

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

APPLICATION NO. A/I-CC/28

<u>Applicant</u>	: 611 Bread of Life Christian Church Limited represented by DeSPACE (International) Limited
<u>Site</u>	: Lot 256RP (Part) in D.D. Cheung Chau, Cheung Chau
<u>Site Area</u>	: About 1,410m ²
<u>Land Status</u>	: Old Schedule House and Agricultural Lot held under Block Government Lease
<u>Plan</u>	: Approved Cheung Chau Outline Zoning Plan (OZP) No. S/I-CC/9
<u>Zoning</u>	: “Green Belt” (“GB”)
<u>Application</u>	: Proposed Temporary Holiday Camp (Private Tent Camping Ground) for a Period of Six Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary holiday camp (private tent camping ground) for a period of six years at the application site (the Site)(**Plans A-1 and A-2**). The Site falls within an area zoned “GB” on the approved Cheung Chau OZP No. S/I-CC/9. According to the Notes of the OZP, temporary uses expected to be over five years must conform to the zoned use or the Notes, and ‘Holiday Camp’ is a Column 2 use within the “GB” zone which requires planning permission from the Town Planning Board (the Board).
- 1.2 The current application involves the setting up of 20 tents and six portable toilets at the Site. According to the applicant, the tents with height ranging from 2.8m to 5m will be placed on removable wooden decks. No permanent structure will be erected and no filling or excavation of land will be involved. The remaining parts of the Site will be grassland for passive recreational uses including sitting out areas, landscape planting area and open space. Fencing of 1.2m tall will be erected around the Site.

1.3 According to the applicant, the proposed tent camping ground is privately-owned and will be operated by the applicant to provide overnight accommodation exclusively for members of its church and their family members for leisure purpose. Vacuum tanker would be used for sewage management, and no fresh and flushing water and no car parking space will be provided. All trees within the Site are proposed to be retained. The layout plans and drawings submitted by the applicant are at **Drawings A-1 to A-6**.

1.4 The major development parameters of the proposed use are as follows:

Site Area (about)	1,410m ²
No. of Tents	20
Height of the Tent	2.8m to 5m
No. of Portable Toilets	6
Estimated No. of Visitors	100 per day

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

- (a) Application form and Supporting Planning Statement received on 11.2.2022 **(Appendix I)**
- (b) Supplementary Information received on 18.2.2022 **(Appendix Ia)**
- (c) Further Information (FI) received on 7.4.2022* **(Appendix Ib)**
- (d) FI received on 29.4.2022* **(Appendix Ic)**

** accepted and exempted from publication and recounting requirements*

1.6 On 1.4.2022, the Rural and New Town Planning Committee (the Committee) agreed to defer making a decision on the application for two months as requested by the applicant to allow time for preparation of FI to address departmental comments. With the FI received on 8.4.2022 and 29.4.2022, the application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application in **Appendices I to Ic** are summarised as follows:

- (a) passive recreational use is the dominant use of the proposed tent camping ground. For the rest of the Lot surrounding the Site, they will be retained as agricultural use which is always permitted within the “GB” zone. The proposed temporary use is generally not in conflict with the planning intention of “GB” zone;
- (b) the proposed temporary tent camping ground could better utilise the vacant farmland and would not frustrate the long-term planning intention of the “GB” zone. The campsite equipment, the tents and portable toilets will be moveable and only be installed at the Site on a temporary basis. Furthermore, the natural

landscape will be restored and maintained by the applicant in the future;

- (c) the proposed use is compatible with the surroundings in terms of use, height and scale which are predominantly low-rise residential, recreation and government, institution and community (GIC) uses in nature;
- (d) as no tree felling, site clearance, site levelling, hard paving and erection of permanent structures will be carried out within the Site, no significant adverse landscape impact will be arisen from the proposed use;
- (e) 'Tent Camping Ground' which is open to the public is always permitted within the "GB" zone.¹ There are applications for temporary holiday camp previously approved by the Committee / the Board in "Agriculture" and "Coastal Protection Area" zones in other districts; and
- (f) it is a good intention of the applicant to proceed with a temporary tent camping ground for a period longer than five years so that the proposal can go through a formal public consultation procedure under the Town Planning Ordinance.

3. Compliance with the "Owner's Consent/Notification" Requirements

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

4. Town Planning Board Guidelines

Town Planning Board Guidelines for 'Application for Development within "Green Belt" Zone under Section 16 of the Town Planning Ordinance' (TPB PG-No. 10) is relevant to this application. Relevant extracts of TPB PG-No. 10 are at **Appendix II**.

5. Previous Application

The Site is not the subject of any previous application.

6. Similar Application

There is no similar application for holiday camp within the "GB" zone on the same OZP.

7. The Site and Its Surrounding Areas (Plans A-1 to A-3, A-4 to A-6)

7.1 The Site is:

- (a) located in the southeastern part of Cheung Chau comprising three

¹ According to the Definition of Terms used in statutory plans promulgated by the Board, 'Tent Camping Ground' means any place open to the public where tents are put for temporary lodging for recreational or training purpose. It excludes tent camping ground which are privately owned and/or commercially operated.

platforms of fallow farmland on a relatively low terrain;

- (b) currently vacant and covered by vegetation and some trees; and
- (c) accessible from an existing local track with a width of about 2m connecting to Fa Peng Road.

7.2 The surrounding areas have the following characteristics:

- (a) the surrounding area is predominantly occupied by agricultural land and vegetation. There is a watercourse at the immediate east of the Site;
- (b) to its further north are Fa Peng Road, Cheung Chau Sports Ground with public toilet and changing room facilities and residential developments of one to three storeys;
- (c) to its further east is an area covered by dense vegetation;
- (d) to its further south and southeast are the natural coast of Nam Tam Wan and some GIC and recreational uses including the Salesian Retreat House and Don Bosco Youth Centre;
- (e) to its further west are residential developments of one to three storeys and The Alliance Bible Seminary; and
- (f) Cheung Chau Ferry Pier is about 850m to the northwest of the Site.

8. Planning Intention

The planning intention of the “GB” zone is primary for defining the limits of development areas by natural features, to protect the natural landscape, as well as to provide recreational outlets for local population and visitors. There is a general presumption against development within the zone.

9. Comments from Relevant Government Departments

All 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 III and V** respectively.

10. Public Comments Received During Statutory Publication Period

- 10.1 On 22.2.2022, the application was published for public inspection. During the statutory publication period, 58 public comments, including 45 supporting comments from individuals (including 25 in two standard forms with variations), two opposing comments from individuals, and 11 comments providing views on the application from The Conservancy Association, Kadoorie Farm and Botanic Garden and individuals were received. The public comments are at **Appendix IV**.

10.2 The major grounds of the public comments are summarised as follows:

Supporting comments

- (a) the Site is at a prime location with pleasant environment for tent camping ground;
- (b) the proposed use can utilise land resources and vacant agricultural land, and facilitate tourism development in Cheung Chau. Temporary use would not affect the long-term planning of the Site;
- (c) minimal adverse environmental impacts are anticipated due to the small scale of development. The proposed use is compatible with the surrounding area, including nearby religious/recreational facilities; and
- (d) the applicant is a trustworthy operator to manage the area.

Opposing comments

- (a) there will be adverse impacts on hygiene and ferry service resulting from excessive amount of tourists in Cheung Chau;
- (b) the proposed use is not in line with the planning intention of the “GB” zone with possible environmental concern to the nearby residents and bible seminary, while sewerage treatment is not addressed by the applicant; and
- (c) the applicant has a negative reputation as a religious organisation.

Providing views

- (a) more campsites should be provided in Cheung Chau;
- (b) there are concerns on disturbance of natural streams as there is no buffer between the stream and the Site. Sewerage impacts will be caused by the portable toilets at the Site. There is no road access for vacuum tankers and no plan for sewage and refuse disposal;
- (c) there are concerns on the maintenance of grass-paved area, clearance of vegetation and risk of polluting runoff. Air, light and noise pollution to the surrounding areas is also anticipated; and
- (d) cultivated farmland should not be converted to other uses.

11. Planning Considerations and Assessments

11.1 The applicant seeks planning permission for temporary holiday camp (private tent camping ground) for a period of six years within the “GB” zone. The planning intention of the “GB” zone which is primary for defining the limits of development areas by natural features, to protect the natural landscape, as well as to provide recreational outlets for local population and visitors. There is a general presumption against development within the zone. Although the proposed

private tent camping ground is not entirely in line with the planning intention of the “GB” zone, given its temporary nature, the long-term planning intention of the “GB” zone will not be jeopardised.

- 11.2 The Site is located in an area characterised by a mixture of agricultural, low-rise residential, recreation and GIC uses. The proposed tent camping ground, which involves the setting up of 20 tents with height ranging from 2.8m to 5m and six portable toilets and without any permanent structures, is considered not incompatible with the surrounding environment. According to the TPB PG-No. 10, passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration.
- 11.3 Given the low-rise and temporary nature of the proposed use, significant adverse visual impact is not anticipated. According to the applicant, all trees identified on site are proposed to be retained and hence significant adverse impact on the existing landscape resources and landscape character is not expected. Moreover, no significant ecological impact would be anticipated. CTP/UD&L and DAFC have no adverse comment on the application.
- 11.4 Since the proposed tent camping ground is for members of the church and their family members and not large in scale, significant adverse traffic, drainage and water supply impacts are not anticipated. Relevant government departments consulted including C for T, CE/HK&I of DSD and CE/C of WSD have no objection to or no adverse comment on the application.
- 11.5 The applicant has proposed measures in terms of waste and sewerage management, maintenance of portable toilets and grass-paved area, and management of camping activities to mitigate the potential environmental impacts and nuisances to the nearby sensitive receivers. DEP has no adverse comment on the application.
- 11.6 Regarding the public comments received including the opposing comments, the departmental comments in paragraph 9 above and the assessments in paragraphs 11.1 to 11.5 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 mentioned in paragraph 10, 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 temporary basis for a period of six years, as applied for, until 20.5.2028. The following approval conditions and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) 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 TPB by 20.11.2022;

- (b) in relation to (a) 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 TPB by 20.2.2023;
- (c) if the above planning condition (a) or (b) 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
- (d) upon expiry of the planning permission, the reinstatement of the application site to an amenity area 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**.

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

the proposed use is not in line with the planning intention of the "Green Belt" zone which is primarily for defining the limits of urban and sub-urban development areas by natural features, to protect the natural landscape, as well as to provide recreational outlets for local population and visitors. There is a general presumption against development within the zone. There is no strong planning justification in the submission for a departure from the planning intention, even in 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 Planning Statement received on 11.2.2022
Appendix Ia	Supplementary Information received on 18.2.2022
Appendix Ib	FI received on 7.4.2022
Appendix Ic	FI received on 29.4.2022
Appendix II	TPB PG-No. 10 for 'Application for Development within "Green Belt" Zone under Section 16 of the Town Planning Ordinance'
Appendix III	Government Departments' General Comments

Appendix IV	Public Comments received during the Statutory Publication Period
Appendix V	Recommended Advisory Clauses

Drawing A-1	Layout Plan
Drawing A-2	Percentage of Use
Drawing A-3	Entrance and Fencing
Drawing A-4	Sample of Tent
Drawing A-5	Landscape Layout Plan with Viewpoints
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 to A-6	Site Photos

PLANNING DEPARTMENT
May 2022