

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/561

- Applicant** : Tin Shui Wai Greenfield Garden Company Limited represented by KTA Planning Limited
- Site** : Lots 2766 RP (Part), 2767 (Part), 2782, 2783, 2784, 2785 S.A, 2785 RP, 2787, 2828, 2829, 2830, 2831 (Part), 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841 S.A RP (Part), 2841 S.B RP (Part), 2843, 2845 RP (Part) in D.D.129 and adjoining Government Land (GL), Sha Kong Wai, Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 11,930.2m² (including GL of about 2m²)
- Lease** : (i) Block Government Lease (demised for agricultural use)
(about 99.99% of the Site)
(ii) Government Land (about 0.01% of the Site)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zonings** : “Green Belt” (“GB”) (about 87.3%)
“Village Type Development” (“V”) (about 12.7%)
[Restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Place of Recreation, Sports or Culture (Organic Farm, Barbecue Site, Education and Visitor Centre, Leisure Activity Area and Ancillary Facilities) and Filling of Land and Pond for a Period of 5 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary place of recreation, sports or culture (organic farm, barbecue site, education and visitor centre, leisure activity area and ancillary facilities) and filling of land and pond for a period of five years at the application site (the Site) (**Plan A-1a**). The Site falls within an area partly zoned “GB” (about 87.3%) and partly zoned “V” (about 12.7%) on the OZP. According to the Notes of the OZP for “GB” and “V” zones, ‘Place of Recreation, Sports or Culture’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). Besides, filling of land/pond within the “GB” and “V” zones also require planning permission from the Board. The Site is currently

occupied by the applied use named Tin Shui Wai Greenfield Garden¹.

- 1.2 The Site is accessible via a local track connecting Tin Wah Road. As shown on the layout plan at **Drawing A-1**, the proposal comprises six structures (1 storey and 3m to 4.5m in height) with a total floor area of about 628m² for education and visitor centre, game booth, kiosk, tea room, storage, pavilion, toilet and office uses. An organic farming area of about 68.9m² (0.6% of the Site) is designated at the northwest of the Site for demonstration of farming techniques. A petting zoo with cows and goats is also provided at the northwest for teaching visitors about nature and animals. A barbecue area is designated at the south, which is located further away from the residential uses to the north. A recreational pond at the centre is retained and used for water leisure activities. Other recreational-related areas (including game booth, playground and activity/picnic area) are located at various parts of the Site. The ingress/egress is located at the southeast of the Site. A total of 18 parking spaces for private cars (5m × 2.5m each) and two loading/unloading spaces for light buses (8m × 3m each) are provided at the southeast of the Site. The applicant would also preserve 108 existing trees at the Site as shown on the tree survey plan (**Drawing A-3**).
- 1.3 According to the applicant, the operation hours are between 10:00 a.m. and 10:00 p.m. from Mondays to Sundays (including public holidays). The estimated number of visitors is about 34 to 54 daily on weekdays and 136 to 204 people daily during weekends and advance booking by visitors would be required. No public announcement systems, whistle blowing or portable loudspeaker would be used.
- 1.4 Moreover, the applicant applies for regularisation of the land and pond filling works already undertaken at the Site. As shown on the land and pond filling plan at **Drawing A-2**, an area of about 159m² (1.3% of the Site) within the “V” zone portion at the northwest of the Site had been concrete-paved for 0.02m in thickness for landscaping, agricultural and recreational uses. Also, a pond with a total area of 268m² (2.2% of the Site) at the northeast within the “GB” zone had been filled with soil and concrete of about 0.52m for landscaping and recreational uses. According to the applicant, all these works had been completed when the previous planning permission under application No. A/YL-LFS/424² was valid and no new filling works will be carried out.
- 1.5 The Site was involved in six previous applications covering different extents of the Site including two applications for similar recreational uses which were approved by the Committee between 1999 and 2022 (**Plan A-1b**). Compared with the last application for temporary recreational use (No. A/YL-LFS/424), the current application is submitted by the same applicant with a reduced site area and floor area. A comparison of the major development parameters between the last previous application and the current application is as follows:

¹ Majority of the Site forms part of a larger site applied for recreational development under Application No. A/YL-LFS/39 which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 14.5.1999 (**Plan A-1b**).

² Application No. A/YL-LFS/424 for temporary recreational uses for a period of three years and filling of land and ponds (**Plan A-1b**).

	Previously Approved Application No. A/YL-LFS/424 (a)	Current Application No. A/YL-LFS/561 (b)	Difference (b) - (a)
Site Area	about 17,740m ²	about 11,930.2m ²	-5,809.8m ² (-32.8%)
Applied use	Temporary Place of Recreation, Sports or Culture (Organic Farm, Barbecue Site, Education and Visitor Centre, Leisure Activity Area and Ancillary Facilities) with Filling of Land and Ponds	Temporary Place of Recreation, Sports or Culture (Organic Farm, Barbecue Site, Education and Visitor Centre, Leisure Activity Area and Ancillary Facilities) and Filling of Land and Pond	No change
Time limit	Temporary for 3 years	Temporary for 5 years	Increase by 2 years
No. of structures	25 <ul style="list-style-type: none"> • 5 game booths • 4 pavilion/shelters • 3 shelters for BBQ • 2 mushroom farms • 2 petting zoos • 2 game/activity areas • 2 visitor centres/tearoom/education room • 1 lawn slide • 1 refreshment kiosk • 1 office • 1 toilet • 1 storage 	6 <ul style="list-style-type: none"> • 1 game booth/ education room with storage • 1 visitor centre / kiosk • 1 tea room / visitor centre • 1 toilet • 1 office • 1 pavilion 	-19 (-76%)
Height of structures	Maximum 6m (1 storey)	Maximum 4.5m (1 storey)	-1.5m (-25%)
Gross Floor Area	about 2,969m ² (Non-domestic)	about 628m ² (Non-domestic)	-2,341m ² (-79%)
No. of parking spaces	18 (all for private cars)	18 (all for private cars)	No change
No. of loading/unloading spaces	2 (light buses)	2 (light buses)	No change
Operation Hours	10 a.m. to 10 p.m. Mondays to Sundays	10 a.m. to 10 p.m. Mondays to Sundays	No change
Area and Depth of Pond Filling	about 694m ² (0.52m in depth)	about 268m ² (0.52m in depth)	-426m ² (-61%)
Area and Thickness of Land Filling	about 3,572m ² (0.02m in thickness)	about 159m ² (0.02m in thickness)	-3,413m ² (-97%)

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

- (a) Application Form with Supporting Planning Statement (**Appendix I**) received on 2.6.2025
- (b) Supplementary Information (SI) received on 9.6.2025 (**Appendix Ia**)
- (c) Further Information (FI) received on 14.7.2025* (**Appendix Ib**)

(d) FI received on 1.8.2025*

(Appendix Ic)

**accepted and exempted from publication and recounting requirements*

1.7 On 1.8.2025, the Committee agreed to defer making a decision on the application for 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 in the Supporting Planning Statement, SI and FI at **Appendices I to Ic**. They can be summarised as follows:

- (a) The nature of service provided in the organic farm, barbecue site, education and visitor centre, and leisure activity area is mostly for recreational use. It also serves as an area to maintain natural landscape for public enjoyment and educational purpose. There is no conflict with the planning intention of the “GB” zone in view of the compatible nature of the applied use. Also, as the applied use is temporary in nature and will not jeopardise the long-term planning intention of the “V” zone.
- (b) The Site is the subject of two previous planning approvals for similar recreational uses. All approval conditions for the last approved application No. A/YL-LFS/424 have been complied with.
- (c) Existing lush greening and vegetation will be preserved and well-maintained to ensure that the natural environment will not be degraded. The recreational pond will be retained and no further land and pond filling will be carried out.
- (d) Advance booking will be required for effective control on the number of visitors. Hence, there will be insignificant impact to the local road network.
- (e) Existing drainage facilities will be properly maintained. No adverse drainage impact is anticipated.
- (f) Approval of the application will not set an undesirable precedent.

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 Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements under TPB PG-No. 31B are not applicable.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for Application for Development within the Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) is relevant to the application. The relevant assessment criteria are detailed at **Appendix II**.

5. Background

The Site, currently used for the applied use, is not subject to any active enforcement action. However, it is noted that majority of the Site was previously covered by a planning permission (No. A/YL-LFS/424) for temporary place of recreation, sports or culture (organic farm, barbecue site, education and visitor centre, leisure activity area and ancillary facilities) for a period of three years and filling of land and ponds, which lapsed on 6.5.2025. Subject to collection of sufficient evidence, appropriate planning enforcement action would be undertaken.

6. Previous Applications

- 6.1 Various parts of the Site were involved in six previous applications for recreational use and public vehicle park uses. Five of them were approved whilst one was rejected by the Committee. Details of these previous applications are summarised in **Appendix III** and their locations are shown on **Plan A-1b**.

Approved Applications

- 6.2 Application No. A/YL-LFS/9 submitted by a different applicant for pond filling for agriculture use (fruit tree plantation) within the “GB” and the then “Residential (Group C)” zones covering only a small portion of the Site was approved by the Committee on 23.8.1996 mainly on considerations that the proposal was in line with the planning intention of the “GB” zone and compatible with the surrounding area; ‘Agricultural use (fruit tree plantation)’ was a Column 1 use within the “GB” zone; there was no adverse comments from concerned government departments on ecological and drainage aspects; and the technical concerns could be addressed by approval conditions. The proposal had not been fully implemented.
- 6.3 Application No. A/YL-LFS/39 covering majority of the Site and submitted by the current applicant for recreational uses including barbecue spot, playground, refreshment kiosk, visitor centre, public car park and ancillary use within the “GB” and “V” zones was approved with conditions on a permanent basis by the Committee on 14.5.1999 mainly on considerations that the development which was primarily rural in character and did not involve filling of existing ponds; the proposed development was compatible with the surrounding land uses; it helped to reinstate the deteriorating rural environment in the context of decline in pond fish farming and agricultural activities; recreational use should be encouraged on a permanent basis; there was no adverse comment from concerned government departments; and the technical concerns could be addressed by approval conditions. Since the planning approval was granted in 1999, the Site has been operating for recreational use. However, the site layout has been changed over the years and the applicant has subsequently submitted another application (No. A/YL-LFS/424) to update the site layout and regularise the pond filling and land filling works already undertaken at

the Site³.

- 6.4 Application No. A/YL-LFS/424 also covering majority of the Site and submitted by the current applicant for similar recreational uses on a temporary basis for a period of three years with filling of land and pond was approved with conditions by the Committee on 6.5.2022 mainly on the considerations that the Site has been granted for similar recreational use on a permanent basis under previous application No. A/YL-LFS/39; the applied use is considered not incompatible with the surrounding land uses; approval on a temporary basis would not frustrate the long-term planning intention of the “GB” and “V” zones; there was no adverse comment from concerned government departments; and the technical concerns could be addressed by approval conditions. All approval conditions have been complied with during the planning approval period and the planning permission lapsed on 6.5.2025.
- 6.5 Applications No. A/YL-LFS/485 and 520 covering small strips of land at the northern and southern parts of the Site for temporary public vehicle park use for a period of three years with filling of land were approved with conditions by the Committee on 13.10.2023 and 7.6.2024 respectively. The considerations of these two approved applications are not relevant to the current application for a different use.

Rejected Application

- 6.6 Application No. A/YL-LFS/444 for proposed temporary public vehicle park (private car and light goods vehicle) for a period of three years and filling of land was rejected by the Committee on 28.10.2022. The considerations of this application are not relevant to the current application for a different use.

7. Similar Applications

- 7.1 There is no similar application for recreational uses within the same “V” zone. However, within/ straddling the same “GB” zone, there are 15 similar applications (No. A/YL-LFS/363, 366, 380, 408, 409, 414, 419, 435, 475, 484, 494, 511, 531, 543 and 547) in the past five years for various recreational uses, of which eight applications were approved by the Committee whilst seven were rejected. Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.

Approved Applications

- 7.2 Application No. A/YL-LFS/363 for a range of recreational and related uses was approved with conditions by the Committee mainly on considerations that the proposed recreational development was in line/not in conflict with the planning intention of the “GB” zone and in keeping/not incompatible with the surrounding land uses; there was no adverse comment from concerned government departments; and the technical concerns could be addressed by approval conditions.

³ There was no land filling restriction within the “GB” and “V” zones until the gazettal of the draft Lau Fau Shan and Tsim Bei Tsui OZP No. S/YL-LFS/6 on 26.3.2004 (i.e. after the approval of the previous application No. A/YL-LFS/39 on 14.5.1999).

- 7.3 Seven applications (No. A/YL-LFS/366, 380, 408, 414, 435, 475 and 547) covering six sites for proposed temporary hobby farm for a period of three years were approved with conditions by the Committee mainly on similar considerations as stated in paragraph 7.2 above, and that other recreational uses of similar nature within the same “GB” zone were approved by the Committee.

Rejected Applications

- 7.4 Seven applications (No. A/YL-LFS/409, 419, 484, 494, 511, 531 and 543) for temporary hobby farm for a period of three years were rejected by the Committee on grounds that there was no strong planning justification in the submission for a departure from the planning intention of the “GB” zone and the applied use were not in line with the TPB PG-No. 10 in that the development was not compatible with the surroundings, would affect the natural landscape, and/or affect/be affected by slope stability.

8. The Site and Its Surrounding Areas (Plans A-1a to A-4c)

- 8.1 The Site is:

- (a) currently occupied by the applied use;
- (b) partly hard-paved with concrete; and
- (c) accessible from Tin Wah Road via a local track.

- 8.2 The surrounding areas are predominated by vehicle parks/parking of vehicles and village houses in Sha Kong Wai. To the further south are the “Residential (Group A)” (“R(A)”) zone of the OZP/“R(A)1” zone of the Tin Shui Wai OZP for a public housing development which is under construction. To the east across Tin Ying Road and the Tin Shui Wai Nullah is Tin Yan Estate of the Tin Shui Wai New Town. Other uses including cultivated agricultural land, unused land, temple and shrine are also located in the vicinity.

9. Planning Intentions

- 9.1 The planning intention of “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.2 The planning intention of “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

- 9.3 As filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities within both “GB” and “V” zones.

10. Comments from Relevant Government Departments

- 10.1 Apart from the government department as set out in paragraph 10.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices IV and V** respectively.

- 10.2 The following government department has reservation on the application:

Land Administration

- 10.2.1 Comments of the District Lands Officer/Yuen Long, LandsD (DLO/YL, LandsD):

- (a) The Site comprises Old Schedule Agriculture Lots (OSALs) and GL. The OSALs are held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. No permission is given for occupation of the remaining GL (about 2m² subject to verification) included in the Site. The act of occupation of GL without Government’s prior approval is not allowed.
- (b) The private lots in the Site are covered by Short Term Waivers (STWs) as listed below:

Lot No. (D.D. 129)	STW No.	Purposes
2843	5438	Temporary Place of Recreation, Sports or Culture (Organic Farm, Barbecue Site, Education and Visitor Centre, Leisure Activity Area and Ancillary Facilities)
2836	5439	
2839	5440	
2841 S.A RP	5441	
2841 S.B RP	5442	
2845 RP	5443	

- (c) He has reservation on the planning application since there are unauthorized structures on the Lot Nos. 2766 RP, 2767, 2782, 2783, 2785 S.A, 2785 RP, 2787, 2789, 2830, 2831, 2833, 2834, 2837, 2838 and 2840 in D.D. 129 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify and/or apply for regularization of the lease breaches as demanded by LandsD.
- (d) There is no Small House application approved or under processing within the Site.
- (e) The applicant should note his advisory comments at **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 10.6.2025, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual (**Appendix VI**) was received objecting to the application mainly on grounds that pond and land filling works have been carried out and the application is paving the way for car park use.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary place of recreation, sports or culture (organic farm, barbecue site, education and visitor centre, leisure activity area and ancillary facilities) and filling of land and pond for a period of five years. The Site falls within an area partly zoned “GB” (about 87.3%) and partly zoned “V” (about 12.7%). The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. However, limited development may be permitted if they are justified on strong planning grounds. While the applied use and associated filling of land and pond are not in line with the planning intention of the “GB” zone, the planning background of the Site is unique in that the Site formed part of a larger site previously granted with planning permissions for permanent and temporary recreational uses with ancillary car parks in 1999 and 2022 respectively (i.e. applications No. A/YL-LFS/39 and 424).
- 12.2 Meanwhile, the planning intention of the “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. Whilst the applied use is not in line with the planning intention of the “V” zone, DLO/YL of LandsD advises that there is no Small House application approved or under processing at the Site. Approval of the application on a temporary basis for five years would not frustrate the long-term planning intention of the “V” zone. In view of the above and taking into account the planning assessments below, sympathetic consideration may be given to the application.
- 12.3 The current proposal is similar to the one approved under Application No. A/YL-LFS/424 except with a reduced site area, number of structures and floor area. The applicant also seeks permission for the pond filling (soil of 0.5m and concrete of 0.02m in depth for 268m² or 2.2% of the Site) and land filling (concrete of 0.02m in height for about 159m² or 1.3% of the Site) works already approved at the Site under previous Application No. A/YL-LFS/424. No new filling works are proposed. Filling of land and pond within the “GB” and “V” zones require planning permission from the Board as it may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In this regard, the Director of Agriculture, Fisheries and Conservation (DAFC) and Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) have no adverse comment from nature conservation and drainage perspectives respectively. An approval condition requiring the reinstatement of the “GB” portion of the Site upon expiry of the planning permission so as to uphold the planning intention of the “GB” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.

- 12.4 The Site is located adjacent to the Tin Shui Wai New Town to its east, a public housing development under construction to its south, and the recognised village of Sha Kong Wai to its west. There are also vehicle parks covered with valid planning permissions, unused land and cultivated agricultural land in the vicinity. The applied use with associated filling of land and pond is considered not incompatible with the surrounding land uses.
- 12.5 According to the TPB PG-No. 10, passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration. Also, the design and layout of any development should be compatible with the surrounding areas and should not affect the existing landscape. In this connection, DAFC has no comment on the application from nature conservation perspective. Regarding the landscape aspect, the applicant has submitted a tree survey for preservation of existing trees at the Site (**Drawing A-3**). Noting that the Site has long been used for recreational uses and no significant adverse landscape impact arising from the applied use is anticipated, the Chief Town Planner/Urban Design and Landscape of Planning Department has no comment on the application from landscape planning perspective. As such, the applied use is considered not in conflict with TPB PG-No. 10.
- 12.6 Other concerned government departments, including the Director of Environmental Protection, Commissioner for Transport, CE/MN of DSD and Director of Fire Services have no objection to or no adverse comment on the application on environmental, traffic, drainage and fire safety aspects respectively. To address the technical requirements of concerned government departments, approval conditions have been recommended in paragraph 13.2 below. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorized development on site will be subject to planning enforcement action. The applicant would also be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise possible nuisance on the surrounding areas.
- 12.7 Regarding DLO/YL’s concern on the unauthorized structure(s) erected within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 12.8 Majority of the Site is covered by two previous approvals (applications No. A/YL-LFS/39 and 424) for recreation uses as detailed in paragraphs 6.3 and 6.4 above. The Committee has also approved eight similar applications within the same “GB” zone for recreational uses in the past five years as detailed in paragraph 7.3 above. Although seven similar applications were rejected in the past five years, the planning circumstances of the current application are different in that it is the subject of previous permissions and no adverse landscape and slope stability impacts are anticipated. Approval of the current application is considered generally in line with the Committee’s previous decisions.
- 12.9 There was a public comment received objecting to the application as summarised in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.8 above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10, the Planning Department has no objection to the application.
- 13.2 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 five years until **5.9.2030**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a drainage proposal within **6 months** to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **5.3.2026**;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9 months** from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **5.6.2026**
- (c) in relation to (b) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within **6 months** from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **5.3.2026**;
- (e) in relation to condition (d) above, the implementation of the fire service installations proposal within **9 months** from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **5.6.2026**;
- (f) if the above planning condition (c) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (g) if any of the above planning conditions (a), (b), (d) or (e) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (h) upon expiry of the planning permission, the reinstatement of the Site, including the removal of hard paving and grassing the "GB" portion of the Site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

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

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

the applied use with filling of land and pond is not in line with the planning intentions

of the “GB” and “V” zones, which are primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets; and for development of Small Houses by indigenous villagers respectively. There is also a general presumption against development within the “GB” zone. There is no strong planning justification in the submission for a departure from the planning intentions, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant planning permission.
- 14.2 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 permission should be valid on a temporary basis.
- 14.3 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.

15. Attachments

Appendix I	Application Form received on 2.6.2025
Appendix Ia	SI received on 9.6.2025
Appendix Ib	FI received on 14.7.2025
Appendix Ic	FI received on 1.8.2025
Appendix II	Extract of Town Planning Board Guidelines for Application for Development within the Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10)
Appendix III	Previous Applications and Similar Applications within the same “GB” zone
Appendix IV	Government Departments’ General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment Received During Statutory Publication Periods
Drawing A-1	Layout Plan
Drawing A-2	Plan Showing Layout of the Pond Filling and Land Filling Area under application
Drawing A-3	Tree Survey
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Site Plan with Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2025**