

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-HTF/1166

- Applicant** : First Champion Limited represented by Aikon Development Consultancy Limited
- Site** : Various Lots in D.D. 128 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 77,682m² (including GL of about 3,562m² or 4.6%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12
- Zoning** : “Agriculture” (“AGR”)
- Application** : Renewal of Planning Approval for Temporary Open Storage of New Vehicles (Private Cars), Construction Materials, Machineries, Equipment and Storage of Tools and Parts with Ancillary Site Office for a Period of 3 Years and Filling of Land and Pond

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary open storage of new vehicles (private cars), construction materials, machineries, equipment and storage of tools and parts with ancillary site office for a period of three years and filling of land and pond at the application site (the Site) zoned “AGR” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). According to the Notes of the OZP for the “AGR” zone, filling of land and pond also requires planning permission from the Board. The Site is currently under construction for the applied use with valid planning permission under application No. A/YL-HTF/1133 until 10.6.2025 (**Plans A-2, A-4a and A-4b**). Noting the differences in site area (reduction by about 7%) and the increased extent of land filling (about 23%) between the current application and previous application No. A/YL-HTF/1133 which are detailed in paragraph 1.5 below, the current application would be regarded as a fresh application.
- 1.2 According to the applicant, the current application is to facilitate the relocation

of five existing open storage/storage operations at various lots in D.D. 124, Hung Shui Kiu affected by the land resumption and clearance exercise under the Second Phase development of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). The proposed area of the current application (i.e. about 77,682m²) is of similar size as the area occupied by the current operations (i.e. about 89,301m²).

- 1.3 The Site can be accessed via a local track leading from Kai Pak Ling Road (**Plans A-2 and A-3**). According to the applicant, the applied use is for open storage of new vehicles (private cars), construction materials, machineries and equipment and storage of tools and parts with ancillary site office. In addition, filling of land and pond with a depth of 0.4 to 2.5m using soil will be taken place at majority of the Site (about 96% of the Site). With the proposed use of heavy goods vehicles (HGVs)¹, the applicant would implement road improvement works at Kai Pak Ling Road and nearby local tracks. The applicant would also provide landscape buffer with a width of 5 to 25m and preservation of 101 existing trees and planting of 270 new heavy standard trees, as well as noise barrier along the periphery of the Site to mitigate the landscape and environmental impacts. Indicative site layout plan, site formation plan, landscape proposal, drainage layout plan, noise barrier proposal, vehicular access plan and road improvement layout plans submitted by the applicants are at **Drawings A-1 to A-7c** respectively.
- 1.4 The Site is involved in seven previous applications (No. A/YL-HT/414, 506, 730 and A/YL-HTF/1083, 1091, 1106 and 1133) for various uses, including three applications involving open storage use. Applications No. A/YL-HT/730 and A/YL-HTF/1083 were rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 2011 and 2017 respectively, while application No. A/YL-HTF/1133 was approved with conditions by the Committee in 2022 (details at paragraph 6 below).
- 1.5 Compared with the approved application No. A/YL-HTF/1133, the current application is submitted by the same applicant for the same use with largely the same layout, a reduced site area² (-5,986m², or about 7%) and an increased extent of land filling (+11,238m², or about 23%) (**Drawing A-2**). A comparison of the major development parameters of the previous application and the current application is as follows:

Major Development Parameters	Previously Approved Application No. A/YL-HTF/1133 (a)	Current Application No. A/YL-HTF/1166 (b)	Difference (b) – (a)
Proposed/ Applied Use	Proposed Temporary Open Storage of New	Temporary Open Storage of New Vehicles (Private	No Change

¹ The applicant indicates that no container trailers will be used.

² Due to the excision of two areas to the east and west of the Site (**Plan A-1**).

	Vehicles (Private Cars), Construction Materials, Machineries, Equipment and Storage of Tools and Parts with Ancillary Site Office for a Period of 3 Years and Filling of Land and Pond	Cars), Construction Materials, Machineries, Equipment and Storage of Tools and Parts with Ancillary Site Office for a Period of 3 Years and Filling of Land and Pond	
Site Area	about 83,668m ² (including GL of about 4,070m ²)	about 77,682m ² (including GL of about 3,562m ²)	-5,986m ² (about 7%)
Extent of filling			
- Land	about 48,235m ²	about 59,473m ²	+11,238m ² (about 23%)
- Pond	about 15,398m ²	about 15,398m ²	No change
Depth of filling			
- Land	0.1 to 2.5m	0.4 to 2.5m	No change to maximum depth of filling
- Pond	0.1 to 2.5m	1.3 to 2.5m	
Total Floor Area	about 1,352.1m ²		No change
No. of Structures	36 (for storage, site office, electricity room, staff rest area, security control room, guard kiosk and toilet uses)		No change
Height of Structures	2.4 to 7.2m (1 to 3 storeys)		No change
Parking Spaces	8 for private cars (5m x 2.5m) and 2 for HGVs (11m x 3.5m)		No change
Loading/Unloading Spaces	6 for HGVs (11m x 3.5m)		
Operation Hours	7:00 a.m. to 11:00 p.m. from Mondays to Saturdays and no operation on Sundays and public holidays		No change

1.6 In support of the application, the applicant submitted the following documents:

- (a) Application Form with attachment received on (Appendix I)
11.1.2024
- (b) Planning Statement (Appendix Ia)
- (c) Supplementary Information (SI) received on (Appendix Ib)
16.1.2024
- (d) Further Information (FI) received on 14.2.2024* (Appendix Ic)

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|-----|---------------------------|---------------|
| (e) | FI received on 19.2.2024* | (Appendix Id) |
| (f) | FI received on 21.2.2024* | (Appendix Ie) |

**accepted and exempted from publication and
recounting requirements*

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Planning Statement, SI and FI at **Appendices Ia to Ic** respectively. They can be summarised as follows:

- (a) The current application is to facilitate the relocation of five existing operations which will be displaced by the Second Phase development of the HSK/HT NDA.
- (b) For the previously approved application (No. A/YL-HTF/1133), the applicant has made genuine efforts to comply with the approval conditions. All submission-related approval conditions have been complied with. However, the complexity of the construction works and sequencing as well as the extensive nature of the Site have posed challenges in adhering to the compliance deadlines for implementation. As at January 2024, the site formation works have been substantially completed and the applicant is actively carrying out the implementation works in relation to the approval conditions, with anticipated completion in March 2024.
- (c) The Site is identified as the most suitable relocation site for the applicant back in 2022 after an extensive site selection process. Since the five existing sites in HSK are to be resumed by the Government from mid-2024 progressively, the applicant has been making the necessary arrangements to facilitate relocation upon approval of the previous application. It is anticipated that the construction works at the Site will be completed by March 2024 and the applicant can kickstart the relocation process, which would take several months. The current early renewal application is intended to reduce uncertainty in relocation and facilitate smooth clearance for implementation of the HSK/HT NDA, while providing space for brownfield operations still needed by the community.
- (d) The nature of the current application is the same as that of the previous application. The overall physical setting surrounding the Site is also very similar.
- (e) Due to archaeological constraints, as proposed in the accepted Archaeological Impact Assessment (AIA) for compliance with approval condition under the previous application, only land filling will be conducted for site formation and no excavation or foundation works will be involved. Hence, the extent of land filling has been increased in the current application.
- (f) Proposals accepted under the previous application are still valid and applicable to the current application. No adverse traffic, drainage, environmental,

landscape, visual and archaeological impacts are anticipated.

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

The applicant is not the “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. 31B) by publishing newspaper notices and sending registered post to the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements under TPB PG-No. 31B” are not applicable to the GL portion.

4. Background

The Site is currently not subject to any planning enforcement action.

5. Town Planning Board Guidelines

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. 13G) are relevant to the application. The Site is located within Category 3 areas under the prevailing TPB PG-No. 13G promulgated on 14.4.2023. Relevant extract of the Guidelines is at **Appendix II**.

6. Previous Applications

- 6.1 The Site is involved in seven previous applications (No. A/YL-HT/414, 506, 730 and A/YL-HTF/1083, 1091, 1106 and 1133) for various uses, including three applications involving open storage use. Details of the applications are summarised at **Appendix III** and the locations are shown on **Plan A-1**.

Approved Applications

- 6.2 Application No. A/YL-HTF/1133 for temporary open storage of new vehicles (private cars), construction materials, machineries, equipment and storage of tools and parts with ancillary site office and filling of land and pond was approved with conditions by the Committee in 2022 mainly on considerations that the development is in line with the then TPB PG-No. 13F in that the application had obtained policy support from the Development Bureau as it was to accommodate brownfield operations affected by the development of HSK/NT NDA; not incompatible with the surrounding areas; concerned government departments generally had no objection to the application and/or the technical concerns could be addressed by approval conditions. While all time-limited approval conditions related to the submission of various proposals/assessments, including landscape, drainage, road improvement, fire service installations (FSIs) and archaeological, as well as the provision of fire extinguishers have

been complied with, those related to implementation of the accepted proposals³ have yet been complied with. The planning permission is valid until 10.6.2025.

- 6.3 Applications No. A/YL-HTF/1091 and 1106 for temporary hobby farm were approved with conditions by the Committee in 2018 and 2020 respectively and subsequently revoked. The considerations for these applications are not relevant to the current application, which involves a different use.

Rejected Applications

- 6.4 Applications No. A/YL-HT/730 and 1083 for temporary open storage use was rejected by the Committee in 2011 and 2017 respectively mainly on grounds that the development was incompatible with the surrounding areas; not in line with the then TPB PG-No. 13E in that there was no previous approval for the site, adverse departmental comments and failure to demonstrate that the development would not have adverse traffic, ecological, drainage, landscape and/or environmental impacts on the surrounding areas.
- 6.5 Applications No. A/YL-HT/414 and 506 for temporary racing circuit use and filling of land for agricultural use were rejected by Committee in 2005 and 2007 respectively. The considerations for these applications are not relevant to the current application, which involves a different use.

7. Similar Applications

- 7.1 There are three similar applications involving open storage/storage use within the same “AGR” zone in the past five years. Details of the applications are summarised at **Appendix III** and the locations are shown on **Plan A-1**.

Approved Applications

- 7.2 Applications No. A/YL-HTF/1150 and 1155 located at the eastern end of the subject “AGR” zone involving temporary open storage use were both approved by the Committee in 2023 mainly on considerations that the development was in line with TPG PG-No. 13F/G; not incompatible with the surrounding areas; concerned government departments generally had no objection to the application and/or the technical concerns could be addressed by approval conditions.

Rejected Application

- 7.3 Application No. A/YL-HTF/1160 involving temporary storage use was rejected by the Committee in 2023 mainly on consideration that the development is not in line with the planning intention of the “AGR” zone and there is no strong justification for a departure.

³ Time-limited approval conditions including the provision of boundary fencing and noise barrier, as well as the implementation of revised landscape proposal, detailed road improvement proposal and associated engineering works, FSIs and mitigation measures identified in the drainage impact assessment and AIA, have not yet been complied with.

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

8.1 The Site is:

- (a) under construction for the applied use with valid planning permission under application No. A/YL-HTF/1133;
- (b) accessible via a local track from Kai Pak Ling Road; and
- (c) situated within the Fu Tei Au Site of Archaeological Interest.

8.2 The surrounding areas are predominated by vacant/unused land, ponds, intermixed with residential dwellings and areas used for open storage/storage. Some of the uses are suspected unauthorized developments subject to planning enforcement action.

9. Planning Intention

9.1 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.

9.2 According to the Explanatory Statement of the OZP, as filling of land/pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities in the subject “AGR” zone.

10. Comments from Relevant Government Bureau/Departments

10.1 Apart from the government bureau/department as set out in paragraphs 10.2 and 10.3 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices IV and V** respectively.

10.2 The following government bureau supports the application:

Policy Support

Comments of the Secretary for Development (SDEV):

- (a) the application is to facilitate relocation of five existing open storage/storage operations which will be displaced by the Second Phase development of the HSK/NT NDA (the NDA project). It is noted that the Site involved a previously approved application, and policy support was granted to facilitate smooth clearance for the NDA project; and
- (b) according to concerned departments, the applied use is generally not

incompatible with the surrounding areas and would not create insurmountable impacts in technical terms subject to imposition of appropriate approval conditions. To facilitate smooth clearance for the NDA project and the provision of operating space for displaced brownfield operations still needed by the community, the application is supported from the policy perspective.

10.3 The following government department does not support the application:

Environment

Comments of the Director of Environmental Protection (DEP):

- (a) according to the applicant, there would be two parking spaces for HGVs and six loading and unloading bays for HGVs within the Site. As there are several village houses located within 100m from the site boundary with nearest one right next to the Site (**Plan A-2**), environmental nuisance will be expected from the traffic of heavy vehicles. Therefore, he does not support the application;
- (b) there are six substantiated environmental complaints regarding air quality pertaining to the Site in the past three years; and
- (c) should the application be approved, the following approval condition should be considered:

noise barrier proposed by the applicant should be erected on the Site.

11. Public Comments Received During the Statutory Publication Period

On 19.1.2024, the application was published for public inspection. During the statutory public inspection period, 135 public comments were received, including 132 supporting comments from individuals (**Appendix VIIa**), one objecting comment from an individual (**Appendix VIIb**), and two comments providing views from a District Councillor and an individual (**Appendix VIIc**). The comments/views are summarised as follows:

Supporting views (132 comments)

- (a) the development is temporary in nature;
- (b) the development will accommodate the relocation of open storage facilities affected by land resumption/clearance under the development of the HSK/HT NDA;
- (c) the Site is located near the Shenzhen Bay Bridge and is considered suitable for open storage use;
- (d) there are open storage and similar uses in the locality. The development is also

not located in close proximity to residential clusters;

- (e) the Site comprises abandoned farmland and is underutilised. The development will better utilise the Site for economic development; and
- (f) the development would not have adverse environmental and traffic impacts on the surrounding areas. Landscaping/greening has also been proposed to beautify the local environment.

Objecting views (1 comment)

- (g) adverse drainage and geotechnical impacts on surrounding areas arising from the extensive land filling works at the Site have been observed.

Providing views (2 comments)

- (h) indicated no comment on the application; and
- (i) the current application should be considered by the Committee in April 2024 to ensure full compliance with approval conditions under the previous application (No. A/YL-HTF/1133).

12. Planning Considerations and Assessments

- 12.1 The application is for renewal of planning approval for temporary open storage of new vehicles (private cars), construction materials, machineries, equipment and storage of tools and parts with ancillary site office for a period of three years and filling of land and pond at the Site zoned “AGR” on the OZP⁴. Although the applied use is not in line with the planning intention of the “AGR” zone, the Director of Agriculture, Fisheries and Conservation (DAFC) has no strong view on the application. Taking into consideration the planning assessments below, the applied use on a temporary basis of three years could be tolerated.
- 12.2 According to the applicant, the application is to facilitate the relocation of existing business operations affected by the Second Phase development of the HSK/HT NDA. The applicant has undergone a thorough site-selection process before identifying the Site as the most suitable relocation site. The Site is highly accessible and the size of the Site (i.e. about 77,682m²) is comparable to its current operations (i.e. about 89,301m²). To facilitate smooth clearance for the HSK/HT NDA and provide operating space for displaced brownfield operations still needed by the community, SDEV supports the application from the policy perspective.
- 12.3 Filling of land and pond within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage impact on the adjacent areas and adverse impact on the natural environment. As compared with the approved application No. A/YL-HTF/1133, while the extent of filling of pond

⁴ As explained in paragraph 1.1 above, the application will be considered as a fresh application.

remains unchanged, the applicant proposes to increase the extent of filling of land by 11,238m² (about 23%) due to archaeological constraints and in accordance with the accepted AIA under application No. A/YL-HTF/1133. In this regard, the Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) and DAFC have no objection or adverse comment from drainage and nature conservation perspectives.

- 12.4 The Site is situated in an area of rural landscape character predominated by open storage yards, vacant land, village houses and ponds. The applied use is considered generally not incompatible with the surrounding areas. The applicant would also implement a landscape buffer at the periphery of the Site with preservation of 101 existing trees within the Site and planting of 270 new heavy standard trees to mitigate the landscape impact. In this regard, the Chief Town Planner/Urban Design & Landscape of Planning Department (CTP/UD&L, PlanD) has no comment from landscape planning perspective.
- 12.5 DEP does not support the application as there are sensitive receivers of residential use in the vicinity of the Site and the applied use will cause traffic of heavy vehicles and hence environmental nuisance is expected. He also advises that there are six substantiated complaints related to air quality pertaining to the Site in the past three years. Other relevant departments, including the Commissioner for Transport, CE/MN, DSD, Director of Fire Services, Head of Geotechnical Engineering Office of Civil Engineering and Development Department and Antiquities and Monuments Office of Development Bureau have no objection to or no adverse comment on the application from traffic, drainage, fire safety, geotechnical and archaeological perspectives. To minimise potential environmental nuisances and to address the technical requirements of concerned government departments, appropriate approval conditions, including restriction on operation hours as well as provision of noise barrier and boundary fencing, are recommended in paragraph 13.2 below. While it is noted that approval conditions requiring the submission of relevant proposals/assessments have been complied with under the previous application (No. A/YL-HTF/1133) as detailed in paragraph 6.2 above, since the current application is considered as a fresh application, approval conditions requiring the submission of the relevant proposals/assessments for the current application are also recommended. Should the application be approved, the applicant will be advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites'.
- 12.6 The Site falls within Category 3 areas under TPB PG-No. 13G. Taking into account the policy support given by SDEV, a previous approval for the same use has been granted at the Site and the applicant has made genuine efforts to comply with the approval conditions, no major adverse departmental comments and local objections have been received on the application and the concerns of relevant government departments can be addressed through the imposition of approval conditions, sympathetic consideration can be given to the current application.
- 12.7 The Committee has previously approved an application covering the Site for the same use with policy support in 2022, as well as two similar applications within

the same “AGR” zone in 2023. The current application is similar to the previous application except for the reduction in site area and increased extent of land filling. Taking into account the justifications provided by the applicant, policy support given by SDEV, previous approval granted and the assessment on TPB PG-No. 13G in paragraph 12.6 above, approval of this application is not in conflict with the previous decisions of the Committee.

- 12.8 There were 135 public comments received during the statutory publication period, with 132 supporting the application, one objecting the application and two providing views, as summarised in paragraph 11. The planning considerations and assessments in paragraphs 12.1 to 12.7 above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, the Planning Department considers that the temporary open storage of new vehicles (private cars), construction materials, machineries, equipment and storage of tools and parts with ancillary site office and filling of land and pond could be tolerated for a period of three 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 three years until 1.3.2027. 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 container trailer is allowed to enter/exit or to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (d) the provision of landscape buffer area, as proposed by the applicant, at all times during the planning approval period;
- (e) the provision of boundary fencing on the site within **6 months** from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 1.9.2024;
- (f) the provision of noise barrier, as proposed by the applicant, on the site within **6 months** from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 1.9.2024;

- (g) the submission of a 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 **1.9.2024**;
- (h) in relation to (g) 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 **1.12.2024**;
- (i) the submission of a drainage impact assessment 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 **1.9.2024**;
- (j) in relation to (i) above, the implementation of the mitigation measures identified in the drainage impact assessment 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 **1.12.2024**;
- (k) in relation to (j) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (l) the submission of a detailed road improvement proposal and associated engineering drawings within **6 months** from the date of planning approval to the satisfaction of the Commissioner for Transport, Director of Highways and Head of Geotechnical Engineering Office of Civil Engineering and Development Department or of the Town Planning Board by **1.9.2024**;
- (m) in relation to (l) above, the implementation of the detailed road improvement proposal and associated engineering works within **9 months** from the date of planning approval to the satisfaction of the Commissioner for Transport, Director of Highways and Head of Geotechnical Engineering Office of Civil Engineering and Development Department or of the Town Planning Board by **1.12.2024**;
- (n) in relation to (m) above, the implemented road improvement works shall be maintained at all times during the planning approval period;
- (o) no operation of the proposed development before the implementation of the road improvement works;
- (p) the provision of fire extinguisher(s) 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 **12.4.2024**;
- (q) 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 **1.9.2024**;
- (r) in relation to (q) 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 **1.12.2024**;

- (s) the submission of an archaeological impact assessment within **6 months** from the date of planning approval to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board by **1.9.2024**;
- (t) the implementation of the mitigation measures identified in the archaeological impact assessment within **9 months** from the date of planning approval to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board by **1.12.2024**;
- (u) if any of the above planning condition (a), (b), (c), (d), (k), (n) or (o) 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;
- (v) if any of the above planning condition (e), (f), (g), (h), (i), (j), (l), (m), (p), (q), (r), (s) or (t) 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
- (w) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory clauses

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

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

the applied use and filling of land and pond are not in line with the planning intention of the "AGR" zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. No strong planning justification has been given 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 reason(s) for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form with Attachment received on 11.1.2024
Appendix Ia	Planning Statement
Appendix Ib	SI dated 16.1.2024
Appendix Ic	FI dated 14.2.2024
Appendix Id	FI dated 19.2.2024
Appendix Ie	FI dated 21.2.2024
Appendix II	Extract of TPB PG-No. 13G
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	'Good Practice for Open Storage Sites' issued by the Fire Services Department
Appendices VIIa, VIIb and VIIc	Public Comments
Drawing A-1	Indicative Site Layout Plan
Drawing A-2	Site Formation Plan
Drawing A-3	Landscape Proposal
Drawing A-4	Drainage Layout Plan
Drawing A-5	Noise Barrier Proposal
Drawing A-6	Vehicular Access Plan
Drawings A-7a to A-7c	Road Improvement Layout Plans
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
MARCH 2024**