

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

**APPLICATION NO. A/NE-TK/638**

<b><u>Applicant</u></b>	Hong Kong St. John Ambulance (HKSJ) represented by Urbantraces Limited
<b><u>Site</u></b>	Government Land in D.D. 28, Sam Wo Road, Ting Kok, Tai Po, New Territories
<b><u>Site Area</u></b>	About 48.2 m <sup>2</sup>
<b><u>Land Status</u></b>	Government land
<b><u>Plan</u></b>	Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19
<b><u>Zoning</u></b>	An area shown as 'Road' (about 47.8m <sup>2</sup> or 99.3%) "Open Space" ("OS") (about 0.4m <sup>2</sup> or 0.7 %)
<b><u>Application</u></b>	Proposed Temporary First Aid Post (FAP) for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for a proposed temporary FAP for a period of three years on the application site (the Site) (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The site is currently used for parking of bicycles by the adjacent bicycle rental shops.
- 1.2 The proposed development consists of a single-storey structure (2.75m high) with a floor area of 22m<sup>2</sup> to accommodate first aid treatment area, staff changing facilities/lockers and storage area for six custom-made bicycles which carry first aid boxes. Two portable lavatories, each with a floor area of 1.44m<sup>2</sup>, will also be provided on the Site. The open area of the Site (about 23.3m<sup>2</sup>) will be used for access purpose which will not be fenced off and no structures will be erected thereon. The operation hours are from 2:30 p.m. to 6:30 p.m. on Saturdays and 10:30 a.m. to 6:30 p.m. on Sundays and public holidays.
- 1.3 In support of the application, the applicant has submitted the application form and attachments dated 13.4.2018 (**Appendix I and Ia**) and supplementary information dated 18.4.2018 (**Appendix Ib**). The location plan and layout plan submitted by the applicant are shown on **Drawings A-1 and A-2**.

**2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in Part 9 of the application form at **Appendix I** and they are summarized as follows:

- (a) due to the rising number of cyclists and accidents, the proposed FAP is to meet the demand for first aid/minor treatment services; and
- (b) the proposed development will not encroach onto the adjoining drainage reserve.

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

As the Site involves Government land only, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) are not applicable to the application.

**4. Previous Application**

There is no previous application at the Site.

**5. Similar Application**

There is no similar application for the proposed use within the area shown as ‘Road’ and “OS” on the OZP.

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

6.1 The Site is:

- (a) a piece of Government land, hard paved and currently parked with bicycles for rental purpose;
- (b) situated to the immediate west of several bicycle rental shops; and
- (c) bounded by the cycling track to the north and Ting Kok Road to the south.

6.2 The surrounding areas are predominantly rural in character with cluster of village houses and scattered tree groups. To the southeast on the opposite side of Ting Kok Road are public carparks, public transport terminus and barbecue area.

## 7. Comments from Relevant Government Departments

7.1 The following Government departments have been consulted and their views on the application are summarized as follows:

### Policy Support

7.1.1 Comments of the Secretary for Food and Health (SFH):

- (a) grants in-principle policy support to the application on the understanding that the proposed FAP would facilitate delivery of better and more responsive first aid service to the public;
- (b) HKSI should be advised to follow proper procedures as required by relevant government departments regarding the application and the use of Government land; and
- (c) no additional financial resources will be required from Department of Health for the setting up and recurrent operation or maintenance of the FAP.

### Land Administration

7.1.2 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) no objection to the application;
- (b) the Site is a piece of unleased and unallocated Government land along Ting Kok Road;
- (c) the total application area is about 48.2m<sup>2</sup> (including 23.3m<sup>2</sup> uncovered and unfenced area) which has deviated from the Short Term Tenancy (STT) application submitted to LandsD. Should the application be approved by the Board, the applicant is required to submit a revised application to LandsD for the proposed STT; and
- (d) there is no guarantee that the STT application will be approved by LandsD. If it is approved by LandsD acting in its capacity as landlord at its absolute discretion, it will be subject to such terms and conditions as may be imposed.

### Environment

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

the applicant is advised to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department (EPD).

### Landscape

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

- (a) no objection to the application from the landscape planning perspective;
- (b) the Site is situated in an area of rural landscape character comprising of scattered tree groups and village houses. The proposed development is not incompatible to the surrounding environment;
- (c) the Site is hard-paved and in operation as bicycle hirer. There is no existing tree within the Site. Adverse impact on landscape resources and landscape character arising from the proposed development is not anticipated; and
- (d) since the footprint of the proposed development covers most of the Site, there is very limited space for landscaping within the Site. Should the Board approve the application, the standard condition for submission and implementation of landscape proposal is not recommended.

### Fire Safety

#### 7.1.5 Comments of the Director of Fire Services (D of FS):

- (a) no in-principle objection to the application subject to fire service installations and water supplies for fire-fighting being provided to the satisfaction of the Fire Services Department;
- (b) Emergency Vehicular Access (EVA) arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by Buildings Department; and
- (c) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.

### Water Supply

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

- (a) no objection to the application;
- (b) as the Site slightly encroaches upon the waterworks reserve, no permanent structure or support for any structure shall be erected within the area of waterworks reserves at the Site during the planning approval period; and

- (c) for provision of water supply to the development, the applicant may need to extend the inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.

7.2 The following Government departments have no objection to/or no comment on the application:

- (a) Commissioner for Transport (C for T);
- (b) Director of Agriculture, Fisheries and Conservation;
- (c) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (d) Chief Engineer/Mainland North, Drainage Services Department;
- (e) Commissioner of Police;
- (f) Project Manager/North, Civil Engineering and Development Department;
- (g) Head of Geotechnical Engineering Office, Civil Engineering and Development Department;
- (h) Director of Electrical and Mechanical Services; and
- (i) District Officer/Tai Po, Home Affairs Department.

## 8. **Public Comment Received During Statutory Publication Period**

On 20.4.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, no public comment was received on the application.

## 9. **Planning Considerations and Assessments**

- 9.1 The applicant seeks planning permission to use the Site for the proposed FAP on a temporary basis for a period of three years. The Site falls within an area shown as 'Road' and a minor portion zoned "OS" on the OZP. C for T and CHE/NTE of HyD have no objection to/no comment on the application. The SFH has given in-principle policy support to the application on the understanding that the proposed development will facilitate delivery of better and more responsive first aid service to the public along the cycling track during weekends and public holidays.
- 9.2 The Site is situated to the southern side of the cycling track near Sam Wo Road, which is a popular cycling attraction. It is hard-paved and currently used for parking of bicycles by the adjacent bicycle rental shop. The proposed use is considered not incompatible with its immediate surrounding area which mainly comprises village houses, scattered tree groups and recreational spaces.
- 9.3 CTP/UD&L, PlanD has no objection to the application as adverse impact on landscape resources and landscape character arising from the proposed

development is not anticipated. CE/C of WSD has no objection to the application provided that no permanent structure or support for any structure shall be erected within the area of waterworks reserves at the Site. Relevant approval condition protecting the waterworks reserves is recommended in paragraph 11.2(a) below. In view of the small scale of the proposed FAP and its temporary nature, it is unlikely to cause any adverse traffic, environmental, landscape, sewerage and drainage impacts on the surrounding areas. Relevant Government departments consulted, including DEP, DLO/TP, DAFC, D of FS and CE/MN of DSD have no objection to/adverse comment on the application.

9.4 There is no public comment received on the application.

## 10. Planning Department's Views

10.1 Based on the assessments made in paragraph 9, the Planning Department considers that the temporary use under the application could be tolerated for a period of three years.

10.2 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 1.6.2021. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) no permanent structure or support for any structure shall be erected within the area of waterworks reserve at the Site during the planning approval period;
- (b) the submission of water supplies for fire fighting and 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 1.12.2018;
- (c) in relation to (b) above, the implementation of water supplies for fire fighting and 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 1.3.2019 ;
- (d) 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; and
- (e) if any of the above planning conditions (b) or (c) 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.

### Advisory Clauses

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

10.3 There is no strong reason to recommend rejection of the application.

**11. Decision Sought**

11.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

11.2 Should the Committee decide to approve the application, Members are invited to consider the approval conditions and advisory clauses to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

11.3 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.

**12. Attachments**

Appendix I	Application form received on 13.4.2018
Appendix Ia	Attachment received on 13.4.2018
Appendix Ib	Supplementary information received on 18.4.2018
Appendix II	Recommended advisory clauses
Drawing A-1	Site plan submitted by the applicant
Drawing A-2	Layout plan submitted by the applicant
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4a and A-4b	Site photos

**PLANNING DEPARTMENT  
JUNE 2018**