. Details of the application are summarised in **Appendix II** and the location is shown on **Plan A-1**.

6. Similar Application

There is no similar application within the same “AGR” zone on the OZP.

7. The Site and Its Surrounding Areas (Plans A-2 to A-4)

7.1 The Site is:

- (a) accessible from Tai Shu Ha Road West to its northwest (**Plans A-2 and A-3**); and
- (b) formed and unpaved (**Plan A-4**).

7.2 The surrounding areas have the following characteristics (**Plans A-2 and A-3**):

- (a) mixed with storage and open storage yards, scattered residential structures, parking of trailers, deposit of containers, burial urns, graves, temporary/vacant structures, unused land, and cultivated and fallow agricultural land;
- (b) scattered residential structures are found in the vicinity of the Site with the nearest one located about 50m to its southeast;
- (c) to its north, southwest, west and northwest is an area zoned “Open Storage” (“OS”) where storage yards are found;
- (d) to its north, northeast, east, southeast and southwest is mostly unused land, cultivated and fallow agricultural land, scattered with vacant and residential structures, graves and burial urns;
- (e) to its south is an open storage yard with deposit of container, parking of trailers and a storage, and vacant land;
- (f) except for the storage yards that are located entirely within the “OS” zone, the other storage and open storage yards in the vicinity are mostly suspected unauthorized developments subject to enforcement action taken by the Planning Authority.

8. Planning Intention

The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

9. Comments from Relevant Government Departments

9.1 The following Government departments have been consulted and their views are summarized 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 the prior approval of the Government.
- (b) The Site is accessible to Tai Shu Ha Road West via Government land (GL) and private land. Her office does not provide maintenance work for GL involved and does not guarantee any right-of-way to the Site.
- (c) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (d) Should planning approval be given to the planning application, the lot owner(s) will need to apply to her office to permit the structures to be erected or regularize any irregularities on site. Such application(s) will be considered by the Lands Department 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 Lands Department.

Agriculture, Nature Conservation and Animal Management

9.1.2 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) Our recent site inspection found that the Site was filled with construction wastes and large rocks. Nevertheless, it could be readily resumed into farmland after spending some time for land preparation and thus possess a high potential for agricultural rehabilitation. As such, the application is not supported from

agriculture point of view.

- (b) On the other hand, the setting up and running of a shelter or “Rehabilitation Centre” for animals does not require a licence or any approval from his department. However, the conditions in which animals are kept must meet the minimum requirements of the Prevention of Cruelty to Animals Ordinance (Cap. 169) and its subsidiary regulations. Furthermore, the rehoming of animals in exchange for an adoption or rehoming fee may require a licence or exemption from his department in accordance with the Public Health (Animals and Birds) (Trading and Breeding) Regulations, Cap. 139B.
- (c) The official Trap-Neuter-Return (TNR) trial mentioned by the applicant (**Appendix Ia** refers) applies to two specific areas in Hong Kong and is conducted by two programme coordinators authorised by AFCD under controlled conditions. The applicant is not one of the programme coordinators.

Traffic

9.1.3 Comments of the Commissioner for Transport (C for T):

- (a) No vehicle should be allowed to enter or exit the Site from 7:00 a.m. to 9:00 a.m.
- (b) The applicant is reminded that sufficient space within the Site should be provided for manoeuvring of vehicles. In addition, no vehicle queuing and no reverse movement of vehicles on public road are allowed.
- (c) The land status of the access road/path/track leading to the Site from Tai Shu Ha Road West shall be checked with the lands authority.
- (d) The management and maintenance responsibilities of the access road/path/track shall be clarified with the relevant management and maintenance authorities accordingly.

9.1.4 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) His department shall not be responsible for the maintenance of any access connecting the Site and Tai Shu Ha Road West.

Environment

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

- (a) The applicant seeks planning permission for a temporary animal rehabilitation centre for a period of three years at a site zoned “AGR” on the Tai Tong OZP. The Site area is about 1,571m² and the rehabilitation centre will comprise four 1-storey container-converted structures to be used as reception & multi-function room, 2 dog kennels and staff room & storeroom.
- (b) According to the information provided by the applicant, the areas to the north and west of the Site are occupied by storage and warehouse use. To the east are vacant lands. No residential dwellings are found in the proximity of the Site. The applicant indicates that the reception & multi-function room and dog kennels will be provided by with air-conditioning all the time without reliance on openable windows or doors for ventilation purpose. All dogs will be kept within the reception & multi-function room or kennels from 7:00 p.m. to 9:00 a.m. No loud speaker, public announcement system or whistle blowing will be allowed throughout the approval period. There will be staff to handle enquiries and complaints 24 hours daily.
- (c) In view of the above information on the design and operation of the animal rehabilitation centre, he has no comment to the application. Should the application be approved, the applicant should be advised to implement the following measures to minimize possible nuisance to any sensitive receivers nearby:
 - (i) All dogs shall be kept inside the enclosed reception & multi-function room or kennels during sensitive hours between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, during the planning approval period;
 - (ii) No loud speaker, public announcement system and whistle blowing is allowed to be used on the Site during the planning approval period;
 - (iii) The animal rehabilitation centre should be properly designed and maintained to minimize any potential noise and odour nuisance to nearby sensitive receivers;
 - (iv) The multi-function room and dog kennel shall be enclosed structures provided with air conditioning and do not rely on openable window or door for ventilation; and
 - (v) Wastewater should be properly treated and disposal of by appropriate means such as septic tank and soak-away system in accordance with the requirements in his department’s Practice Note for Professional Person (ProPECC) PN 5/93 “Drainage Plans subject to Comment by the Environmental

Protection Department”.

Landscape

- 9.1.6 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):
- (a) The Site, to the east of Tai Shui Ha Road West and lies in an area of the “AGR” zone. The northern portion of the Site overlaps with application No. A/YL-TT/75 for pond filling for grass growing and tree plantation use. The current application seeks planning permission for temporary animal rehabilitation centre use for a period of 3 years.
 - (b) With reference to the site photos (**Plan A-4**) and aerial photo of 2017 (**Plan A-3**), it is observed that the Site is largely vacant. The Site is situated in an area of rural landscape character disturbed by open storage yards and temporary structures.
 - (c) We have strong reservations from the landscape planning perspective for the following reasons:
 - (i) 49% of the Site will be hard paved and would be in conflict with the planning intention of the “AGR” zone which is to retain fallow arable land for cultivation and other agricultural purposes; and
 - (ii) When comparing the aerial photo of 2017 (**Plan A-3**) with the site photos (**Plan A-4**), it appears that the majority of vegetation within the Site has been blanket cleared. Landscape impact has taken place.
 - (d) The proposed 11 trees are not likely able to compensate for the lost vegetation.
 - (e) There is no information provided to demonstrate the relationship between the proposed fence, tree planting, drainage and swept path, and whether they are in conflict with each other.
 - (f) Approval of the application may set an undesirable precedent and encourage other applications to modify the Site (including blanket clearing the vegetation) prior to obtaining planning approval. The cumulative impact of which would be the general degradation of the rural landscape character and loss of good quality agricultural land/fish ponds.
 - (g) Should the Board approve this application, he would recommend the submission and implementation of a tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the Board.

- (h) 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. In view of the close proximity of the vehicle access/swept path to the proposed tree planting, precautions such as planter walls and/or bollards should be proposed to prevent damage to the trees. The applicant is also advised that the approval of the landscape proposal under s.16 application does not imply approval of Tree Works such as pruning, transplanting and felling under lease. Tree Works application should be submitted direct to DLO for approval.

Drainage

9.1.7 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 the public drainage point of view.
- (b) He has the following comments on the submitted drainage proposal (**Drawing A-4**):
 - (i) In view of the size of the Site, the proposed size of channels and pipes appears inadequate. The design should be reviewed accordingly.
 - (ii) The existing drainage facilities, to which the stormwater of the development from the Site would discharge, are not maintained by his office. The applicant should identify the owner of the existing drainage facilities to which the proposed connection will be made and obtain consent from the owner prior to commencement of the proposal works. In the case that it is a local village drains, District Officer (Yuen Long) should be consulted.
 - (iii) The applicant should check and ensure the hydraulic capacity of the existing drainage facilities would not be adversely affected by the proposed development.
 - (iv) The applicant should consult DLO/YL, LandD and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works.
 - (v) The detailed comments are at **Appendix III**.
- (c) Should the Board consider the application is acceptable from the planning point of view, approval conditions requiring the submission of a revised drainage proposal, and the implementation and maintenance of the drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the Board should be stipulated.

Water Supply

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

- (a) He has no objection to the application.
- (b) For provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services with the private lots to his department's standards.

Fire Safety

9.1.9 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. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his Department for approval. The applicant should be advised on the following points:
 - (i) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy.
 - (ii) The location of where the proposed FSIs to be installed should be clearly marked on the layout plans.
- (c) However, the applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Building Matters

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

The applicant's attention is drawn to the following points:

- (i) Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW) under the Building Ordinance (BO). An Authorized

Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.

- (ii) 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.
- (iii) 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.
- (iv) 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 B(P)R at the building plan submission stage.

Others

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

- (a) He has no particular comment on the project from electricity supply safety aspect.
- (b) However, in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable under the mentioned application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans 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

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

There is no Indigenous Inhabitant Representative (IIR)/Resident Representative (RR) in the vicinity of the Site. As such, his office is unable to consult IIR/RR on the application.

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

- (a) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD); and
- (b) Commissioner of Police (C of P).

10. Public Comments Received During the Statutory Publication Period

On 16.1.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 6.2.2018, three public comments were received from Kadoorie Farm & Botanical Garden Corporation, a member of the public, and a Yuen Long District Councillor (**Appendices IV-1 to IV-3** respectively) raising objection to the application for reasons, among others, of not in line with the planning intention of “AGR” zone (**Appendix IV-1**); proliferation of brownfield sites and unregulated breeding of dogs (**Appendix IV-2**); no proper mitigation measures for noise and environmental hygiene problems; and animals’ noise disturbance to villagers (**Appendix IV-3**).

11. Planning Considerations and Assessments

- 11.1 The application is for a proposed temporary animal rehabilitation centre for a period of 3 years at a site zoned “AGR” on the OZP (**Plan A-1**). The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The proposed development is not in line with such planning intention. According to the applicant, 49% of the Site (770.6m²) will be hard paved with concrete/precast concrete paving blocks. Such hard paving may limit the flexibility of using the Site for farming purpose in future. DAFC does not support the application from agricultural point of view as the Site possesses a high potential for agricultural rehabilitation. There is no strong justification given in the submission for a departure from the planning intention, even on a temporary basis.
- 11.2 The proposed development is considered not incompatible with the surrounding land uses which are mixed with storage and open storage yards, unused land, cultivated and fallow agricultural land and scattered residential structures (the nearest one located about 50m to its southwest) (**Plan A-2**).
- 11.3 CTP/UD&L, PlanD has strong reservations on the application because the hard paving of the Site is in conflict with the planning intention of the “AGR” zone, and majority of vegetation within the Site has been blanket cleared resulting in landscape impact. He also considers that the proposed 11 trees are not likely able to compensate for the lost vegetation. Approval of the application may set an undesirable precedent and encourage other applications to modify the Site (including blanket clearing the vegetation) prior to obtaining planning approval. The cumulative impact of which would be the general degradation of the rural landscape character and loss of good quality agricultural land/fish ponds.
- 11.4 There is no similar application approved by the Committee within the same “AGR” zone on the OZP. As mentioned in paragraph 11.1, there is no strong planning

justification to support the proposed development involving extensive hard-paving and structures in “AGR” zone. Approval of the application would set an undesirable precedent for other similar uses to proliferate into the “AGR” zone on the OZP. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.

- 11.5 There are 3 public comments (**Appendices IV-1 to IV-3**) received during the statutory publication period all raising objection to the application on the grounds as summarized in paragraph 10 above. The planning considerations and assessments in paragraph 11.1 to 11.2 are also relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments as mentioned in paragraph 10, the Planning Department does not support the application for the following reasons:

- (a) the development is not in line with the planning intention of “AGR” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development would not create adverse landscape impacts on the surrounding areas; and
- (c) approval of the application would set an undesirable precedent for other similar uses to proliferate into the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.

- 12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until 3.2.2021. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no operation between 7:00 p.m. and 9:00 a.m., except for the overnight dog kennel, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all dogs shall be kept inside the enclosed reception & multi-function room or kennels during sensitive hours between 7:00 p.m. and 9:00 a.m. on the Site, as proposed by the applicant, during the planning approval period;
- (c) no whistle blowing, loudspeaker and public announcement system, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a revised 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 2.9.2018;
- (f) in relation to (e) above, the implementation of the landscape proposal within **9** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 2.12.2018;
- (g) the submission of a revised 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 2.9.2018;
- (h) in relation to (g) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 2.12.2018;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 2.9.2018;
- (k) in relation to (h) above, the implementation of fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 2.12.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (i) 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;
- (m) if any of the above planning conditions (e), (f), (g), (h), (j) or (k) 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
- (n) 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 at **Appendix V**.

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 reasons for rejection should be given to the applicant.

14. Attachments

Appendix I	Application Form received on 8.1.2018
Appendix Ia	Further information received on 14.2.2018 providing responses to the Transport Department's comment and to provide the paved ratio of the Site
Appendix Ib	Further information received on 22.2.2018 clarifying the materials used for paving and the provision of septic tank and soakaway system
Appendix II	Previous Applications covering the Application Site
Appendix III	Detailed Comments of the Chief Engineer/Mainland North, Drainage Services Department
Appendices IV-1 to IV-3	Public comments received during the statutory publication period
Appendix V	Recommended Advisory Clauses
Drawing A-1	Plan showing the Vehicular Access Leading to the Site
Drawing A-2	Site Layout Plan
Drawing A-3	Landscape Proposal
Drawing A-4	Drainage Proposal
Drawing A-5	Plan showing the Paved Area
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MARCH 2018**