

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-HTF/1191

- Applicant** : Tree Climbing Hong Kong Limited (TCHK) represented by Metro Planning & Development Company Limited
- Site** : Lots 230 and 581 (Part) in D.D. 128, Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 2,070m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12
- Zoning** : “Coastal Protection Area” (“CPA”)
- Application** : Temporary Training Centre (Tree Care Training Centre) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary training centre (tree care training centre) for a period of three years at the application site (the Site) zoned “CPA” on the OZP (**Plan A-1**). According to the covering 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 the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site can be accessed via a local track leading from Deep Bay Road and the ingress/egress is at the southwestern part of the Site (**Plans A-2 and A-3**). As shown on the layout plan at **Drawing A-1**, two single-storey (not more than 4.5m in height) structures with a total floor area of not more than 240m² are erected for open shed (comprising four converted containers for classroom and office) and toilet uses. There is a climbing practice ground in the southwestern portion of the Site. Based on the landscape and tree preservation plan (**Drawing A-2**), there are 18 existing trees at the northern portion of the Site, including 17 trees preserved for training purpose. Two parking spaces for private cars are provided. In order to minimise the potential geotechnical impact, a “no-build” zone has been designated along the eastern boundary of the

Site, where no structure and parking space will be located (**Drawing A-1**). The operation hours are from 9 a.m. to 7 p.m. from Mondays to Sundays including public holidays. Plans showing the site layout, landscape provision, drainage facilities and vehicular access submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.3 The Site was involved in three previous applications, including two applications (No. A/YL-HTF/1102 and 1131) for tree care training centre use approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2020 and 2022 respectively (details at paragraph 5 below). As compared with the last approved application No. A/YL-HTF/1131, the current application is submitted by the same applicant for the same use at the same site with the same development parameters and a largely similar layout.
- 1.4 In support of the application, the applicant submitted the following documents:
- (a) Application Form with attachments received on (**Appendix I**) 13.5.2025
 - (b) Supplementary Information (SI) received on (**Appendix Ia**) 15.5.2025
 - (c) Further Information (FI) received on 12.6.2025* (**Appendix Ib**)
 - (d) FI received on 19.8.2025# (**Appendix Ic**)
- *accepted and exempted from publication and recounting requirements*
- #accepted but not exempted from publication and recounting requirements*
- 1.5 On 4.7.2025, 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 Application Form and SI at **Appendices I and Ia** respectively. They can be summarised as follows:

- (a) The Site is currently occupied as a training ground by TCHK which is a qualified training institution accredited by the Education Bureau.
- (b) The Site is the subject of a previously approved application No. A/YL-HTF/1131. The applicant has complied with all the approval conditions.
- (c) The Site is grown with mature trees, which makes it suitable for tree care training.
- (d) The applied use is not incompatible with the surrounding areas.
- (e) No adverse traffic, environmental, drainage and landscape impacts are

anticipated. The applied use, which involves tree climbing, use of saw and tree care training, would not affect nearby residents.

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

The applicant is not the “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 posting site notice and sending notice to the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

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

5. Previous Applications

- 5.1 The Site was involved in three previous applications for temporary organic farm and tree care training centre uses. Details of these previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

Approved applications

- 5.2 Applications No. A/YL-HTF/1102 and 1131 for temporary training centre (tree care training centre) were approved with conditions by the Committee in 2020 and 2022 respectively mainly on considerations that the applied use was not incompatible with the surrounding areas and concerned government departments generally had no objection to the application and/or the technical concerns could be addressed by approval conditions. While application No. A/YL-HTF/1102 was revoked owing to non-compliance with approval conditions¹, all approval conditions under the last approved application No. A/YL-HTF/1131 (which was submitted by the same applicant as the current application) were complied with and the planning permission lapsed in June 2025.

Rejected application

- 5.3 Application No. A/YL-HT/805 (covering a much larger area) for temporary organic farm with ancillary education and activity centre and small-scale barbecue spot was rejected by the Board on review in 2013. The considerations for this previous application are not relevant to the current application which involves a different use.

¹ Application No. A/YL-HTF/1102 was revoked in 2021 due to non-compliance with approval conditions on removal of hard paving at the site before operation of the applied use and no additional land filling at the site.

6. Similar Application

There is no similar application for tree care training centre use within the subject “CPA” zone in the past five years.

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

7.1 The Site is:

- (a) used for the applied use without valid planning permission;
- (b) accessible via a local track leading from Deep Bay Road; and
- (c) located within the Sha Kong Miu (North) Site of Archaeological Interest.

7.2 The surrounding areas are predominantly rural in character comprising vacant/unused land, residential dwellings and ponds intermixed with areas used for storage and parking of vehicles, which are suspected unauthorized developments subject to planning enforcement action.

8. 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 may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. 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.

9. Comments from Relevant Government Bureau/Departments

9.1 Apart from the government department as set out in paragraph 9.2 below, other bureau/departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices III and IV** respectively.

9.2 The following government department has reservation on the application:

Land Administration

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

- (a) the Site comprises Old Schedule Agricultural Lots (No. 230 and

581 in D.D. 128) 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;

- (b) the following private lot is covered by Short Term Waiver (STW) as shown below:

STW No.	Lot No. in D.D. 128	Purposes
5485	581	Temporary training centre (tree care training centre) and any ancillary uses may be approved by DLO/YL, LandsD

- (c) the following irregularity covered by the planning application has been detected by his office:

LandsD has reservation on the planning application since there is/are unauthorised structure(s) on Lot 230 in D.D. 128 which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and

- (d) if the planning application is approved, the applicant should note his advisory comments at **Appendix IV**.

10. Public Comment Received During the Statutory Publication Periods

During the statutory public inspection periods, no public comment was received.

11. Planning Considerations and Assessments

11.1 The application is for temporary training centre (tree care training centre) for a period of three years at the Site zoned “CPA” on the OZP. According to the applicant, small-scale and low-rise temporary structures in support of the applied use are erected at the Site and most of the existing trees are preserved for training purpose. While the applied use is not in line with the planning intention of the “CPA” zone, the Director of Agriculture, Fisheries and Conservation has no adverse comment on the application from nature conservation point of view. Taking into consideration the planning assessments below, sympathetic consideration may be given to the applied use at the Site on a temporary basis for a period of three years. Nonetheless, the Project Manager (West) of Civil Engineering and Development Department (CEDD) advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation and land resumption/clearance programme is currently being reviewed under the relevant investigation study

and subject to change. Should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and be advised not to carry out any substantial works therein.

- 11.2 The Site is situated in an area of rural landscape character comprising vacant/unused land, residential dwellings and ponds intermixed with areas used for storage and parking of vehicles. The applied use is considered not entirely incompatible with the surrounding areas. The Chief Town Planner/Urban Design & Landscape of Planning Department considers that no significant landscape impact arising from the applied use is anticipated and has no comment on the application from landscape planning point of view. As the Site is zoned “CPA”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “CPA” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 11.3 Other relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department, Head of the Geotechnical Engineering Office of CEDD and Director of Fire Services, have no objection to or no adverse comment on the application from traffic, environmental, drainage, geotechnical and fire safety perspectives respectively. To address the technical requirements of 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 follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise possible environmental nuisance on surrounding areas. Regarding DLO/YL, LandsD’s concern on the unauthorised structure(s) erected within Lot 230 in D.D. 128, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.4 The Site is the subject of two previous applications (No. A/YL-HTF/1102 and 1131) for the same use which were approved with conditions by the Committee in 2020 and 2022 respectively. Approval of this application is generally in line with the previous decisions of the Committee.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11, the Planning Department has no objection to 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 10.10.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the site within **3 months** from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **10.1.2026**;
- (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 **10.4.2026**;
- (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 **10.7.2026**;
- (e) 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;
- (f) if any of the above planning condition (b), (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 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 attached 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 applied use 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. 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 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

Appendix I	Application Form with Attachments received on 13.5.2025
Appendix Ia	SI received on 15.5.2025
Appendix Ib	FI received on 12.6.2025
Appendix Ic	FI received on 19.8.2025
Appendix II	Previous Applications
Appendix III	Government Bureau/Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Landscape and Tree Preservation Plan
Drawing A-3	As-built Drainage Plan
Drawing A-4	Vehicular Access Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2025**