

RNTPC Paper No. A/YL-PS/556  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 6.4.2018

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

**APPLICATION NO. A/YL-PS/556**

- Applicant** : Mr. Kwong Cheuk Wing represented by PlanArch Consultants Limited
- Site** : Lots 105 RP (Part), 107 (Part), 108 (Part), 111 (Part), 112, 113, 114 (Part), 115, 116, 118, 119 (Part), 120 (Part), 124 (Part), 127 (Part), 128 and 158 (Part) in D.D. 122 and Adjoining Government Land, Ping Shan, Yuen Long, New Territories
- Site Area** : About 21,735 m<sup>2</sup> (including about 1,420 m<sup>2</sup> of government land)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/17
- Zoning** : “Comprehensive Development Area” (“CDA”)
- Application** : Temporary Logistics Centre and Vehicle Park (Container Tractors, Container Trailers and Lorries (Medium/Heavy Goods Vehicles)) for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for temporary logistics centre and vehicle park (container tractors, container trailers and lorries (medium/heavy goods vehicles)) for a period of 3 years (**Plan A-1**). The Site is currently used as the applied use with valid planning permission.
- 1.2 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.
- 1.3 The Site is related to nine previous applications (Nos. A/YL-PS/26, 55, 71, 126, 207, 345, 438, 444 and 477) for temporary logistics centre and/or vehicle park uses. The last Application No. A/YL-PS/477 for the same use for a period of 3 years was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 17.4.2015. All the time-specific approval conditions have been compiled with and the planning permission will lapse on 18.4.2018. Details of the previous applications are summarized at paragraph 6 below and at **Appendix III**.

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/477) (a)</b>	<b>Current Application (A/YL-PS/556) (b)</b>	<b>Difference (b) – (a)</b>
Site area	About 21,735m <sup>2</sup>	About 21,735m <sup>2</sup>	No change
Applied Use	Temporary Logistics Centre and Vehicle Park (Container Tractors, Container Trailers and Lorries (Medium/Heavy Goods Vehicles)) for a Period of 3 Years	Temporary Logistics Centre and Vehicle Park (Container Tractors, Container Trailers and Lorries (Medium/Heavy Goods Vehicles)) for a Period of 3 Years	No change
Total floor area	10,245m <sup>2</sup>	10,245m <sup>2</sup>	No change
No. of structures	6 <ul style="list-style-type: none"> <li>• warehouse</li> <li>• toilet</li> <li>• site office</li> <li>• guardroom</li> <li>• water tank for fire service installations (FSIs)</li> <li>• pump room for FSIs</li> </ul>	6 <ul style="list-style-type: none"> <li>• logistics centre</li> <li>• toilet</li> <li>• site office</li> <li>• guardroom</li> <li>• water tank for FSIs</li> <li>• pump room for FSIs</li> </ul>	No change
No. of parking spaces	39 in total <ul style="list-style-type: none"> <li>• 4 for private cars</li> <li>• 10 for medium/heavy goods vehicles</li> <li>• 25 for container tractors/trailers</li> </ul>	49 in total <ul style="list-style-type: none"> <li>• 4 for private cars</li> <li>• 10 for medium/heavy goods vehicles</li> <li>• 35 for container tractors/trailers</li> </ul>	+ 10 in total
Loading/unloading spaces	5 for container trailers 5 for medium/heavy goods vehicles	5 for container trailers 5 for medium/heavy goods vehicles	No change
Operation hours	7:00 a.m. to 11:00 p.m. from Mondays to Saturdays	7:00 a.m. to 11:00 p.m. from Mondays to Saturdays	No change

1.5 The location plan, layout plan, environmental mitigation plan and as-built drainage plan are at **Drawings A-1** to **A-4** respectively.

1.6 According to the applicant, the Site is accessed via a local vehicular track to connect Ha Mei San Tsuen Road leading to Long Tin Road at the north-western edge. The existing trees and landscape planting, fencing and drainage facilities will be well maintained. The operation hours of the logistics centre and vehicle park are from 7:00 a.m. to 11:00 p.m. from Mondays to Saturdays.

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

- (a) Application Form received on 9.2.2018 (Appendix I)
- (b) Supplementary Planning Statement with Location Plan, Layout Plan, Environmental Mitigation Plan and As-built Drainage Plan (Appendix Ia)

## 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 proposed development conforms to the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13E).
- (b) The proposed development would not jeopardize the long term planning intention of the “CDA” zone, since there is currently no scheduled development at the Site. Alternative temporary use which generates no significant nuisances should be encouraged in the interim to make economic use of scarce land resources.
- (c) The proposed use can satisfy the genuine demand on land for port back-up uses due to the fact that the Site is located at north-western part of Hong Kong, which is highly accessible from the Pearl River Delta Region through different border control point, in particular the Hong Kong – Shenzhen Western Corridor.
- (d) The proposed development is compatible with the adjoining land uses in terms of scale and nature and thus the approval of the application will not set an undesirable precedent.
- (e) The applicant has complied with all the approval conditions of the last Application No. A/YL-PS/477 in relation to the provision of landscaping and boundary fencing. Drainage facilities are well-preserved and maintained as well.
- (f) The proposed development for temporary logistics centre fully complies with the Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites and will not cause any adverse environmental impact.
- (g) The proposed development will not cause any adverse traffic impact to the local road network.

## 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 publishing notices of the application in two Chinese and one English local newspapers. Detailed information would be deposited at the meeting for Members’ inspection.

#### **4. Town Planning Board Guidelines**

On 17.10.2008, the Board promulgated the revised Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13E). The Site falls within Category 2 areas under the TPB PG-No. 13E. Relevant extracts of the Guidelines are at **Appendix II**.

#### **5. Background**

The Site is covered by valid planning permission under Application No. A/YL-PS/477 valid until 17.4.2018. It is not subject to any active planning enforcement action.

#### **6. Previous Applications**

- 6.1 The Site is involved in nine previous applications (Nos. A/YL-PS/26, 55, 71, 126, 207, 345, 438, 444 and 477) covering different extent of the Site submitted by different applicants. Details of the previous applications are summarized at **Appendix III** and their locations are shown on **Plan A-1**.
- 6.2 Application Nos. A/YL-PS/26 and 55 for temporary container trailer, lorry and (private) car park and Application No. A/YL-PS/71 for temporary open storage of construction materials were approved by the Committee for a period of 12 months, 2 years and 3 years on 6.3.1998, 13.8.1999 and 18.2.2000 respectively mainly on the considerations that detailed planning studies were required to identify the future uses of the "U" zone and the temporary developments could satisfy some of the open storage and port back-up demand prior to the development of West Rail/identification of future use and there was no residential development in close proximity to the sites. Application No. A/YL-PS/71 was subsequently revoked on 18.5.2001 due to non-compliance with the approval condition on the provision of drainage facilities.
- 6.3 Application No. A/YL-PS/126 involving a much larger site for temporary container trailer, lorry and car park for a period of 3 years was rejected by the Committee on 13.12.2002 on the grounds that the development was not compatible with the surrounding uses; and insufficient information to demonstrate no adverse impacts on the surrounding areas.
- 6.4 Application No. A/YL-PS/207 for temporary container vehicle park and ancillary repairing activities for a period of 3 years at a smaller site submitted by the current applicant was allowed by the Town Planning Appeal Board (TPAB) on 28.3.2008 mainly on the considerations that the development would unlikely jeopardise the future planning of the land; no evidence that the site would be affected irrevocably; the development would not affect nearby housing estate; no significant drainage impact, traffic problems and environmental nuisances; concerns by departments and local objections could be met by implementation of the proposed measures and there was a shortage of supply of such parking spaces in the area. All the approval conditions have been complied with.
- 6.5 Application No. A/YL-PS/345 for proposed temporary container vehicle and lorry park with container trailers for a period of 3 years submitted by the current

applicant was approved by the Committee on 18.3.2011. Renewal Application No. A/YL-PS/438 was approved by the Committee on 7.3.2014; but the permission was subsequently revoked on 18.3.2015 due to non-compliance with approval conditions on submission and implementation of tree preservation proposal, implementation of fire service installations proposal and provision of boundary fencing.

- 6.6 Application No. A/YL-PS/444 for proposed temporary logistics centre and ancillary parking of vehicles for a period of 3 years submitted by the current applicant was approved with conditions by the Committee on 9.5.2014. The major considerations were not jeopardizing the long term planning intention; in line with the TPB PG-No. 13E and no objection from relevant government departments. The permission was subsequently revoked on 9.5.2015 due to non-compliance with approval conditions on submission and implementation of fire service installations proposal and provision of boundary fencing.
- 6.7 Application No. A/YL-PS/477 for temporary logistics centre and vehicle park (container tractors, container trailers and lorries (medium/heavy goods vehicles)) for a period of 3 years was approved with conditions by the Committee on 17.4.2015. All the approval conditions have been complied with. The permission will expire on 18.4.2018.
- 6.8 Compared with the last approved Application No. A/YL-PS/477, the current application is submitted by the same applicant for the same use on the same site with an increase in parking spaces (i.e. +10 container tractor/trailer parking spaces).

## **7. Similar Applications**

- 7.1 There are three similar applications (Nos. A/YL-PS/344, 439 and 514) for logistics centre or container vehicle and lorry park use since the promulgation of the TPB PG-No.13E on 17.10.2008 within the same "CDA" zone. Details of the similar applications are summarized at **Appendix IV** and their locations are shown on **Plan A-1**.
- 7.2 All of these three similar applications were approved by the Committee on considerations that the temporary use would not frustrate the long term planning intention of the "CDA" zone; not incompatible with the surrounding uses; in line with the TPG PG-No. 13E; and no adverse comment from the relevant departments except DEP, whose concerns could be addressed by the implementation of approval conditions.

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

- 8.1 The Site is:
  - (a) currently occupied by the applied use with valid planning permission; and
  - (b) accessed through a local track at the north-western edge connecting to a

small section of Ha Mei San Tsuen Road leading westward to join Long Tin Road.

8.2 The surrounding areas have the following characteristics:

- (a) to the northwest, north and northeast across the elevated West Rail are vehicle parks which are covered by valid planning permission (Nos. A/YL-PS/463 and 509), small houses under construction, residential dwellings, unused land and orchard;
- (b) to the immediate west and southwest is a logistics centre which is covered by valid planning permission (No. A/YL-PS/514), residential dwelling, cultivated agricultural land, unused land and storage uses;
- (c) to the south are vehicle park, residential dwellings and a warehouse which is covered by valid planning permission (No. A/YL-PS/482); and
- (d) to the east are storage uses, vehicle parks, residential dwellings, orchard and unused land.

## **9. Planning Intention**

The planning intention of the “CDA” zone is intended for comprehensive development/redevelopment of the area for residential use with commercial, open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

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

10.1 The following government departments have been consulted and their views on the application are summarised 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) Lot Nos. 105 RP & 113, 111 and 115 in D.D. 122 are covered by Short Term Waiver (STW) Nos. 3926, 3927 and 3929 respectively to permit structures erected thereon for the purpose of “Temporary Logistics Centre and Vehicle Park (Container Tractors, Container Trailers and Lorries (Medium/Heavy Goods Vehicle))”.
- (c) Lot Nos. 112 & 114 in D.D. 122 are covered by STW No. 3928 to permit structures erected thereon for the purpose of “Logistics Centre

and Ancillary Parking Vehicles”.

- (d) Lot No. 120 in D.D. 122 is covered by STW No. 4813 to permit structures erected thereon for the purpose of “Temporary Logistics Centre”.
- (e) The government land (GL) within the Site is covered by the Short Term Tenancy (STT) No. 2936 for the purpose of “Temporary Logistics Centre and Vehicle Park (Container Tractors, Container Trailers and Lorries (Medium/Heavy Goods Vehicle))”.
- (f) The Site is accessible to Yung Yuen Road via GL and private land. His office does not provide maintenance work for GL involved and does not guarantee any right-of-way to the Site.
- (g) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (h) Should planning approval be given to the subject planning application, the STW/STT holder(s) will need to apply to his office for modification of the STW/STT conditions if there is any irregularities on Site and the lot owner(s) of the lot(s) without STW will need to apply to his office for permit the structures to be erected or regularize any irregularities on Site. Such application(s) will be considered by the LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD.
- (i) The Site is within West Rail Protection Boundary.

### **Building Matters**

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

- (a) Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on Site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (b) 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.

- (c) 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.
- (d) If the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.

### **Traffic**

#### 10.1.3 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) The applicant is reminded that sufficient space within the Site should be provided for manoeuvring of vehicles. In addition, no parking, queueing and reverse movement of vehicles on public road are allowed.
- (c) The local track leading to the Site is not under TD's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site.

#### 10.1.4 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) HyD shall not be responsible for the maintenance of any access connecting the Site and Ha Mei San Tsuen Road.

### **Railway**

#### 10.1.5 Comments of the Chief Engineer/Railway Development 2-2/Railway Development Office, Highways Department (CE/RD2-2/RDO, HyD):

As the Site falls within the route protection boundary of the West Rail, the applicant should consult MTRCL on full details of the proposal and comply with their requirements with respect to the future construction, operation, maintenance and safety of the West Rail. He has no comment on the proposal from railway development viewpoint provided that MTRCL's requirements will be followed.



### **Drainage**

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

He notes that the drainage proposal was generally identical to the one submitted under the previous approved Application No. A/YL-PS/477 on which he has no adverse comment. He has no objection in principle to the proposed development from a drainage point of view. 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 existing drainage facilities to the satisfaction of his Division.

### **Environment**

#### 10.1.7 Comment of the Director of Environmental Protection (DEP):

- (a) He does not support the application as there are sensitive receivers of residential use in the vicinity (with the nearest one about 7m to its immediate west) (**Plan A-2**), and environmental nuisance is expected.
- (b) There was no environmental complaint pertaining to the Site received in the past 3 years.
- (c) Should the planning application be approved, the applicant will be advised to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites”.

### **Water Supply**

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

- (a) He has no objection to the application.
- (b) The water mains in the vicinity of the Site cannot provide the standard pedestal hydrant.

### **Fire Safety**

#### 10.1.9 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.

- (c) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans.
- (d) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

### **Landscape**

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

- (a) With reference to the aerial photo of 2015, the Site is hard paved with trees observed generally along the site boundary with a wooded area to the south west. The Site is situated in an area of rural landscape character dominated by open storage, village houses and wooded areas. Given that no significant vegetation is found within the Site and that similar uses are found in the vicinity, major change to the landscape character arising from the application is not anticipated.
- (b) The applicant is 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 applications should be submitted direct to DLO for approval.
- (c) 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” the applicant should leave adequate spacing between the fence, temporary structures and trees to promote a more sustainable growing environment for the trees. A minimum distance of 600mm between the fence and the tree planting should be provided.
- (d) The applicant is also advised that there should be a minimum soil provision of 1m (W) x 1m (L) x 1.2 m (D) for each tree.
- (e) Precautious measures such as bollards and/or kerbs should be proposed to prevent damage to the trees.
- (f) The applicant shall be reminded of the importance of general tree care as well as proper tree maintenance. 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.

**District Officer's Comments**

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

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

10.2 The following government departments have no comment on the application:

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

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

On 20.2.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 13.3.2018, no public comment was received.

**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: planning 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 an area zoned "CDA" on the OZP. The "CDA" zone is intended for comprehensive development/redevelopment of the area for residential use with commercial, open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. Whilst the development is not in line with the planning intention of the "CDA" zone, there is no known development proposal to implement the zoned use for the time being. Approval of the application on a temporary basis would not jeopardize the long-term planning

intention of the “CDA” zone.

- 12.3 The Site is in an area surrounded by logistics centre, warehouse, vehicle parks, storage yards and unused land. The development is not incompatible with the surrounding areas mixed with vehicle parks, storage yards and residential dwellings.
- 12.4 The application is considered in line with TPB PG-No. 13E in that the Site falls within Category 2 areas. Relevant proposals have been submitted to demonstrate that the proposed use would not generate adverse impacts; and the technical concerns of relevant government departments could be addressed through the implementation of approval conditions.
- 12.5 There is no adverse comment on the application from relevant government departments, except DEP. DEP does not support the application as there are sensitive receivers of residential use in the vicinity of the Site, with the nearest one located to its immediate west (**Plan A-2**), and environmental nuisance is expected. However, there has been no environmental complaint concerning the Site received in the past 3 years. To address the concerns on the possible environmental nuisances generated by the temporary use or to address 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 set out 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 eight previous applications for open storage, logistics centre and/or vehicle park covering the Site and three other similar applications within the same “CDA” zone since 2008. Approval of the current application is in line with the previous decisions of the Committee.
- 12.7 There is no public comment received on the application during the statutory publication period.

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

- 13.1 Based on the assessment made in paragraph 12 above, the Planning Department considers that the temporary public vehicle park for private cars could be tolerated for a period of 3 years.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until **6.4.2021**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;
- (d) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the existing fencing of the Site shall be maintained at all times during the approval period;
- (i) the submission of a condition record of the existing drainage facilities within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **6.7.2018**;
- (j) the submission of a 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 **6.10.2018**;
- (k) in relation to (j) above, the implementation of the 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 **6.1.2019**;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) 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;
- (m) if any of the above planning conditions (i), (j) and (k) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; 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**.

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

the applicant fails to demonstrate that the applied development would not generate adverse environmental impact on the surrounding area.

**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 9.2.2018
<b>Appendix Ia</b>	Supplementary Planning Statement with Location Plan, Layout Plan, Environmental Mitigation Plan and As-built Drainage Plan
<b>Appendix II</b>	Extract Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13E)
<b>Appendix III</b>	Previous Applications Covering the Site
<b>Appendix IV</b>	Similar Applications within the Same "CDA" Zone on the draft Ping Shan OZP No. S/YL-PS/17
<b>Appendix V</b>	Advisory Clauses
<b>Drawing A-1</b>	Location Plan
<b>Drawing A-2</b>	Layout Plan
<b>Drawing A-3</b>	Environmental Mitigation Plan
<b>Drawing A-4</b>	As-built Drainage Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to 4b</b>	Site Photos