

RNTPC Paper No. A/YL-KTN/657B
For Consideration by
the Rural and New Town
Planning Committee
on 3.1.2020

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/657

- Applicant** : Mr. SZE Yat-ming
- Site** : Lots 1284, 1285, 1286, 1287, 1288 (Part) and 1289 (Part) in D.D. 107 and Adjoining Government Land, Fung Kat Heung, Kam Tin, Yuen Long
- Site Area** : About 7,137m² (including Government Land of about 1,124 m² (about 15.7%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9
- Zoning** : “Agriculture” (“AGR”) (63 %)
“Industrial (Group D)” (“I(D)”) (27%)
[a maximum plot ratio of 1.6, a maximum site coverage of 80% and a maximum building height of 13m]
“Conservation Area” (“CA”) (10%)
- Application** : Proposed Temporary Private Club 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 private club for a period of 3 years. The Site straddles three zones on the OZP, i.e. “AGR”, “I(D)” and “CA”. According to the Notes of the OZP, temporary use not exceeding a period of three years requires planning permission from the Town Planning Board (the Board), notwithstanding that the use or development is not provided for in terms of the OZP. The Site is not the subject of any previous application and is currently fenced, partly covered by grass and partly formed with some structures (**Plans A-2 to A-4b**).

- 1.2 According to the applicant, the proposed private club comprises 6 temporary structures with details below (**Drawing A-1**):

Structure (s)	Use	GFA (m ²)	Height (m)
1	Storage of tools	60	Not exceeding 3.5 (1-storey)
2	Storage of goods	20	
3	Reception and resting area with open shed	185	
4	Storage room	40	
5	Storage of plant seedling and farming tools	25	
6	Resting room	170	
Total:		500	N/A

The open area of the Site will be partly for farming and partly used for outward bound facilities for shooting/obstacle race activities for registered members of the club or other organizations. The percentage of site area for farming and outward bound activities is 30% each. There will be no facilities at the northern part of the Site designated as 'no-build' zone (**Plan A-2**). Four parking spaces for private car will be provided at the Site. There will be no vehicle exceeding 5.5 tonnes entering the Site. The Site is accessible from Fung Kat Heung Road via a local track. The operation hours are between 9 a.m. to 6 p.m. daily, including public holidays. The layout plan for the development and access plan are at **Drawings A-1** and **A-2**.

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

- (a) Application form with plans received on 15.4.2019 **(Appendix I)**
- (b) Further Information (FI) received on 23.7.2019 providing responses to departmental comments *[exempted from publication]* **(Appendix Ia)**
- (c) FI received on 4.11.2019 providing responses to departmental comments *[exempted from publication]* **(Appendix Ib)**
- (d) FI received on 5.12.2019 providing responses to departmental comments *[exempted from publication]* **(Appendix Ic)**
- (e) FI received on 13.12.2019 providing responses to departmental comments *[exempted from publication]* **(Appendix Id)**

- 1.4 At the request of the applicant, the Rural and New Town Planning Committee (the Committee agreed to defer consideration of the application on 31.5.2019 and 20.9.2019 to allow time for the applicant to prepare FI to address the departmental comments. After the deferral requests, the applicant had submitted FIs in response to departments' comments. The application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Section 9 of the application form in **Appendix I** and FI in **Appendices Ia to Id**. They can be summarized as follows:

The Site was previously an outward bound centre. Upon approval of the planning application, temporary structures within the Site will be demolished and rebuilt with durable materials, e.g. zinc-coated steel sheets, for the applied use.

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

The applicant is not a “current land owner” of the private land portion of the Site but has complied with the requirement as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting site notice and sending notice to the Kam Tin Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection. For the Government land portion, the “Owner’s Consent/Notification” Requirements are not applicable.

4. Background

The Site is subject to on-going enforcement action (No. E/YL-KTN/438). An Enforcement Notice was issued to the concerned parties on 25.4.2018 requiring the discontinuation of the Unauthorized Development (UD) involving the use for war game centre. Site inspections revealed that the UD was subsequently discontinued and the Compliance Notice was issued on 13.3.2019. Reinstatement Notice (RN) was issued on 19.3.2019 requiring the reinstatement of the concerned areas, including removal of leftovers, debris and miscellaneous objects, hard paving and grass the area. Since the requirements of the RN have not been fully complied with, the concerned parties may be subject to further enforcement/prosecution action.

5. Previous Application

The Site is not subject to any previous application.

6. Similar Application

- 6.1 There is no similar application for private club within the same “AGR”, “I(D)” and “CA” zones on the OZP.
- 6.2 There are one application for temporary war game centre (A/YL-KTN/178) and one application for temporary outward bound training centre (A/YL-KTN/223) for 3 years at a site in the same “AGR” and “CA” zones near the Site. Both applications were rejected by the Committee or the Board on review in 2003 and 2005 respectively and mainly on the grounds that the development was not in line with the planning intentions of “CA” and “AGR” zones; the development was not compatible with the surrounding rural character; there was no detailed information on the operation of the proposed development including the boundary of war game activities/outward bound training centre; there was no information to demonstrate that the development would not generate adverse environmental, drainage and/or traffic impacts on the surrounding areas; and approval of the application would set an undesirable precedent for other similar recreational uses to proliferate into the “CA” and “AGR” zones. The applicant of the latter application submitted an appeal to the Board’s decision, which was dismissed by the Appeal Board on 23.1.2007 on the grounds, among others, that the development was not in line with the planning intentions of both “CA” and “AGR” zones and was not compatible with the surrounding rural character in the vicinity and the Lam Tsuen Country Park. Details of the applications are summarized in **Appendix II** and their locations are shown on **Plan A-1**.

7. The Site and Its Surrounding Areas (Plans A-1a and A-4b)

- 7.1 The Site is:
- (a) fenced, partly covered by grass and partly formed with some structures; and
 - (b) accessible from Fung Kat Heung Road via a local track.
- 7.2 The surrounding areas are natural and rural in character intermixed with vegetated land, residential dwellings/structures, scattered open storage/storage yards and vacant/unused land (**Plan A-2**). The open storage yards are suspected unauthorized developments subject to enforcement action by the Planning Authority.
- (a) to the northeast is an area zoned “CA” occupied by vegetated unused land and some obstacles possibly for war game use;
 - (b) to the southeast and south are residential dwellings/structures, storage/open storage yards, ruins and unused land. A proposed hobby

farm (currently vacant) with planning permission is located at its further southwest; and

- (c) to its west and northwest is a stream course and further west and northwest are an area partly zoned “I(D)” and partly zoned “AGR” with some residential dwellings/structures, storage/open storage yards and unused land.

8. Planning Intentions

- 8.1 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.
- 8.2 The planning intention of the “I(D)” zone is primarily for industrial uses that cannot be accommodated in conventional flatted factories due to extensive land and/or high ceiling requirements. It is also intended for the redevelopment of existing informal industrial uses, which are operated in workshop premises in rural area, to properly designed permanent industrial buildings.
- 8.3 The planning intention of the “CA” zone is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

9. Comments from Relevant Government Departments

- 9.1 The following Government departments have been consulted and their views on the application 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 Government Land (GL) and Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
 - (b) No permission is given for occupation of GL (about 1,124m²)

subject to verification) included in the Site. The applicant's attention is drawn to the fact that any occupation of GL without Government's prior approval is not allowed.

- (c) The Site is accessible from Fung Kat Heung Road via GL and private land. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site.
- (d) The Site falls within Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structure shall not exceed the relevant airfield height limit within SKAHRA.
- (e) Should planning approval be given to the planning application, the lot(s) owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularity on site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Furthermore, the applicant has to either exclude the GL portion from the Site or apply for a direct grant Short Term Tenancy for use of the Site. Applications for any of the above will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD.

Traffic

9.1.2 Comments of Commissioner for Transport (C for T):

- (a) He has no comment on the application from traffic engineering perspective.
- (b) Should the application be approved, approval condition on no vehicle is allowed to queue back to or reverse onto / from public road at any time during the planning approval period should be included.
- (c) The Site is connected to the public road network via a section of a local access road which is not managed by Transport Department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.

9.1.3 Comments of Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD):

- (a) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to the nearby public roads/drains.
- (b) His department shall not be responsible for the maintenance of any access connecting the Site and San Tam Road.

Agriculture and Nature Conservation

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

- (a) The Site falls within the “AGR”, “CA” and “I(D)” zones. Upon site inspection, the Site is an abandoned land with some temporary structures. Agricultural activities are active in the vicinity and agricultural infrastructures are also available. The Site can be used for agricultural activities such as greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the application is not supported from agricultural point of view.
- (b) According to recent aerial photos in early 2018, several matures trees are found in the north-eastern parcel of the Site. He also notices that there is a stream adjacent to the Site. As only a minor part of the Site falls within the “CA” zone which is a disturbed area, he does not have a strong view on the application from nature conservation point of view. However, should the application be approved, the applicant is advised to adopt appropriate measures to avoid causing disturbance or pollution to the adjacent “CA” zone. Trees on GL within or adjacent to the Site should also be preserved. In addition, the applicant should also adopt necessary measures to avoid causing pollution or disturbance to the stream nearby.

Environment

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

- (a) He has no objection in principle to the application from environmental point of view.
- (b) The applicant is reminded that effluent discharges from the proposed use are subject to control under the Water Pollution Control Ordinance. It is the obligation of the applicant to meet all

statutory requirements under relevant pollution control ordinances and provide necessary mitigation measures to prevent polluting the watercourse adjacent to the Site.

- (c) Given that the proposed use belongs to uses under the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site” (the COP), the applicant is required to observe/follow the requirements stipulated in the COP.
- (d) There is no environmental complaint concerning the Site received in the past 3 years.

Landscape

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

- (a) She has no objection to the applications from the landscape planning perspective.
- (b) With reference to the aerial photo taken in 2018, the Site is situated in an area of rural landscape character. To the northwest of the Site in “I(D)” zone, there are some temporary structures. To the south of the Site, there are some abandoned fields in “AGR” zone. Similar temporary use of hobby farm (Application No. A/YL-KTN/626) is observed in the same “AGR” zone, which was approved by the Committee in 2019. To further north and further south of the Site in “CA” zone, there are clustered tree groups. According to the aerial photo taken in 2001, the structure located at the northeastern corner of the Site in “CA” zone was already existed. The proposed use is not incompatible with landscape setting in proximity.
- (c) According to the site visit conducted on 3.9.2019, part of the Site was hard paved and temporary structures were erected within the Site. Existing trees of common species were mainly found at the northwestern part, southwestern boundary and southern corner of the Site. With reference to the proposed layout plan and the application form, existing trees will not be in conflict with the proposed development and tree felling will not be involved. Further significant adverse landscape impact arising from the developments is not anticipated.
- (d) In consideration that there is no prominent public frontage around the Site, should the application be approved by the Board, landscape condition in planning permission is not recommended as its effect on enhancing the quality of public realm is not apparent.

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) Should the application be approved, approval conditions requiring the submission, implementation and maintenance of drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the Board should be included. The drainage proposal should include measures not to disturb the adjacent existing watercourse.

Fire Safety

9.1.8 Comments of the Director of Fire Services (D of FS):

- (a) He has no in principle objection 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 layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSI to be installed should be clearly marked on the layout plans.
- (c) 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

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

- (a) As there is no record of approval by the Building Authority for existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) If the existing structures (not being New Territories Exempted Houses) are erected on leased land without the approval of BD,

they are unauthorized building works (UBW) under the BO and should not be designated for any proposed use under the application.

- (c) For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO.
- (d) Before any new building works (including containers/open sheds as temporary buildings and land filling) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (e) The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively.
- (f) If the Site does not abut 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.
- (g) If the proposed use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.

Water Supply

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

- (a) He has no objection to the application.
- (b) Existing water mains will be affected as shown on **Plan A-2**. A waterworks reserve within 1.5m from the centreline of the water mains shall be provided to WSD.
- (c) No structure shall be built or materials stored within the waterworks reserve. Free access shall be made available at all times for staff of the Director of Water Supplies or their

contractor to carry out construction, inspection, operation, maintenance and repair works.

- (d) No trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main shown on **Plan A-2**.
- (e) Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site.

Geotechnical

9.1.11 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) The Site is overlooked by steep natural terrain at the northern side and meets the alert criteria for a natural terrain hazard study (NTHS). Therefore, the applicant is required to carry out a NTHS and implement suitable mitigation measures, if found necessary. However, the requirement of a NTHS could incur significant cost implication and render the proposed development not economically viable.
- (b) Given the temporary nature of the proposed use, as an alternative to the study of natural terrain hazards and provision of hazard mitigation measures, the northern part of the Site maybe designated as a 'no-build' zone, within which no critical facilities (i.e. facilities under Group 1 to 3 in **Appendix III**) should be located. The proposed extent of the 'no-build' zone is shown in **Plan A-2**. With the inclusion of the 'no-build' zone, the requirement for NTHS may be waived.

Food and Environmental Hygiene

9.1.12 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) If the proposal involves any commercial/trading activities, its state should not be a nuisance or injurious or dangerous to health and surrounding environment. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses.
- (b) Proper licence and/or permit issued by FEHD is required if any food business and/or activities related to place of entertainment is involved:
 - (i) For the operation of any types of food business, relevant

food licence(s) and/or permit(s) should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132).

- (ii) Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement. A Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment.

District Office's Comments

9.1.13 Comments of the District Officer (Yuen Long) (DO(YL)):

He has not received any comment from the locals and has no comment on the application.

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

- (a) Director of Leisure and Cultural Services;
- (b) Director of Electrical and Mechanical Services;
- (c) Project Manager (West), CEDD; and
- (d) Commissioner of Police.

10. Public Comments Received During Statutory Publication Period

10.1 On 26.4.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, four comments from World Wide Fund for Nature Hong Kong, Kadoorie Farm & Botanic Garden Corporation, The Hong Kong Bird Watching Society and an individual were received (**Appendices III-1 and III-4**).

10.2 All commenters object the application mainly on the grounds that part of the proposed use is not in line with the planning intention of "CA" and "AGR" zones and incompatible with the surrounding natural features and rural environment; war game activities inflict considerable damage on the land due to extensive use of plastic pellets; the Site has been involved in enforcement action and subject to

“destroy first, building later”; and approval of the application would set an undesirable precedent.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary private club for a period of three years at a Site falling within “AGR” (63%), “I(D)” (27%) and “CA” (10%) zones. The planning intention of the “AGR” zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The planning intention of the “I(D)” zone is for industrial uses that cannot be accommodated in conventional flatted factories due to extensive land and/or high ceiling requirements and for the redevelopment of existing informal industrial uses to properly designed permanent industrial buildings. The planning intention of the “CA” zone is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in “CA” zone. The proposed private club is to provide outward bound facilities and farming for registered members of the club or other organizations. The development is not in line with the planning intentions of the “AGR”, “CA” and “I(D)” zones. While part of the Site is proposed for farming use, DAFC does not support the application from agricultural point of view. No strong planning justification has been given in the submission to justify a departure from the planning intentions, even on a temporary basis.
- 11.2 The Site forms part of a “CA” zone covered with dense vegetation, and the Lam Tsuen Country Park is located on the further north (**Plan A-1**). The proposed private club including shooting/obstacle race activities is not compatible with the natural and rural character of the surrounding areas which comprise vegetated land, residential dwellings/structures and unused/vacant land. The concerned departments including DAFC, DEP, CTP/UD&L of PlanD, C for T and CE/MN of DSD have no objection to or adverse comments on the application.
- 11.3 There is no previous and similar application for temporary private club within the same “AGR”, “I(D)” and “CA” zones. Approving the application would set an undesirable precedent, in particular the areas zoned “AGR” and “CA” within these zones. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.
- 11.4 Four public comments were received during the statutory consultation period objecting to the application as stated in paragraph 10 above. In this regard, the relevant government departments’ comments and planning considerations and assessment above are relevant.

12. Planning Department's Views

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

- (a) the proposed development is not in line with the planning intentions of the "AGR", "CA" and "I(D)" zones. The planning intention of the "AGR" zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purpose, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The planning intention of the "CA" zone is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in "CA" zone. The planning intention of the "I(D)" zone is for industrial uses that cannot be accommodated in conventional flatted factories due to extensive land and/or high ceiling requirements and for the redevelopment of existing informal industrial uses to properly designed permanent industrial buildings. No strong planning justification has been given in the submission to justify a departure from the planning intentions, even on a temporary basis; and
- (b) approval of the application would set an undesirable precedent for similar applications within the "AGR" and "CA" zones. The cumulative effect of approving such applications would result in 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 3.1.2023. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the existing boundary fence on the Site shall be maintained at all times during the planning approval period;
- (d) the submission of 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 3.7.2020;

- (e) in relation to (d) above, the implementation of 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 3.10.2020;
- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) 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 3.7.2020;
- (h) in relation to (g) 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 3.10.2020;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (d), (e), (g) or (h) 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
- (k) 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. 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 reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 13.3 Alternatively, 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. Attachments

Appendix I	Application form with plans received on 15.4.2019
Appendix Ia	FI received on 23.7.2019
Appendix Ib	FI received on 4.11.2019
Appendix Ic	FI received on 5.12.2019
Appendix Id	FI received on 13.12.2019
Appendix II	Applications for temporary war game centre and outward bound training centre in the same “AGR” and “CA” zones on the Kam Tin North OZP
Appendix III	Comments of H(GEO), CEDD – Grouping of Facilities
Appendices IV-1 and IV-4	Public comments received during statutory publication period
Appendix V	Advisory clauses
Drawing A-1	Layout Plan
Drawing A-2	Access Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photos
Plan A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
JANUARY 2020**