

**Relevant Extracts of Town Planning Board Guidelines No.34B on
'Renewal of Planning Approval and Extension of Time for Compliance
with Planning Conditions for Temporary Use or Development'
(TPB PG- No. 34B)**

1. The criteria for assessing applications for renewal of planning approval include:
 - (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
 - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
 - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
 - (d) whether the approval period sought is reasonable; and
 - (e) any other relevant considerations.
2. Under normal circumstances, the approval period for renewal should not be longer than the original validity period of the temporary approval. In general, the Board is unlikely to grant an approval period exceeding three years unless there are strong justifications and the period is allowed for under the relevant statutory plans. Depending on the circumstances of each case, the Board could determine the appropriate approval period, which may be shorter than the time under request.



Previous Applications covering the Application Site

Approved Applications

| | Application No. | Proposed Uses | Date of Consideration (RNTPC/TPB) | Approval Conditions |
|----|-----------------|---|---|---|
| 1. | A/YL-SK/161 | Temporary Camping Ground for Meditation Use for a Period of 3 Years | 26.11.2010 (Approved by the RNTPC for 1 year up to 26.11.2011) | (1), (2), (3), (4), (5), (6), (8), (9) |
| 2. | A/YL-SK/165 | Renewal of Planning Approval for Temporary "Camping Ground for Meditation Use" for a Period of 1 Year | 18.11.2011 (Approved by the RNTPC for 1 year up to 26.11.2012) | (1), (2), (3), (4), (5), (6), (8), (9) |
| 3. | A/YL-SK/176 | Renewal of Planning Approval for Temporary "Camping Ground for Meditation Use" for a Period of 1 Year | 9.11.2012 (Approved by the RNTPC for 1 year up to 26.11.2013) | (1), (2), (3), (4), (5), (7), (9) |
| 4. | A/YL-SK/197 | Renewal of Planning Approval for Temporary "Camping Ground for Meditation Use" for a Period of 1 Year | 28.3.2014 (Approved by the TPB on review for 1 year up to 28.3.2015) | (1), (2), (3), (4), (5), (6), (7), (8), (9) |
| 5. | A/YL-SK/206 | Renewal of Planning Approval for Temporary "Camping Ground for Meditation Use" for a Period of 1 Year | 27.3.2015 (Approved by the RNTPC for 1 year up to 28.3.2016) | (1), (2), (3), (4), (5), (9), (10) |
| 6. | A/YL-SK/213 | Temporary Camping Ground for Meditation Use for a Period of 3 Years | 22.4.2016 (Approved by the RNTPC for 3 years up to 22.4.2019) | (1), (2), (3), (4), (5), (8), (9), (11) |

Approval Conditions

- (1) No new fixture or structure is allowed to be placed/built on the site.
- (2) No trees within the site are allowed to be felled unless with prior approval of the Director of Planning.
- (3) No open burning is allowed on the site.
- (4) No chemicals, including fertilizers/pesticides, are allowed to be used or stored on the site.
- (5) No public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site.
- (6) Submission and implementation of fire service installations proposal.
- (7) Submission and implementation of tree preservation proposal.
- (8) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (9) Reinstatement of the site to an amenity area upon expiry of the planning permission.
- (10) Submission and implementation of landscape and tree preservation proposal.
- (11) Maintenance of the existing trees and landscape plantings.

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Conditions for Working within Water Gathering Grounds (WGG)

- (a) Adequate measures shall be taken to ensure that no pollution or siltation occurs to the catchwaters and catchments.
- (b) No earth, building materials, fuel, soil or any other materials that may cause contamination to the WGG shall be allowed to be stockpiled on site.
- (c) No storage and discharge of flammable/toxic solvents, petroleum oil, tar or other toxic substances shall be allowed within the WGG.
- (d) All surplus spoil shall be removed from the WGG as soon as practicable.
- (e) Temporary drains with silt/grease traps shall be constructed at the boundary of the site prior to the commencement of any earthworks. The effluent from the drain shall comply with the standards of Group A Inland Waters as stipulated in the Technical Memorandum prepared by EPD on "Standards for Effluents Discharged into Drainage and Sewerage Systems, Inland and Coastal Waters".
- (f) Regular cleaning of the silt/grease traps shall be carried out to ensure that they function properly at all times.
- (g) All excavated or filled surfaces which have the risk of erosion shall always be protected from erosion.
- (h) Facilities for washing the wheels of vehicles before leaving the site shall be provided.
- (i) Any construction plant which causes pollution to catchwaters or catchments due to leakage of oil or fuel shall be removed off site immediately.
- (j) Any soil contaminated with fuel leaked from plant shall be removed off site and the voids arising from removal of contaminated soil shall be replaced by suitable material to the approval of the Director of Water Supplies.
- (k) Provision of temporary toilet facilities shall be subject to the approval of the Director of Water Supplies. All waste shall be cleared away daily and disposed of outside WGG. The toilet facilities shall not be less than 30 m from any watercourse.
- (l) All waterworks access roads must be maintained unobstructed at all time.
- (m) Site Formation plans shall be submitted to WSD for approval prior to commencement of work.
- (o) No structure or temporary works shall be erected in the catchwaters without prior approval of WSD.
- (p) The contractor shall be responsible for cleansing frequently any

- waterworks roads and associated drainage works of mud and debris.
- (q) The contractor shall limit the gross weight of the vehicles imposed on the waterworks access along catchwaters to 5.5 tonnes and the axle load to 3 tonnes.
 - (r) The contractor shall carry out repair or reinstatement works to the satisfaction of WSD for the damage caused by the contractor.
 - (s) No chemicals including fertilizers, disinfectants, deodorants and insecticide shall be used within the WGG.
 - (t) Use of pesticides is not allowed within the WGG. The storage and discharge of pesticide or toxicant, flammable or toxic solvents, petroleum oil or tar and other toxic substances are strictly prohibited within the WGG.
 - (u) For drainage and/or sewerage works within the WGG, the drainage and/or sewerage plans shall be submitted to WSD for approval.
 - (v) Earthworks near catchwaters or stream courses shall only be carried out in the dry season between October and March.
 - (w) Advance notice must be given prior to commencement of works on site quoting WSD's approval letter reference.

- END -

Advisory Clauses

- (a) note DLO/YL, LandsD's comments that 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. The Site is accessible from Route Twisk via Government Land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The Site is accessible from Route Twisk via Government Land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. 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 the SKAHRA. Should planning approval be given to the planning application, the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate. The lot owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities 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. Applications for any of the above will be considered by Lands Department 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;
- (b) note CHE/NTW, HyD's comments that his department does not and will not maintain the access connecting the Site and Route Twisk. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (c) note DAFC's comments that the applicant shall be reminded that open burning shall not be conducted on the Site, while the trees and plantings on the Site shall be properly maintained during the planning approval period;
- (d) note CE/Construction, WSD's comments that the applicant shall not use the catchwater access road as vehicular access to the Site unless with WSD's prior approval. The applicant shall comply with the "Conditions of Working within Water Gathering Ground" (**Appendix IV**) enclosed;
- (e) note CE/MN, DSD's comments that the applicant is reminded to provide and maintain his own drainage facilities to collect the runoff generated from the Site or passing through the Site, and discharge the runoff collected to a proper discharge point. The development should not obstruct overland flow or cause any adverse drainage impact to the adjacent areas and existing drainage facilities. The applicant is also reminded to consult DLO/YL of LandsD and seek consent from the relevant owners for any works to be carried out outside his lot boundary before commencement of the drainage works; and

- (f) note CBS/NTW, BD's comments that if it is proposed to erect any temporary structures not exempted under the provisions of the Buildings Ordinance, formal building plans should be submitted for his approval.