

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SLC/161

<u>Applicant</u>	Ms. AU YEUNG Kam Ping
<u>Site</u>	Lot 2366 in D.D. 316 Lantau, Pui O, Lantau Island
<u>Site Area</u>	About 411m ²
<u>Lease</u>	Block Government Lease for Agricultural use
<u>Plan</u>	Approved South Lantau Coast Outline Zoning Plan No. S/SLC/21
<u>Zoning</u>	“Coastal Protection Area” (“CPA”)
<u>Application</u>	Proposed Holiday Camp (Caravan Holiday Camp and Tent Camping Ground)

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for holiday camp (caravan holiday camp and tent camping ground). The Site falls within an area zoned “CPA” on the approved South Lantau Coast Outline Zoning Plan (OZP) No. S/SLC/21 (**Plan A-1**). According to the Notes of the OZP, ‘Holiday Camp’ use within the “CPA” zone requires planning permission from the Town Planning Board (the Board).
- 1.2 The proposed development includes 4 caravans (4.8m (L) x 2m (W) x 3m (H) each) with a total floor area of about 38.4m² and area for tent camping ground (expected capacity of 4 tents) for rental (Layout Plan in **Drawing A-1**) at the Site which is partly formed and occupied by containers for storage use in the east, and partly filled with brick wall constructed along the boundary in the west. Sewage would be collected in dry toilets (6 moveable toilets (1.28m (L) x 1.28m (W) x 2.35m (H) each)) and containers to be located next to each proposed caravan which could be reused for irrigation and cleaning purposes after treatment by purification. The Site is accessible from South Lantau Road and Chi Ma Wan Road. No parking and loading/unloading space is provided. The proposed holiday camp is expected to serve 20 visitors with 5 staff. The proposed development will operate 24-hour daily.
- 1.3 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form received on 17.7.2020; (**Appendix I**)
 - (b) Supplementary information received on 21.7.2020 (**Appendix Ia**) clarifying the floor area of the proposed development;

- (c) Further Information (FI) received on 18.8.2020 with responses to departmental comments (exempted from publication requirement); and **(Appendix Ib)**
- (d) FI received on 20.8.2020 with a revised layout plan clarifying the location and dimension of the dry toilets (exempted from publication requirement). **(Appendix Ic)**

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of application are detailed in **Appendix I** and FI at **Appendix Ib**. They are summarised as follows:

- (a) the proposed holiday camp could help better utilize the land with a view to providing recreational facility for the enjoyment of the public;
- (b) local tourism and economic activities in Pui O are limited due to a lack of entertainment and recreational facilities. The proposed holiday camp could improve the local economy in Pui O by attracting the local and foreign visitors;
- (c) the proposed holiday camp is in line with the 'Lantau Tomorrow Vision' and the policy direction of 'Development in the North, Conservation for the South' as no massive infrastructure is required and the environmental impact by the proposed development is low. The proposed development would help promote sustainable development and tourism and introduce the visitors the local ecology by the eco-tour to be arranged by the applicant under this proposal;
- (d) the visitors are encouraged to use public transport to get access to the Site and no car park is proposed within the Site;
- (e) the proposed holiday camp would be equipped with solar energy system, instead of electricity generator, for environmentally friendly development. Sewage would be collected in the dry toilets and containers located next to each proposed caravans, which could be reused for irrigation and cleaning purposes after treatment by purification. No broadcasting system is proposed to avoid adverse impact to the buffaloes and birds;
- (f) the Site was the subject of unauthorised land filling activity while it was acknowledged by Environmental Protection Department under the Waste Disposal Ordinance. Containers and other structures at the Site could be removed. The Site has not been further developed since the previous planning application (i.e. No. A/SLC/148) was rejected by the Board;
- (g) while the ground for the tent camping area will be levelled and the irrigation pool at the Site will be covered with timber boards or fenced, no filling of land within the Site would be carried out for the proposed holiday camp. The Site has been filled and occupied by some structures when the applicant purchased the land in 2014. The gate for security purpose and the container for storing farming equipment and fertilizer at the Site are permitted under law; and
- (h) the proposed holiday camp will operate 24-hour daily.

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

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Previous Application

- 4.1 The Site is the subject of a previous Application No. A/SLC/148 by the same applicant for proposed filling of land (1.2m) for permitted agricultural use which was rejected by the Rural and New Town Planning Committee (Committee) of the Board on 26.1.2018 mainly on the grounds that there was insufficient information to justify the need for 1.2m land filling for permitted agricultural use; adverse ecological and landscape impacts on the surrounding area; and setting an undesirable precedent for similar applications within the “CPA” zone.
- 4.2 Details of the previous application are shown on **Appendix II** and its location is shown on **Plan A-1**.

5. Similar Applications

- 5.1 There are five similar applications (No. A/SLT/28, 29, 47 and A/SLC/88 and 155) for proposed holiday camp with four involving largely the same site within the same “CPA” zone and the remaining involving another site (**Plans A-1 and A-2**).
- 5.2 Application No. A/SLT/28 for a proposed holiday camp involving the upgrading of an existing go-cart racing course and development of other new recreational facilities was rejected by the Committee on 24.1.1992 mainly on the grounds that the go-cart racing activity would cause excessive noise nuisance and the motor oil and petrol contamination would cause environmental pollution to nearby water course and Pui O Beach.
- 5.3 Application No. A/SLT/29 for a similar holiday camp development with the deletion of the go-cart racing course was approved with conditions by the Committee on 22.5.1992 mainly on the grounds that the application was in line with the then planning intention of the area which was identified suitable for low-density recreational developments under the consultancy study ‘South Lantau Planning and Development Study’ in 1989; the proposed development would add and provide a variety of recreational facilities compatible with surrounding development and would enhance Pui O as an attractive holiday resort in South Lantau and the environmental problems caused by the existing go-cart racing activities would be relinquished.
- 5.4 Application No. A/SLT/47 involved a similar holiday camp development with change in configuration and boundary of site, an increase of development intensity and an addition of a restaurant as compared with Application No. A/SLT/29. On 12.7.1996, the Committee approved the application with conditions mainly in view of the improved building design and the inclusion of a restaurant would not be incompatible with the proposed holiday camp development.
- 5.5 Application No. A/SLC/88 for the same holiday camp development was submitted due to the lapse of the previous planning permission under Application No. A/SLT/47 and more time was required for the land exchange process. The application was approved

with conditions by the Committee on 6.6.2008 mainly on the grounds that there were no significant changes in the planning circumstances; the development was not incompatible with the surrounding areas; and the development was in line with the recommendation of the 'Revised Concept Plan for Lantau' in 2007 in which Pui O was recommended to be developed into a family-oriented recreation hub; and the sewage concerns could be addressed by an approval condition on sewage treatment facilities. An Occupation Permit for a 3-storey holiday camp building (Hong Kong Victoria Resort) was issued by Building Authority on 6.11.2015.

- 5.6 On 20.12.2019, Application No. A/SLC/155 for proposed temporary holiday camp (caravan holiday camp) for a period of five years and excavation of land for sewerage and drainage facilities was approved with conditions upon review by the Board on a temporary basis for a period of three years. The application was approved mainly on the grounds that the proposed development was an environmental improvement and was in line with the planning intention for South Lantau in the Blueprint to encourage conservation with sustainable leisure and recreational uses.
- 5.7 Details of the above similar applications is summarised at **Appendix III** and the location is shown on **Plan A-1**.

6. The Site and Its Surrounding Areas (Plans A-1 to A-2 and photos on Plans A-3, A-4a to A-4g and A-5)

6.1 The Site has the following characteristics:

- (a) part of the Site abutting the road has been formed and paved and occupied by containers while the remaining part of the Site is cleared and covered by regenerated grass. A brick wall has been erected around the Site (**Plans A-4e and A-4f**);
- (b) located to the immediate west of a local road leading to South Lantau Road via Chi Ma Wan Road;
- (c) forms part of the Pui O wetland and falls within the Pui O Site of Archaeological Interest; and
- (d) the Site was entirely covered by vegetation in 2002 while land filling activity at the eastern part of the Site was observed in 2003 (**Plan A-5**). On 26.3.2004, revised Master Schedule of Notes with land filling, excavation and diversion of stream restrictions were incorporated in the remarks of the Notes for the "CPA" zone;
- (e) in 2017, the Site was largely covered by grass with the portion abutting the local road formed and covered by structure/ containers (site photo taken on 8.2.2017 on **Plan A-4a**). The western part of the Site was gradually filled with soil and gravel and a brick wall has been constructed around this part of the Site (site photos taken on 21.12.2017 on **Plan A-4a**, 11.1.2018 on **Plans A-4b and A-4c** and 28.12.2018 on **Plan A-4d**). Some materials and machinery could be found at the Site in 2018 (site photos taken on 11.1.2018 on **Plan A-4c**). According to recent site inspections in January and June 2020, the conditions of the Site remain largely unchanged except a gate has been erected abutting the road and

the western part of the Site already filled is now covered by regenerated grass (site photos on **Plans A-4d to A-4f**).

6.2 The surrounding areas have the following characteristics (**Plan A-2**):

- (a) predominantly rural in character with abandoned farmland and marshes to the immediate surrounding where buffaloes could be found;
- (b) a tent camping ground without planning permission is located to the immediate east across the local road (**Plans A-2 and A-4g**);
- (c) a natural stream, Pui O Beach and Pui O Campsite are situated about 10m, 50m and 170m to the south of the Site respectively; and
- (d) rural developments including the South Lantau Rural Committee Office and recreational facilities such as South Lantau Community Centre, Pui O Playground and Pui O Children's Playground are located about 100m to the further north of the Site.

7. **Planning Intention**

The "CPA" zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. 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.

8. **Comments from Relevant Government Departments**

8.1 The following government departments have been consulted and their views on the application are summarised as follows:

Land Administration

8.1.1 Comments of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD):

- (a) the Lot is held under Block Government Lease for agricultural use. No structure shall be erected on the Lot without his prior approval;
- (b) there is no lease enforcement at the moment; and
- (c) his site inspection on 28.8.2020 revealed that there were containers at the Site and the Site could not be entered as the gate was locked. Further investigation is required to ascertain whether there is any breach of lease conditions.

Lantau Development

8.1.2 Comments of the Head of Sustainable Lantau Office, Civil Engineering and Development Department (H(SLO) of CEDD):

- (a) the Site is a subject of environmental vandalism case reported to his office and other relevant departments by green groups and concerned parties repeatedly in 2017, 2018 and 2019;
- (b) according to aerial photos, a small portion of the Site was formed in 2003 and a structure was built on the formed land in 2013. According to site inspections, the development on site has intensified gradually since late 2017. Currently, the whole site has been filled with construction and demolition wastes / materials, fence wall has been erected, and part of the Site is occupied by converted containers;
- (c) according to the remarks of the “CPA” zone of the OZP, any filling of land or excavation of land even for those permitted uses / developments (except maintenance or repair works) after the gazettal of the draft SLC OZP No. S/SLC/13 (i.e. March 2004) requires permission from the Town Planning Board. It appears that there is no planning approval granted to the land filling / site formation works for the development at the Site;
- (d) it should be carefully considered whether the approval of the application may encourage the practice of ‘Destroy First, Develop Later’ or set the precedent in the area, taking into account that non-conforming land uses or activities in South Lantau are not enforceable by the Planning Authority, and there are many environmental vandalism cases reported in South Lantau, in particularly in Pui O wetland which has been proposed for conservation under the Sustainable Lantau Blueprint (the Blueprint) promulgated by the Government in 2017. The potential cumulative impact of approval the application should also be considered;
- (e) the applicant claimed in the FI (**Appendix Ic**) that ‘the proposal includes education, tree plantation and promotion of resource recycling system’ (‘因此本人會從最普遍的改善方式着手，包括宣傳教育、植樹、推動資源循環系統等’), yet there is no detail in the submission even from this general aspect. There is insufficient information on whether the habitat of Pui O wetland might be improved; and
- (f) his office has no on-going or planned project which has interface with the application site.

Nature Conservation

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

- (a) he has reservation on the application as the proposed development would have potential adverse impact to the wetland habitats and the

fauna therein;

- (b) it is noted that there was submission to Environmental Protection Department (EPD) under the Waste Disposal Ordinance (WDO) at the Site. The Site is situated on roadside, partly paved and occupied with an existing structure. The Site and its surrounding abandoned farmland form part of the Pui O wetland, a home to a diversity of wetland dependent wild fauna as well as the feral buffaloes; and
- (c) considering that part of the Site is undisturbed and forms part of the Pui O wetland, it is sceptical if land filling or site formation is genuinely not required for placing the caravans and camping tents as claimed in FI; and
- (d) the FI fails to provide detailed information related to drainage treatment and to demonstrate how the drainage and sewage would not affect the vulnerable surrounding wetland habitats.

Environment and Sewerage

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

- (a) he has reservation on the application;
- (b) while the Site is located within 100m from the gazetted Pui O Beach, he considers the applicant could not demonstrate the current proposed handling method of wastewater and treatment system would not result in adverse impacts on the water quality of the surrounding areas based on the following:
 - (i) for the proposed handling method of wastewater arising from the holiday camp activities, the applicant has not provided any management measure to be implemented to ensure the visitors would properly dispose of wastewater at the designated collection tanks for subsequent treatment and reuse;
 - (ii) it is expected that the wastewater would contain oil and grease arising from the proposed holiday camp activities, the wastewater is expected to contain very high nutrient, organic and microbiological loads which could only be effectively treated by a proper wastewater treatment system to ensure no adverse impacts on the water quality of the surrounding areas;
 - (iii) the applicant has stated that the sewage would be purified by means of 'biological treatment process', there is however no information provided to substantiate the performance, practicability and operability of the proposed system for treating sewage;
 - (iv) the applicant should also pay attention that according to Section 5.3.2 of the Hong Kong Planning Standards and Guidelines (HKPSG), no new discharge outlet, either storm or foul drain, nor

any soakaway pit for effluent disposal should be located within 100m of the boundaries of any gazetted beach in any direction, including rivers and streams;

- (c) the proposed holiday camp itself is an air sensitive use, sufficient buffer distance for road and chimney emission in Table 3.1 of HKPSG should be provided. Prior agreement with TD on the type of road for the determination of the buffer distance required for roads should be sought and documented. However, there is no information in the submission in identifying the type of road for the determination of the buffer distance required for roads;
- (d) the applicant is reminded to observe and comply with the prevailing guidelines and legislative requirements on waste management issues arising from the proposed development;
- (e) should the Board approve the application, approval conditions on the submission and implementation of sewage and wastewater treatment/disposal proposal to the satisfaction of DEP or of the Board are recommended; and
- (f) there were 11 complaints received from 1.7.2017 to 30.6.2020 for the application site. All 11 complaints were related to the landfilling activities carried out on part of the Site.

Drainage

8.1.5 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

- (a) there is no DSD facilities in the vicinity of the Site; and
- (b) no drainage calculation had been referred to his office and the applicant shall submit drainage proposal to demonstrate that there would be adequate measures (e.g. peripheral drainage channels) provided at the applicant's own cost to avoid the Site being flooded from overland flow influence.

Landscape

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

- (a) she has reservation on the application from landscape planning perspective;
- (b) according to the aerial photo of 2019 and the site photos (**Plan A-4a to A-4f**), the Site is partly concrete paved and partly covered with grass. Containers and storage of materials are observed within the Site. The Site is situated in an area of rural and natural landscape character predominated by tree groups and grassland with Pui O Beach located to the south and Pui O Playground at the further north of the Site. The

proposed development is not entirely incompatible with the landscape character of the surrounding area;

- (c) with reference to the aerial photos from 2002 to 2019 (**Plans A-3 and A-5**), vegetation removal, concrete paving of the Site and construction of temporary structure were observed within the Site over the years. Significant landscape impact has been taken place. There is a concern that approval of the application would set an undesirable precedent to encourage similar applications to undertake vegetation clearance and development prior to obtaining planning permission. The cumulative impact of which would result in a general degradation of the landscape quality of the surrounding natural environment within the “CPA” zone; and
- (d) in view that the Site is located at an area of high landscape value, should the application be approved by the Board, the following approval condition is recommended:

the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Board.

Urban Design and Visual

8.1.7 Comments of the CTP/UD&L, PlanD:

the Site is located to the north of Pui O Beach and accessible from South Lantau Road and Chi Ma Wan Road. The Site and its surroundings are predominantly vacant with some vegetation scattering to the south of the Site. As the proposed holiday camp is small in scale with 4 caravans (4.8m (W) x 2m (L) x 3m (H)) and areas of tent camping ground (expected capacity of 4 tents), it is considered compatible with the surrounding environment and no significant visual impact is anticipated.

Traffic

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

- (a) he has no in-principle objection to the application from traffic engineering point of view; and
- (b) the existing access roads in the vicinity of the Site are not managed by the Transport Department (TD). Should the Board approve the application, no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period.

8.1.9 Comments of the Chief Highway Engineer/NT East, Highways Department (CHE/NTE, HyD):

he has no comment on the application from highway maintenance view point as the road fronting the Site is not maintained by HyD.

Building Matters

8.1.10 Comments of the Chief Building Surveyor/New Territories East 1 & Licence (CBS/NTE1&L), Buildings Department (BD):

- (a) if the proposed development involves building works, prior approval and consent should be obtained from the Building Authority (BA). In this connection, the following should be observed:
 - (i) the permissible site coverage (SC) and plot ratio (PR) of the development(s) / building(s) should comply with Regulations 20 and 21 of the Building (Planning) Regulations (B(P)R);
 - (ii) if the Site does not abut on a specified street of width not less than 4.5m, the development intensities and building height shall be determined by the BA under B(P)R19(3) upon formal submission of building plans to BD;
 - (iii) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with B(P)R5 and 41D respectively; and
 - (iv) detailed comments under the Buildings Ordinance (BO) on the private development(s) / building(s) such as permissible PR, SC, emergency vehicular access, provision of means of escape, fire resisting construction, barrier free access and facilities, compliance with the sustainable building design guidelines, etc. will be formulated at the formal building plan submission stage;
- (b) if there are existing structures which had been erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the BO and should not be designated for any approved use under this application;
- (c) for unauthorised building works (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) if the proposed use under application is subject to the issue of a licence, please be reminded that the building safety and other relevant requirements as may be imposed by the licensing authority would need to be complied with; and
- (e) in connection with the drainage/sewage proposal, the applicant's attention is drawn to the provisions of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, in particular its Regulations 40 and 41.

8.1.11 Comments of the Chief Building Surveyor/Section A, Existing Building Division 1 (CBS/A), BD:

based on the available information, no enforcement action would be taken by BD as the associated building works fall within the exemption criteria set out in Part 2 of the Schedule to the Buildings Ordinance (Application to the New Territories) (Cap.121).

Fire Safety

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

- (a) he has no specific comment on the proposal;
- (b) as there is no information related to the provision of fire service installations (FSI), comment on the aspect of FSI cannot be made at the moment. Licensing requirements will be imposed upon receipt of formal licence application; and
- (c) the applicant is advised to observe the following guidelines and conditions which are available on the website of the Office of the Licensing Authority of Homes Affair Department:
 - (i) A Layman's Guide to Licence Applications under the Hotel and Guesthouse Accommodation Ordinance;
 - (ii) A Guide to Licence Applications for Guesthouse (Holiday Camp) – Caravan Camp Site under the Hotel and Guesthouse Accommodation Ordinance; and
 - (iii) General Licensing Conditions for Caravan Camp Site providing short-term sleeping accommodation.
- (d) should the Board approve the application, the following approval condition is recommended:

the provision of fire service installations and water supplies for firefighting and access for fire services appliances and personnel to the satisfaction of the D of FS or of the Board.

Water Supplies

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

as the existing water supply system at South Lantau is a small system with limited capacity, and considering that there are other proposed residential developments in South Lantau that will also increase water demand, the water supply system in South Lantau may not be able to accommodate any further additional water demand. The applicant should advise whether a government water supply would be required.

Geotechnical

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

- (a) no in-principle geotechnical objection to the application, and
- (b) landfilling activities at the Site was observed in January 2018 in which the observation is appended below:
 - (i) a brick wall of about 1.2m high;
 - (ii) a stockpile of sand and other construction materials of about 1.6m high; and
 - (iii) an excavation pit of about 1.5m deep which was partly filled with water;
- (c) at the time of his inspection, no sign of distress was observed on the brick wall and no buildings or facilities in the vicinity of the Site, no imminent and obvious danger involving a significant consequence to life was identified. In this connection, there may not be sufficient evidence suggesting the issue of the issue of section 27A of the BO (Dangerous Hillside Order) is warranted.

Licensing

8.1.15 Comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, HAD (CO(LA), HAD):

- (a) for the proposed caravan holiday camp with provision of short-term sleeping accommodation at a fee, if their mode of operation falls within the definition of 'hotel' or 'guesthouse' under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) (the 'HAGAO'), a licence under the HAGAO must be obtained before operation;
- (b) the applicant is strongly advised to observe the 'General Licensing Conditions for Caravan Camp Site providing short-term sleeping accommodation' and 'A Guide to Licence Applications for Guesthouse (Holiday Camp) – Caravan Camp Site under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349)' (the Guide) available in the website of the Office of Licensing Authority. Particular attention should be drawn to the requirements of site location as set out in the Guide;
- (c) for any structure which constitutes as 'building works' or 'building' under the Buildings Ordinance to be included into the licence, the applicant should submit a copy of either an occupation permit issued by the Building Authority (BA) or a Certificate of Compliance issued by LandsD when making an application under the HAGAO; and
- (d) detailed licensing requirements will be formulated upon receipt of

application under HAGAO.

Archaeological Interest

8.1.16 Comments of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (ES(AM), AMO), Development Bureau:

he has no objection to the application from cultural heritage viewpoint in view of the condition of the Site as well as the location and scope of the proposed development. Nevertheless, the applicant is required to inform AMO the construction schedule for his site inspection and inform AMO immediately if antiquities or supposed antiquities are discovered within the Site.

Others

8.1.17 Comments of the Director of Leisure and Cultural Services (DLCS):

(a) he has no adverse comment on the proposed holiday camp from district management perspective subject to the applicant's strictly compliance to the following conditions:

(i) to ensure that no sewage would be released to Pui O Beach; and

(ii) to provide necessary facilities (e.g. toilets, changing rooms, showering facilities and etc.) for their campers that they would not heavily rely on the auxiliary facilities provided by his department; and

(b) he has no comment on the application from tree preservation perspective given that there is no roadside tree maintained by his department at the Site and in the vicinity.

District Officer

8.1.18 Comments of the District Officer (Islands), Home Affairs Department (DO/Is, HAD):

(a) no specific comment on the application from local works perspective as the proposed development will not affect the current or impending works of his office in the vicinity; and

(b) the issues of suspected illegal developments, constructions and operations of caravan holiday camp, tent camping ground and holiday bungalow in Pui O and other "CPA" zone in South Lantau have been frequently raised by Save Lantau Alliance this year. Therefore, it is envisaged that the application would arouse similar concern from the said association and even other concerned groups or the like.

8.2 Director of Electrical and Mechanical Services (DEMS) has no comment on the application.

9. Public Comments Received During Statutory Publication Period

On 24.7.2020, the application was published for public inspection. During the first three-week statutory public inspection period which ended on 14.8.2020, 5,767 public comments (including 81 standard letters and 5,510 signatures) were received (**Appendix IV**)¹ from the 香港野生雀鳥保育關注組, the Kadoorie Farm & Botanic Garden Corporation, the Living Islands Movement, the Save Lantau Alliance, the Designing Hong Kong Limited, the Conservancy Association, the World Wide Fund Hong Kong, the Hong Kong Bird Watching Society and the individuals. All comments and signatures raise objection to / concerns on the application. The main grounds of the objection and concerns include that the proposed development is not in line with the planning intention of the “CPA” zone and the Blueprint on “Conservation for the South”; no sufficient infrastructures to support the proposed development; lack of impact assessments on drainage, sewerage and traffic; adverse impacts on ecological, sewage and traffic; fire safety and waste management concerns; adverse impact to the Pui O Beach and the natural habitat and wildlife of the buffaloes in Pui O wetland; unnecessary campsite development at the Site in view of the Pui O Campsite in its vicinity; non-essential infrastructure; not improving the wetland environment; subject of a previously rejected planning application; suspected ‘Destroy First, Develop Later’ case; undesirable precedent to similar application.

10. Planning Considerations and Assessments

- 10.1 The applicant seeks planning permission for holiday camp (caravan holiday camp and tent camping ground) at the Site on the “CPA” zone. The planning intention of the “CPA” zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. 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 the development is an essential infrastructure project with overriding public interest may be permitted. However, the proposed development is not in line with the planning intention to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment and to safeguard the beaches and their immediate hinterland. There is no strong planning justification in the submission for a departure from such planning intention.
- 10.2 The Site is located within Pui O wetland surrounded by abandoned farmland and marshes which is rich in biodiversity of wetland plants and marco-invertebrates. The applicant claims that the proposed holiday camp is in line with the ‘Lantau Tomorrow Vision’ and the policy direction of ‘Development in the North, Conservation for the South’ as no massive infrastructure is required and the environmental impact by the proposed development is low. H(SLO) of CEDD advises that the Pui O wetland has been proposed for conservation under the Blueprint. The applicant fails to demonstrate in the submission that the proposed development would not result in adverse impact to the wetland habitat or could enhance the ecology of the Pui O wetland. DAFC also has reservation on the application as the proposed development would have potential adverse impact to the wetland habitats and the fauna therein.

¹ The full set of public comments and the signatures received by the Board is deposited at the meeting for inspection and attached to the electronic copy.

- 10.3 The existing landscape character of the Site is a rural and natural area with tree groups and grassland scattered along the coast at the southern side of the Site. While the CTP/UD&L of PlanD advises that the proposed holiday camp is considered compatible with the surrounding environment from visual impact point of view and no significant visual impact is anticipated, she has reservation on the application from landscape planning perspective as with reference to the aerial photos from 2002 to 2019 (**Plan A-5**), vegetation removal, concrete paving of the Site and construction of temporary structure were observed within the Site over the years. Significant landscape impact has been taken place. Approval of the application would set an undesirable precedent to encourage similar applications to undertake vegetation clearance and development prior to obtaining planning permission.
- 10.4 There is currently no public sewerage system to serve the Site and the Site is located within the Pui O wetland. A stream and the Pui O Beach are located to its south. The applicant proposes that sewage collected in dry toilets and containers to be provided next to the proposed caravans could be reused for irrigation and cleaning purposes after treatment by purification. However, DEP has reservation on the application as the applicant fails to demonstrate that the proposed handling method of wastewater and treatment system would not have adverse impacts on the water quality of the surrounding areas. In addition, DAFC considers the applicant fails to provide detailed information related to drainage treatment and to demonstrate how the drainage and sewage would not affect the surrounding vulnerable wetland habitats.
- 10.5 The Site was the subject of a previous application No. A/SLC/148 for proposed filling of land (1.2m) for permitted agricultural use which was rejected by the Committee in 2018 for the grounds of insufficient information to justify the need for 1.2m land filling for permitted agricultural use; adverse ecological and landscape impacts on the surrounding area; and setting an undesirable precedent. When the previous application was submitted in December 2017, only a relatively small portion at the eastern part of the Site was filled and occupied by structures and construction materials (**Plan A-4a**). During the processing of the previous application in late 2017 and early 2018, it was observed that the western part of the Site had been gradually filled without planning permission and a brick wall has been constructed along the site boundary in the west (**Plans A-4a to A-4d**). However, filling of land does not form part of the current application as the applicant claims that land filling is not required for the proposed development. DAFC queries if filling of land or site formation is genuinely not required for placing the caravans and camping tents considering that part of the Site is undisturbed. DEP has advised that there were 11 environmental complaints received in the past three years in relation to landfilling activities at part of the Site. H(SLO) of CEDD has also received reports on environmental vandalism at the Site by green groups and concerned parties repeatedly from 2017 to 2019 and considers that approval of the application may encourage the practice of ‘Destroy First, Develop Later’.
- 10.6 The similar application (No. A/SLT/29 and 47 and A/SLC/88) for holiday camp use to the north of the Site was first approved by the Board in 1992 mainly on the ground that the proposed holiday camp was in line with the recommendation of the then “South Lantau Planning and Development Study” in 1989 that Pui O was identified suitable for low-density recreational development. In view of the latest planning context depicted in the Blueprint promulgated in 2017, the predominant part of Lantau, in particular the South Lantau, is proposed for conservation with sustainable leisure and recreational uses. A recent planning application No. A/SLC/155 was approved by

the Board in 2019 on a temporary basis for a period of three years mainly on the grounds that the proposed development was an environmental improvement and was in line with the planning intention for South Lantau in the Blueprint to encourage conservation with sustainable leisure and recreational uses. For the subject application, the application is permanent in nature and the applicant fails to demonstrate in the submission that the proposed development would not result in adverse impact to the wetland habitat. There are other existing caravan holiday camps within the “CPA” zone in South Lantau Coast area without valid planning permission. Granting of approval to the application would set an undesirable precedent for similar applications within the “CPA” zone which fail to demonstrate that there is no adverse impact on the natural environment in the “CPA” zone. The cumulative effect of approving such applications would result in a general degradation of the natural environment and landscape of the area.

- 10.7 There are 5,767 public comments including 81 standard letters and 5,510 signatures submitted all objecting to /expressing concerns on the application as detailed on paragraph 9 above. The planning assessments in paragraph 10.1 to 10.6 above are relevant.

11. Planning Department’s Views

- 11.1 Based on the assessment made in paragraph 10 and having taken into account the public comments in paragraph 9, the Planning Department does not support the application for the following reasons:
- (a) the application is not in line with the planning intention of the “CPA” zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from such planning intention;
 - (b) the applicant fails to demonstrate that the proposed development would not have adverse ecological, water quality and sewerage impacts to the surrounding areas; and
 - (c) approval of the application would set an undesirable precedent for similar applications within the “CPA” zone which fail to demonstrate that there is no adverse impact on the natural environment. The cumulative effect of approving such applications would lead to a general degradation of the natural environment of the area.
- 11.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until **4.9.2024**, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services of the Town Planning Board;
- (d) the submission and implementation of sewage and wastewater treatment/disposal proposal to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (e) the provision of fire service installations and water supplies for firefighting and access for fire services appliances and personnel to the satisfaction of Director of Fire Service or of the Town Planning Board;
- (f) if the above planning condition (a) 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.

Advisory Clauses

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

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicant.
- 12.3 Alternatively, should the Committee decide to approve the application, Members are invited to consider the approval conditions and advisory clauses, if any, to be attached to the permission, and the date when the validity of the permission should expire.

13. Attachments

Appendix I	Application form received on 17.7.2020
Appendix Ia	Supplementary information received on 21.7.2020
Appendix Ib	Further Information received on 18.8.2020
Appendix Ic	Further Information received on 20.8.2020
Appendix II	Previous Application
Appendix III	Similar Applications
Appendix IV	Public Comments received during the Statutory Publication Period (full set is deposited at the meeting for inspection and attached to the electronic copy)

Appendix V	Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4g	Site Photos
Plan A-5	Aerial Photos

**PLANNING DEPARTMENT
SEPTEMBER 2020**