

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

**APPLICATION NO. A/NE-HT/22**

<b><u>Applicant</u></b>	:	Ever Bloom Trading Limited represented by R-riches Property Consultants Limited
<b><u>Site</u></b>	:	Various Lots in D.D. 76 and Adjoining Government Land (GL), Hok Tau, Fanling, New Territories
<b><u>Site Area</u></b>	:	About 19,227m <sup>2</sup> (including GL of about 316m <sup>2</sup> or 2% of the Site)
<b><u>Lease</u></b>	:	Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	:	Approved Hok Tau Outline Zoning Plan (OZP) No. S/NE-HT/7
<b><u>Zoning</u></b>	:	“Agriculture” (“AGR”)
<b><u>Application</u></b>	:	Proposed Temporary Place of Recreation, Sports or Culture (Horse Riding Centre and Barbecue Site) and Holiday Camp with Ancillary Facilities for a Period of Three Years and Associated Filling of Land

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary place of recreation, sports or culture (horse riding centre and barbecue site) and holiday camp with ancillary facilities for a period of three years and associated filling of land at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years within the “AGR” zone requires planning permission from the Town Planning Board (the Board). Filling of land within the “AGR” zone also requires planning permission from the Board. The Site, comprising two portions separated by a watercourse leading to a section of Tan Shan River with ecological importance, is generally fenced off, partly hard-paved and partly covered by lawn, and currently occupied by some temporary structures (**Plans A-1, A-2 and A-4a to A-4c**).
- 1.2 The Site is accessible via Hok Tau Road leading to Lau Shui Heung Road (**Plan A-2**). According to the applicant, the proposed use generally comprises two main portions, namely (i) the northern portion planned for barbecue area, tent camping area and open space for recreational activities, and (ii) the southern portion planned for horse corral, horse loading/unloading area and parking and loading/unloading (L/UL) area (**Drawing A-1a**). An area of about 9,578m<sup>2</sup> (or

50% of the Site) will be covered by lawn or grassland for barbecue and tent camping areas, horse loading/unloading area as well as open space for recreational activities, whilst an area of about 2,800m<sup>2</sup> (or 15% of the Site) will be used as horse corral area and about 5,095m<sup>2</sup> (or 26% of the Site) will be hard-paved with concrete of not more than 0.2m in depth for site formation for erection of structures, parking and L/UL and circulation purposes (**Drawing A-2**). The remaining area of about 1,754m<sup>2</sup> (or 9% of the Site) along the southwestern boundary fronting onto the Pak Sin Leng Country Park and both sides of the watercourse will be served as landscape buffer. The proposed use involves 18 single-storey temporary structures with building heights ranging from about 3 to 4m and a total floor area of about 987m<sup>2</sup> for recreational activities room, reception with site office, stable, changing room/washroom, storage and meter room at the Site (**Drawings A-1a to A-2**).

- 1.3 The proposed operation hours are between 7:00 a.m. and 10:00 p.m. from Mondays to Sundays including public holidays, except for overnight tent camping activities. The applicant states that 11 staff members will be stationed at the Site to support the operation of the proposed use, and two of them will stay overnight to take care of tent campers and horses<sup>1</sup>. The proposed horse riding center within the Site will accommodate a maximum of 10 horses at one time. The estimated number of visitors during weekdays and weekends/holidays are about 30 and 70 respectively<sup>2</sup>. Visitors will be required to make appointment in advance and pay entrance fee to use the facilities within the Site<sup>3</sup>.
- 1.4 Car parking and L/UL area is proposed at the hard-paved portion in the southern-end of the Site near the ingress/egress, providing 22 parking spaces for private car (including 18 for visitors and four for staffs), one L/UL space for light goods vehicle (LGV) and medium goods vehicle (MGV) each (**Drawing A-1a**). The applicant states that LGV and MGV would be used for the transport of foods/goods supporting daily operations of the Site and horses respectively. Traffic management measures, including (i) appointment systems; (ii) deployment of staff to manage the traffic entering/exiting the Site; (iii) provision of traffic signage of 'No Illegal Parking' at the ingress/egress to remind drivers not to park their vehicle outside the Site; (iv) provision of separate entrances for vehicle and pedestrian for the Site; and (v) restriction of vehicle speed limit in 5km/h within the Site, to ensure that no queue back from the Site onto the public roads and enhance pedestrian safety of the area (**Appendix Ia**).
- 1.5 Environmental and landscape mitigation measures, including (i) provision of a 3m buffer area away from the boundary of the adjacent Pat Sin Leng Country Park; (ii) erection of fencing with signage along the site boundary prohibiting visitors from entering the watercourse and causing nuisance to the adjacent country park; and (iii) provision of periphery drainage u-channel with catchpits/sand trap for

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<sup>1</sup> According to the applicant, a total of 11 staff members including three stable staffs, three janitors, three administrative staffs and two workers, will be stationed at the Site, and a janitor and a stable staff will be shift work at night to take care of tent campers and horses respectively (**Appendix Ia**).

<sup>2</sup> According to the applicant, whilst the estimated number of visitors on weekdays are 10 for each of holiday camp, barbecue and horse-riding center, the corresponding estimated numbers on weekend or holidays are 20, 30 and 20 respectively (**Appendix Ia**).

<sup>3</sup> According to the applicant, quotas for visitor admission will be on first-come-first served basis, and members of the public will be allowed to make appointment via telephone (**Appendix Ia**).

collection of surface run-off within the Site<sup>4</sup>, are proposed to avoid disturbance or minimise the adverse impact to the country park and watercourse (**Drawing A-3** and **Appendix Ia**). The applicant also proposes to plant 110 new trees along the northwestern boundary of the Site and at both sides of the watercourse, and regular horticultural practices will be carried out to maintain the trees in good conditions (**Drawing A-3**). To minimise the environmental nuisance on the surrounding areas, no public announcement system, whistle-blowing, portable loud speaker, or any form of audio amplification system will be allowed within the Site.

- 1.6 Considering that part of the Site is overlooked by steep natural terrain and in view of the alert criteria for a natural terrain hazard study, the applicant claims that the northwestern portion of the Site will be designated as a “no-build” zone (**Drawings A-1a** and **A-1b**). The layout plan, landing filling plan and landscape plan submitted by the applicant are in **Drawings A-1a** to **A-3**.
- 1.7 Part of the Site is the subject of three previously approved applications submitted by different applicant(s), including the last approved application (No. A/NE-HT/21) for temporary place of recreation, sports or culture (hobby farm, barbecue spot, play area, handicraft making and refreshment kiosk) with validity up to 26.1.2027. Details of the previous application are set out at paragraph 5 below.
- 1.8 In support of the application, the applicant has submitted the following documents:
  - (a) Application Form with Attachments received on (**Appendix I**) 15.8.2024
  - (b) Further Information (FI) received on 3.12.2024<sup>#</sup> (**Appendix Ia**)
  - (c) FI received on 4.3.2025<sup>^</sup> (**Appendix Ib**)

<sup>#</sup> *accepted but not exempted from the publication and recounting requirements*  
<sup>^</sup> *accepted and exempted from the publication and recounting requirements*
- 1.9 On 4.10.2024 and 24.1.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application each for a period of two months as requested by the applicant.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed the Application Form and FIs at **Appendices I** to **Ib**, as summarised below:

- (a) the proposed use aims to provide a passive recreation outlet for members of the public who are interested in camping, barbecue and horse-riding activities, in particular for those living in the New Territories;
- (b) whilst the proposed use is not entirely in line with the planning intention of the “AGR” zone, no active agricultural activities could be found within the Site. The

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<sup>4</sup> According to the applicant, the detailed design of the drainage facilities on-site shall be subject to agreement of the concerned authority.

temporary use at the Site would not frustrate the long-term planning intention of the “AGR” zone and could better utilise precious land resources;

- (c) the extent of land filling, which is to meet the operational needs of the proposed use, has been kept to the minimum. The applicant undertakes to reinstate the Site to an amenity area upon expiry of the planning approval;
- (d) the vicinity of the Site is predominantly of rural character, and the proposed use is considered not incompatible with surrounding land uses;
- (e) the applicant will strictly follow the requirements of the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ issued by the Environmental Protection Department and the statutory requirements under relevant pollution control ordinances. Besides, a drainage impact assessment (DIA) is submitted in support of the current application. In general, the proposed use would not induce adverse traffic, environmental, drainage, sewage and landscape impacts on the surroundings; and
- (f) the applicant undertakes to apply for Short Term Waiver (STW) and Short Term Tenancy (STT) from the Lands Department (LandsD) for erection of the proposed structures and occupation of GL, and would liaise with relevant government department(s) for obtaining corresponding licences at the subsequent stage.

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No.31B) by publishing notices in local newspapers and sending notice to the Fanling District Rural Committee by registered mail. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “Owner’s Consent/Notification” requirements are not applicable.

### **4. Background**

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

### **5. Previous Applications**

- 5.1 Part of the Site is the subject of three previous applications (No. A/NE-HT/9, 16 and 21) for temporary place of recreation, sports or culture (hobby farm, barbecue spot, play area, handicraft making and refreshment kiosk) submitted by different applicant(s) as the current application.
- 5.2 Application No. A/NE-HT/9, covering a smaller site area (i.e. 14,824m<sup>2</sup>), was approved with conditions for a period of three years by the Committee on 7.12.2018, mainly on the considerations that the proposed temporary use would not frustrate the long-term planning intention of the “AGR” zone; the proposed use was not entirely incompatible with the surrounding land uses; and relevant government

departments generally had no adverse comment on the application or technical concerns could be addressed through relevant approval conditions. The planning permission was revoked on 7.5.2021 due to the non-compliance of approval conditions.

- 5.3 The remaining two applications (No. A/NE-HT/16 and 21), involving the same site area (i.e. about 3,371m<sup>2</sup>) and similar layout, were both approved with conditions for a period of three years by the Committee on 12.3.2021 and 26.1.2024 respectively mainly on the similar considerations as mentioned in paragraph 5.2 above. The planning permission under application No. A/NE-HT/16 was revoked on 12.6.2023 due to non-compliance with approval conditions. The last approved application (No. A/NE-HT/21) is valid until 26.1.2027.
- 5.4 Details of the applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

## **6. Similar Application**

There is no similar application within the same “AGR” zone in the vicinity of the Site in the past five years.

## **7. The Site and Its Surrounding Areas (Plans A-1 to A-4c)**

### **7.1 The Site:**

- (a) comprises two portions separated by a watercourse. Two portions are connected by existing footbridges across the watercourse;
- (b) is generally fenced off, partly hard-paved and partly covered by lawn, and currently occupied by some temporary structures including kiosks and toilets and tents. The southern-end of the Site is covered by a valid planning permission for temporary hobby farm, barbecue spot, play area, handicraft making and refreshment kiosk under application No. A/NE-HT/21 as detailed in paragraph 5 above; and
- (c) is abutting Hok Tau Road leading to Lau Shui Heung Road.

### **7.2 The surroundings areas have the following characteristics:**

- (a) to the east are mainly active/fallow farmland and plant nursery with a few domestic structures within the same “AGR” zone;
- (b) to the north and the west is a densely wooded slope within the Pat Sin Leng Country Park;
- (c) to the further east is a section of Tan Shan River with ecological importance, with which the watercourse running across the Site would converge; and
- (d) the “Village Type Development” zones of Hok Tau Wai and Lau Shui Heung are located near/along Hok Tau Road to the further south of the Site.

## **8. Planning Intention**

- 8.1 The planning intention of the “AGR” zone is intended 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 According to the Explanatory Statement of the OZP, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

## **9. Comments from Relevant Government Departments**

- 9.1 Apart from the government departments as set out in paragraphs 9.2.1 and 9.2.2 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and recommended advisory clauses are provided at **Appendices III and IV** respectively.
- 9.2 The following government departments have adverse comments on or do not support the application:

### **Land Administration**

9.2.1 Comments of the District Lands Officer/North, Lands Department (DLO/N of LandsD):

- (a) he has adverse comment on the application;
- (b) 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. No right of access via GL is granted to the Site;
- (c) the Site is already being used for the use under the application. The structures erected do not tally with the proposed layout under the application. No consent is given for inclusion of GL for the proposed use. For direct grant of STT of the adjoining GL to the applicant for temporary use, prior policy support from the relevant Bureau has to be obtained;
- (d) as the operating recreational venue under the application is visited by the community (including families, students, elderly, etc.), the applicant is requested to address the structural safety aspect of the unauthorised building works (UBWs) erected;
- (e) the following irregularities covered by the application have been detected:

Unauthorised structures within the said private lots covered by the application

there are unauthorised structures on the private lots. The lot owners/applicant should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice; and

Unlawful occupation of GL adjoining the said private lots covered by the application

the GL within the Site has been fenced off without any permission. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (f) the following irregularities not covered by the application have been detected:

Unlawful occupation of GL not covered by the application

the GL adjoining the Site has been fenced off/illegally occupied without permission. The GL being illegally occupied is not included in the application. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (g) the lot owners/applicant shall either (i) cease the illegal occupation of the GL immediately; or (ii) include the adjoining GL being illegally occupied in the application for the further consideration by the relevant government departments and, subject to the approval of the Board to the application and obtaining policy support which shall have reflected the rectification or amendment as aforesaid required, apply to his office for STW and STT to permit the structures erected/to be erected and the occupation of the GL. The applications for STW and STT will be considered by the Government on whole lot basis in its capacity as a landlord and there is no guarantee that they will be approved. The STW and STT, if approved, will be subject to such terms and conditions including the payment of backdated waiver fee/rent from the first date of when the unauthorised structures were erected and the GL was occupied as well as administrative fee as considered appropriate to be imposed by LandsD. LandsD reserves the right to take enforcement action against the lot owners/applicant for any breach of the lease conditions, including the breaches already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of GL. Given the proposed use is temporary in nature, only erection of temporary structure will be considered; and

- (h) the lot owners/applicant should comply with all the land filling requirements imposed by relevant government departments. GL should not be distributed unless with prior approval.

**Agriculture, Nature Conservation and Animal License**

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

- (a) he does not support the application from agricultural development perspective as the Site zoned “AGR” possesses potential for agricultural rehabilitation. There are active agricultural activities in the vicinity of the Site, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, and plant nurseries etc.;
- (b) he has no comment on the application from nature conservation perspective:
  - (i) site inspection conducted by his office reveals that the Site is partly paved and partly covered with lawn. There is a watercourse running between two portions of the Site eventually leading to the section of Tan Shan River with ecological importance at its downstream. Some ditches and water logged area are located along/within the eastern boundary of the Site; and
  - (ii) based on the applicant’s submissions (**Appendices I and Ia**), mitigation measures, including (1) provision of a 3m buffer area away from the boundary of the adjacent Pat Sin Leng Country Park; (2) erection of fencing with signage along the Site boundary prohibiting visitors from entering the watercourse and causing nuisance to the adjacent country park; and (3) provision of periphery drainage u-channel with catchpits/sand trap for collection of surface run-off within the Site, are proposed to avoid adverse impact to the watercourse and nearby natural environment. Provided that the mitigation measures as proposed by the applicant are properly implemented, significant adverse impacts to the watercourse is not anticipated; and
- (c) according to the record, there is no riding licensed premises regarding the Site. The Public Health (Animals) (Riding Establishment) Regulations (Cap. 139J) regulates all persons who keep horses to let them out on hire for riding or use them to provide instruction in riding in return for payment. Before the business commence, a license must be obtained from the Agriculture, Fisheries and Conservation Department. The applicant should have suitable premises and facilities for the holding of horses, and be reminded of the requirements for bringing the premises up to the requisite standard.



## **10. Public Comments Received During Statutory Publication Periods**

- 10.1 On 23.8.2024 and 12.10.2024, the application was published for public inspection. During the statutory public inspection periods, a total of 24 public comments were received.
- 10.2 Two comments from the Indigenous Inhabitant Representative of Sze Tau Leng Village (**Appendix Va**) supports the application on the considerations that the proposed use could provide more recreational options to the society; and temporary use of the Site could also better utilise the land resources. Four comments from a member of North District Council and the Chairman of Lung Shan Area Committee (**Appendix Vb**) both indicate no comment on the application.
- 10.3 The remaining 18 comments, including six from the Chairman, 1<sup>st</sup> Vice-chairman and Vice-chairman of Fanling District Rural Committee and a group of villager/residents of Hak Tau Wai, Ko Po Village, San Tong Po, Lau Shui Heung (a joint letter), four from the Kadoorie Farm & Botanic Garden Corporation and the Conservancy Association, and eight from seven individuals (**Appendix Vc**) object to the application. Their major grounds of the objection and concerns/views are that there are still many active farmlands in the surroundings and the “AGR” zone of Hau Tau area; the proposed use is not in-line with the planning intention of “AGR” zone and approval of the current application would set an undesirable precedent; no details on recovering the Site for agricultural use are provided; the proposed use is in conflict with the policy objective of Agricultural Priority Area; there is no detailed information on the management of the horse riding center as well as proposed drainage, sewerage and water supplies facilities; there is concern on the Site to be ultimately used as open storage and warehouse purposes and no strong justification for the proposed barbecue facilities at the Site; the proposed use likely worsens the traffic congestion issue, increase demand for the already inadequate public transport services, and cause environmental nuisances as well as adverse drainage, sewage and ecological impacts on the surrounding areas.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary place of recreation, sports or culture (horse riding center and barbecue site) and holiday camp with ancillary facilities for a period of three years and associated filling of land at the Site zoned “AGR” on the OZP. The proposed use is not generally in line with the planning intention of the “AGR” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. DAFC does not support the application from agricultural development perspective as the Site possesses potential for agricultural rehabilitation. Nevertheless, the applicant advises that the proposed use could serve as a passive recreation outlet for members of the public who are interested in camping, barbecue and horse-riding activities. Taking into account the planning assessment below, there is no objection to the proposed use on temporary basis of three years with associated filling of land.
- 11.2 The Site, comprising two portions separated by a watercourse leading to a section

of Tan Shan River with ecological importance, is situated in an area of rural character mainly comprising active/fallow farmland and plant nursery with a few domestic structures (**Plans A-1 to A-3**). The proposed use is considered not entirely incompatible with the surrounding land uses. Noting that the Pat Sin Leng Country Park is located to the north and the west of the Site and a watercourse is running across the Site (**Plan A-4a**), the applicant proposes mitigation measures as mentioned in paragraph 1.5 above, namely (i) a 3m buffer area away from the boundary of the adjacent country park, (ii) erection of fencing along the site boundary prohibiting visitors from entering the watercourse and causing nuisance to the country park, (iii) provision of periphery drainage u-channel for collection of surface run-off within the Site, and (iv) planting of new trees, to avoid disturbance or minimise the adverse impact to the country park and watercourse. DAFC has no comment on the application from nature conservation perspective subject to the proper implementation of mitigation measures proposed by the applicant. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no objection to the application from landscape planning perspective, and considers that significant adverse impact on landscape character is not anticipated as new trees are proposed along the northwestern boundary and at both sides of the existing watercourse.

- 11.3 The proposed use involves filling of land at part of the Site with a depth of 0.2m by concrete as mentioned in paragraph 1.2 above (**Drawing A-2**). Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site zoned “AGR” upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decided to approve the application.
- 11.4 Other concerned government departments consulted, including the Commissioner for Transport, Director of Fire Services and Head of the Geotechnical Engineering Office, Civil Engineering and Development Department have no objection to or no comment on the application. To address the technical requirements of the concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will also be advised to comply with the all environmental protection/pollution ordinances and follow the requirements of the revised ‘Code of Practice and Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ in order to minimise possible environmental nuisance on the surroundings. Regarding DLO/N of LandsD’s concern on the unauthorised structures erected within the Site and illegal occupation of GL, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 Part of the Site is the subject of three previously approved applications (No. A/NE-HT/9, 16 and 21) for temporary place of recreation, sports or culture (hobby farm, barbecue spot, play area, handicraft making and refreshment kiosk) since 2018 as mentioned in paragraph 5 above (**Plan A-1**). The planning circumstances of the current application are similar to those of the previously approved applications.

As such, approving the current application is generally in line with the Committee's previous decision.

- 11.6 Regarding the public comments as mentioned in paragraph 10 above, the government departments' comments and the planning assessments above are relevant.

## **12. Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments in paragraph 10 above, PlanD has no objection the application.
- 12.2 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 2.5.2028. The following conditions of approval and advisory clauses are suggested for Members' reference:

### Approval Conditions

- (a) the implementation of the drainage proposal identified in the accepted drainage impact assessment within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 2.2.2026;
- (b) in relation to (a) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (c) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 2.11.2025;
- (d) in relation to (c) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 2.2.2026;
- (e) if the above planning condition (b) 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;
- (f) if any of the above planning condition (a), (c) or (d) 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
- (g) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and fill materials, and grassing of the site to the satisfaction of the Director of Planning or of the Town Planning Board.

### Advisory Clauses

The recommended advisory clauses are at **Appendix IV**.

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

the proposed use with associated filling of land is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 13.3 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.

### **14. Attachments**

<b>Appendix I</b>	Application Form with Attachment received on 15.8.2024
<b>Appendix Ia</b>	FI received on 3.12.2024
<b>Appendix Ib</b>	FI received on 4.3.2025
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendices Va to Vc</b>	Public Comments
<b>Drawings A-1a and A-1b</b>	Layout Plan
<b>Drawing A-2</b>	Land Filling Plan
<b>Drawing A-3</b>	Landscape Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to A-4c</b>	Site Photos