'**- &** OCT 2023 This document is received on

<u>Form No. S16-III</u> 表格第 S16-III 號

The Town Planning Board will formally acknowledge the date of receipt of the application only upon receipt of all the required information and documents.

APPLICATION FOR PERMISSION **UNDER SECTION 16 OF** THE TOWN PLANNING ORDINANCE (CAP. 131)

根據《城市規劃條例》(第131章) 第 16 條 遞 交 的 許

Applicable to Proposal Only Involving Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas or Regulated Areas, or Renewal of Permission for such Temporary Use or Development*

適用於祇涉及位於鄉郊地區或受規管地區土地上及/或建築物內進行 為期不超過三年的臨時用途/發展或該等臨時用途/發展的許可續期的建議*

*Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development, *其他土地上及/或建築物內的臨時用途/發展(例如位於市區內的臨時用途或發展)及有關該等臨時用途/發 展的許可續期,應使用表格第S16-I 號。

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers: https://www.tpb.gov.hk/en/plan application/apply.html

申請人如欲在本地報章刊登申請通知,以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行 土地擁有人所指定的其中一項合理步驟,請瀏覽以下網址有關在指定的報章刊登通知: https://www.tpb.gov.hk/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

- "Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
 - 「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的 土地的擁有人的人
- & Please attach documentary proof 請夾附證明文件
- ^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足,請另頁說明

Please insert a 「 🗸 」 at the appropriate box 請在適當的方格內上加上「 🗸 」號

2302517 19/9 by hand

For Official Use Only 請勿填寫此欄

Application No. 申請編號	A/NE-HT/>1	
Date Received 收到日期	- \$ OCT 2023	

- 1. The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong. 申請人須把填妥的申請表格及其他支持申請的文件(倘有),送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- 2. Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at http://www.tpb.gov.hk/. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, I Sheung Wo Che Road, Sha Tin, New Territories). 請先細閱《申請須知》的資料單張,然後填寫此表格。該份文件可從委員會的網頁下載(網址: http://www.tpb.gov.hk/),亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓 電話:2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線:2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾卷路 1 號沙田政府合署 14 樓)索取。
- 3. This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete. 此表格可從委員會的網頁下載,亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全,委員會可拒絕處理有關申請。

1.	Name of Applicant	申請人姓名/名稱
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(□Mr. 先生 /□Mrs. 夫人 /□Miss 小姐 / Ms. 女士 /□Company 公司 /□Organisation 機構)

FUNG Chiu Han

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱(如適用)

(□Mr. 先生 /□Mrs. 夫人 /□Miss 小姐 /□Ms. 女士 / ☑ Company 公司 /□ Organisation 機構)

R-riches Property Consultants Limited 盈卓物業顧問有限公司

3. Application Site 申請地點

(a)		address			
	demar	cation	district	and	lot
		r (if app			
	詳細力	也址/坩	別點/	丈量約倍	分及
		碼(如			,,,,

Lots 1091 RP, 1134 S.A and 1134 RP in D.D. 76, Fung Kat Heung, Hok Tau, Fanling, New Territories

(b)	Site area and/or gross floor area
	involved
	涉及的地盤面積及/或總樓面面
	穑

☑Site area 地盤面積 3,371 sq.m 平方米☑About 約 ☑Gross floor area 總樓面面積 356 sq.m 平方米☑About 約

(c)	Area of Government land included
	(if any)
	所包括的政府土地面積(倘有)

NA sq.m 平方米 □About 約

(d)	Name and number of t statutory plan(s) 有關法定圖則的名稱及		Approved Hok Tau Outline Zoning Plan No. S/NE-HT/7		
(e)	Land use zone(s) involve 涉及的土地用途地帶	ed	. "Agriculture" Zone		
(f)	Current use(s) 現時用途		Same as the applied use (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施,請在圖則上顯示,並註明用途及總樓面面積)		
4.	"Current Land Own	ner" of A	pplication Site 申請地點的「現行土地擁有人」		
The	applicant 申請人 -				
			ease proceed to Part 6 and attach documentary proof of ownership). f繼續填寫第6部分,並夾附業權證明文件)。		
	is one of the "current land 是其中一名「現行土地技	l owners"#& 雍有人」 ^{#&}	(please attach documentary proof of ownership). (請夾附業權證明文件)。		
⊠	is not a "current land owner" [#] . 並不是「現行土地擁有人」 ^{#。}				
	The application site is entirely on Government land (please proceed to Part 6). 申請地點完全位於政府土地上(請繼續填寫第 6 部分)。				
5.	Statement on Owne 就土地擁有人的		nt/Notification 工土地擁有人的陳述		
(a)	involves a total of	"c	年		
(b)	The applicant 申請人 -				
	has obtained consent	(s) of	"current land owner(s)"#.		
	已取得	名「	現行土地擁有人」"的同意。		
	Details of consent of	of "current l	and owner(s)" # obtained 取得「現行土地擁有人」 #同意的詳情		
	Land Owner(s)'	Registry wh	address of premises as shown in the record of the Land ere consent(s) has/have been obtained 冊處記錄已獲得同意的地段號碼/處所地址 Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)		
	(Please use separate sh	eets if the spa			

		Details of the "current land owner(s)" # notified 已獲通知「現行土地擁有人」 #的詳細資料						
	La	o. of 'Current nd Owner(s)' 現行土地擁 人」數目	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)					
	(Ple	ase use separate s	theets if the space of any box above	is insufficient. 如上列任何方格的	空間不足,請另頁說明)			
\checkmark	已接	取合理步驟以	le steps to obtain consent of or g 以取得土地擁有人的同意或向記	· 孩人發給通知。詳情如下:				
	Rea			取得土地擁有人的同意所採取				
				wner(s)" on 「現行土地擁有人」"郵遞要求				
	Rea		•	<u> </u>				
			ices in local newspapers on (日/月/年)在指定報	(DD/MM/Y 章就申請刊登一次通知 ^{&}	YYY) ^{&}			
	€	posted notice i 4/09/2023	in a prominent position on or ne (DD/MM/YYYY)&	ear application site/premises on				
		於		點/申請處所或附近的顯明位置	置貼出關於該申請的通知			
	V		relevant owners' corporation(s) ral committee on18/09/20	/owners' committee(s)/mutual ai	d committee(s)/managem			
			(日/月/年)把通知寄 內鄉事委員會&	往相關的業主立案法團/業主	委員會/互助委員會或管			
	Othe	ers <u>其他</u>						
		others (please 其他(請指明	- '					
	=							
	-							

6. Type(s) of Application	n 申讃类	質別			
(A) Temporary Use/Develo Regulated Areas 位於鄉郊地區或受規管 (For Renewal of Permissi proceed to Part (B)) (如屬位於鄉郊地區或受規	地區士地 ion for Tem	及/或建築物内 porary Use or D	進行為期不超過 Development in Ru	i三年的臨時用途/ ural Areas or Regu	發展
(a) Proposed use(s)/development 擬議用途/發展	Area, Har period of	ndicraft Making a 3 Years and Ass	and Refreshment I ociated Filling of		ue Spot for a
(1) 7000 11 1 1 0			ne proposai on a iayot	ut plan) (請用平面圖訪 3	位归城硪畔月)
(b) Effective period of permission applied for 申請的許可有效期		year(s) 年 month(s) 個月			
(c) <u>Development Schedule</u> 發展終	<u> </u> 四節字	()			
Proposed uncovered land area		- 地布建		3,015	sq.m ☑About 約
-			******		sq.m ⊠About 約 sq.m ☑About 約
Proposed covered land area 携				3	sq.m ⊾Aoout gy
Proposed number of buildings				***************************************	
Proposed domestic floor area	擬議住用樓	面面積	******	356	_
Proposed non-domestic floor	area 擬議非	住用樓面面積		• • • • • • • • • • • • • • • • • • • •	sq.m 🗹 About 約
Proposed gross floor area 擬語	養總樓面面 積	1		356	…sq.m 🗹 About 約
Proposed height and use(s) of dif	ferent floors	of buildings/struct covered area	tures (if applicable) GFA	建築物/構築物的排 BUILDING HEIGHT	疑議高度及不同樓層 「另頁說明)
B1 HANDCRAFT MAKING A		160 m² (ABOUT)	160 m² (ABOUT)	3.5 m (ABOUT)(1-STOR	EY)
B2 REFRESHMENT KIOSK, B3 STORAGE OF FARM TO BARBEQUE SPOT AND I	TOILET OLS,	36 m² (ABOUT) 160 m² (ABOUT)	36 m ² (ABOUT) 160 m ² (ABOUT)	3.5 m (ABOUT)(1-STOR 3.5 m (ABOUT)(1-STOR	
	TOTAL	356 m ² (ABOUT)	356 m ² (ABOUT)		***************************************
Proposed number of car parking s	spaces by typ	es 不同種類停車	位的擬議數目		
Private Car Parking Spaces 私家	車車位		***-***	8	
Motorcycle Parking Spaces 電單	車車位		***************************************		
Light Goods Vehicle Parking Spaces 輕型貨車泊車位					
Medium Goods Vehicle Parking Spaces 中型貨車泊車位					
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明)					
Canalia (x rouse openity) 关证 (时为491)					
Proposed number of loading/unlo	ading spaces	上落客貨車位的			
Taxi Spaces 的士車位	- •				
Coach Spaces 旅遊巴車位					
Light Goods Vehicle Spaces 輕型貨車車位 1					
Medium Goods Vehicle Spaces 中型貨車車位					
•	中型貨車車位	文		*****************	•••••
Medium Goods Vehicle Spaces 印 Heavy Goods Vehicle Spaces 重 Others (Please Specify) 其他 (證	中型貨車車位 型貨車車位	立			

Proposed operating hours 擬議營運時間 09:00 to 18:00 from Mondays to Sundays, including public holidays					
				•••••	
(d)	Any vehicular acces the site/subject buildin 是否有車路通往地類 有關建築物?	ng?	 ✓ There is an existing accappropriate)	明車路名稱(如適用)) ui Heung Road via Hok . (please illustrate on plan	Tau Road and specify the width)
(e)	Impacts of Developme		議發展計劃的影響		
	(If necessary, please us	se separate shee for not providin	ts to indicate the proposed measur g such measures. 如需要的話,		
(i)	proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	No 否 🔽 Yes 是 🔽 ()	Please provide details 請提供詳 Please indicate on site plan the bounda	ry of concerned land/pond(s),	and particulars of stream
(ii)	Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	(i) @ [請用地盤平面圖顯示有關土地/池塘界 範圍) Diversion of stream 河道改道 Filling of pond 填塘 Area of filling 填塘面積 Depth of filling 填塘深度 Filling of land 填土	線,以及河道改道、填塘、填土 sq.m 平方米 m 米 1,506 sq.m 平方米 t more than 0.2 m 米	☆ □About 約 □About 約 ☑About 約 □About 約
(iii)	Would the development proposal cause any adverse impacts? 擬議發展計劃會 否造成不良影	Landscape Impa Tree Felling To Visual Impact	通 y 對供水 排水 by pes 受斜坡影響 act 構成景觀影響 次伐樹木	Yes 會 □	No 不會 IV No 不會會 IV No 不不會會 IV No 不不會會 IV No 不不會 IV No 不

diamete: 請註明	tate measure(s) to minimise the impact(s). For tree felling, please state the number, r at breast height and species of the affected trees (if possible) 盡量減少影響的措施。如涉及砍伐樹木,請說明受影響樹木的數目、及胸高度的樹及品種(倘可)
	//
	Temporary Use or Development in Rural Areas of Regulated Areas 區臨時用途/發展的許可續期
(a) Application number to which the permission relates 與許可有關的申請編號	A/
(b) Date of approval 獲批給許可的日期	(DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	(DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
	□ The permission does not have any approval condition 許可並沒有任何附帶條件
	Applicant has complied with all the approval conditions 申請人已履行全部附帶條件
	□ Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件:
(e) Approval conditions 附帶條件	
	Reason(s) for non-compliance: 仍未履行的原因:
	(Please use separate sheets if the space above is insufficient) (如以上空間不足,請另頁說明)
(f) Renewal period sought	□ year(s) 年
要求的續期期間	□ month(s) 個月

7. Justifications 理由
The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary. 現請申請人提供申請理由及支持其申請的資料。如有需要,請另頁說明)。
Please refer to the supplementary statement.
~

8. Decl	aration 聲明	
	clare that the particulars given in this application are 時,本人就這宗申請提交的資料,據本人所知及	correct and true to the best of my knowledge and belief. 所信,均屬真實無誤。
to the Board	I's website for browsing and downloading by the pul	submitted in this application and/or to upload such materials blic free-of-charge at the Board's discretion. 製及/或上載至委員會網站,供公眾免費瀏覽或下載。
Signature 簽署	Michael\WONG	□ Applicant 申請人 / ☑ Authorised Agent 獲授權代理人
	Name in Block Letters 姓名(請以正楷填寫)	Position (if applicable) 職位 (如適用)
Professional 專業資格	Qualification(s)	/ □ HKIA 香港建築師學會 / / □ HKIE 香港工程師學會 / / □ HKIUD 香港城市設計學會
on behalf of 代表	R-riches Property Consult	ants Limited
	☑ Company 公司 / □ Organisation Name and	Chop (if applicable)機構名稱及蓋章(如適用)
Date 日期	19/9/2023	(DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下,有關申請 資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance. 任何人在明知或故意的情況下,就這宗申請提出在任何要項上是虛假的陳述或資料,即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

- 1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:
 - 委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門,以根據《城市規劃條例》及相關的城市規 劃委員會規劃指引的規定作以下用途:
 - (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and 處理這宗申請,包括公布這宗申請供公眾查閱,同時公布申請人的姓名供公眾查閱;以及
 - (b) facilitating communication between the applicant and the Secretary of the Board/Government departments. 方便申請人與委員會秘書及政府部門之間進行聯絡。
- 2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.
 申請人就這宗申請提供的個人資料,或亦會向其他人士披露,以作上述第 1 段提及的用途。
- 3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong. 根據《個人資料(私隱)條例》(第 486 章)的規定,申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料,應向委員會秘書提出有關要求,其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Applica	ation 申請摘要
consultees, uploade available at the Plan (請 <u>盡量</u> 以英文及中	ails in both English and Chinese <u>as far as possible</u> . This part will be circulated to relevant d to the Town Planning Board's Website for browsing and free downloading by the public and ning Enquiry Counters of the Planning Department for general information.) 中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及劃資料查詢處供一般參閱。) 「(For Official Use Only) (請勿填寫此欄)
申請編號	
Location/address 位置/地址	Lots 1091 RP, 1134 S.A and 1134 RP in D.D. 76, Fung Kat Heung, Hok Tau, Fanling, New Territories
Site area 地盤面積	3,371 sq. m 平方米 ☑ About 約
	(includes Government land of包括政府土地 NA sq. m 平方米 □ About 約)
Plan 圖則	Approved Hok Tau Outline Zoning Plan No. S/NE-HT/7
Zoning 地帶	"Agriculture" Zone
Type of Application 申請類別	☑ Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區的臨時用途/發展為期
.I. PANAMI	☑ Year(s) 年 <u>3</u> □ Month(s) 月
	□ Renewal of Planning Approval for Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區臨時用途/發展的規劃許可續期為期
	□ Year(s) 年 □ Month(s) 月
Applied use/ development 申請用途/發展	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a period of 3 Years and Associated Filling of Land

(i) Gross floor area			sq.m 平方米	Plot	Ratio 地積比率
:	and/or plot ratio 總樓面面積及/或 地積比率	Domestic 住用	□ About 約 □ Not more 不多於	than	□About 約 □Not more than 不多於
		Non-domestic 非住用	☑ About 約 356 □ Not more 不多於		☑About 約 1 □Not more than 不多於
(ii)	No. of blocks 幢數	Domestic 住用			
		Non-domestic 非住用	3		
(iii)	Building height/No. of storeys 建築物高度/層數	Domestic 住用		□ (No	m 米 ot more than 不多於)
				□ (No	Storeys(s) 層 ot more than 不多於)
		Non-domestic 非住用	3.5	5 Ø (No	m 米 of more than 不多於)
			1	□ (No	Storeys(s) 層 ot more than 不多於)
(iv)	Site coverage 上蓋面積		11	%	☑ About 約
(v)	No. of parking spaces and loading /	Total no. of vehicle	e parking spaces 停車位總數		8
	spaces and loading / unloading spaces 停車位及上落客貨 車位數目	Motorcycle Parkin Light Goods Vehi Medium Goods V Heavy Goods Veh Others (Please Sp	Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明)		
		上落客貨車位/		ys	1
		Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明)			1 (LGV)

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	<u>Chinese</u> 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖/布局設計圖		
Block plan(s) 樓宇位置圖		
Floor plan(s) 樓宇平面圖		
Sectional plan(s) 截視圖		
Elevation(s) 立視圖		
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片		
Master landscape plan(s)/Landscape plan(s) 園境設計總圖/園境設計圖		
│ Others (please specify) 其他(請註明) │ Location Plan, Plan showing the zoning/land status of the application site,		Ø
The accepted drainage and FSIs proposals of the previous application No. A/NE-HT/16, St	wept path ar	nalysis
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據		₫
Environmental assessment (noise, air and/or water pollutions)		
環境評估(噪音、空氣及/或水的污染)		
Traffic impact assessment (on vehicles) 就車輛的交通影響評估		
Traffic impact assessment (on pedestrians) 就行人的交通影響評估		
Visual impact assessment 視覺影響評估		
Landscape impact assessment 景觀影響評估		
Tree Survey 樹木調査		
Geotechnical impact assessment 土力影響評估		
Drainage impact assessment 排水影響評估		
Sewerage impact assessment 排污影響評估		
Risk Assessment 風險評估		
Others (please specify) 其他(請註明)		L
		İ
Troce. Truey insert more attain once •] . Hr O'TE > 1/ INDICATION •] . W.		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.
註: 上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異,城市規劃委員會概不負責。若有任何疑問,應查閱申請人提交的文件。

Supplementary Statement

1) Background

- 1.1 The applicant seeks planning permission from the Town Planning Board (the Board) to use various Lots in D.D. 76, Hok Tau, Fanling, New Territories (the Site) for 'Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land' (proposed development) (Plan 1).
- 1.2 As demand for local recreational farming have dramatically increased in recent years, the applicant would like to continue to operate the hobby farm business with barbecue site to provide a passive recreational outlet for visitors to experience farming at the Site. The proposed development would better utilize the Site by converting deserted agricultural land to green space for the enjoyment of the public. The proposed development could also help to preserve green spaces and promote sustainable farming practices in the New Territories.

2) Planning Context

- 2.1 The Site falls within an area zoned as "Agriculture" ("AGR") on the Approved Hok Tau Outline Zoning Plan No.: S/NE-HT/7 (Plan 2). According to the Notes of the OZP, 'place of recreation, sports or culture' and 'Barbecue Spot' uses are column 2 use within the "AGR" zone, which requires planning permission from the Board.
- 2.2 The Site is the subject of two previous S.16 planning applications (Nos. A/NE-HT/9 and 16) for the same use submitted by the same applicant. The applications were approved by the Board between 2018 and 2021 respectively. Approval of the current application is in line with the Board's previous decisions. In addition, the applied recreational farming use is similar to the always permitted agricultural use within the "AGR" zone. Approval of the current application on a temporary basis would therefore not frustrate the long term planning intention of the "AGR" zone.
- 2.3 Furthermore, the Site is the subject of 2 similar applications (Nos. A/NE-HT/5 and 6) for temporary place of recreation, sports or culture (barbecue areas, play area, handicraft making, refreshment kiosk and fishing ground) within the same "AGR" zone in the vicinity of the Site (approximately 300m southeast of the Site) in the Hok Tau area. The applications were



approved by the Board on a temporary basis in 2010 and 2013 respectively. Approval of the current application would therefore not set an undesirable precedent within the "AGR" zone. The Site is surrounded by temporary structures for agricultural and domestic uses, the proposed development is considered not incompatible with the surrounding areas.

2.4 When compared with the previous application, all the major development parameters, i.e. site area, number of structures, GFA, cover area, plot ratio, number of parking and L/UL space and operation remain unchanged. The applicant has shown effort to comply with approval conditions of the previous application, details are shown as **Table 1** below:

Table 1 – Details of Compliance with Approval Condition of the Previous Applications

Appr	oval Conditions of Application No. A/NE-HT/16	Date of Compliance	
(b)	The provision of peripheral fencing	19/7/2022	
(c)	The submission of drainage proposal	Not complied with	
(d)	The provision of drainage facilities	Not complied with	
(e)	The submission of a proposal for fire service	27/9/2021	
	installations (FSIs) and water supplies for firefighting		
(f)	The implementation of a proposal for fire service	Not complied with	
	installations and water supplies for firefighting		
(g)	The submission of run-in/out proposal	26/5/2021	
(h)	The implementation of run-in/out proposal	Not complied with	

- 2.5 Regarding approval conditions (c) and (d), the applicant encountered difficulties when identifying a suitable contractor to prepare the drainage proposal. The applicant therefore failed to comply with the approval conditions within the designated period.
- 2.6 Regarding approval conditions (f), the applicant encountered difficulties when identifying a suitable contractor to implement the accepted FSIs proposal and water supplies for firefighting. The applicant therefore failed to comply with the approval conditions within the designated period.
- 2.7 Regarding approval condition (h), the applicant made submission with a photographic record of implemented run-in/out proposal for compliance with this approval condition. However, the applicant could not comply with this condition prior site inspection of the Transport Department.

2.8 In support of the current application, the applicant submitted the accepted FSIs, run-in/out proposals of the previous application (No. A/NE-HT/16) and a drainage proposal to support the current application (**Appendices I** to **III**).

3) Development Proposal

3.1 The Site occupies an area of 3,371 m² (about) (**Plan 3**). A total of 3 structures are proposed at the Site for handicraft making, agricultural education room, refreshment kiosk, storage of farm tools, barbecue spot, play area and toilet with a total GFA of 356 m² (about) (**Plan 4**). Details of the development parameters are shown at **Table 2** below:

Table 2 – Major Development Parameters

Application Site Area	3,371 m² (about)
Covered Area	356 m² (about)
Uncovered Area	3,015 m² (about)
Plot Ratio	0.11 (about)
Site Coverage	11 % (about)
Number of Structure	3
Total GFA	356 m² (about)
- Domestic GFA	Not applicable
- Non-Domestic GFA	356 m² (about)
Building Height	3.5 m (about)
No. of Storey	1

- 3.2 The proposed development is operated from 09:00 to 18:00 daily, including public holidays. 8 staff will work at the Site. It is estimated to attract a maximum of 30 and 50 visitors during weekdays and weekends respectively. Visitors are required to make an appointment in advance and pay an entrance fee to access the Site and no walk-in visitor is allowed at the Site. The farm area, i.e. 1,865 m² (about 55%), is subdivided into small portions for visitors to promote organic farming (Plan 5). Visitors will be directed to the designated farm area for farming activities. Organic crops harvested from hobby farming, i.e. fruit and vegetables, are free to be carried away by visitors.
- 3.3 The Site is accessible from Lau Shu Heung Road via Hok Tau Road (**Plan 1**). As the Site is not directly connected to any road network, no parking and loading / unloading space is provided

- at the Site. Regarding the logistic arrangement of the Site, goods/tools to support the daily operation of the Site will be transported by light goods vehicle.
- 3.4 Other facilities provided at the Site, such as barbecue area, handicraft making, agricultural education room play area for recreational activities are also available at the Site. As there are no restaurants in close proximity to the Site, a covered barbecue area (with no more than 10 barbecue pits) and refreshment kiosk in structures B2 and B3 are provided for visitors only.
- 3.5 A portion of the Site (1,506 m², about 45%) will be filled with concrete to facilitate a flat surface for site formation of structures, footpath and circulation area (**Plan 5**). The associated filling of land area is considered necessary and has been kept to minimal for the operation of the proposed development.
- 3.6 A total of 9 parking and L/UL spaces are provided at the Site for staff and visitors, details are shown at **Table 3** below:

Table 3 – Parking and L/UL Provision of the Proposed Development

Type of Space	No. of Space
Private Car Parking Space for Staff	2
- 2.5 m (W) x 5 m (L)	2
Private Car Parking Space for Visitor	6
- 2.5 m (W) x 5 m (L)	O
Light Goods Vehicle L/UL Space	1
- 3.5 m (W) x 7 m (L)	1

3.7 Sufficient space is provided for vehicle to smoothly manouvre within the Site to ensure no vehicle will queue back to or reverse onto/from the Site to the public road (Plan 6). As trip generation and attraction of the proposed development is minimal (as shown at Table 4 below), adverse traffic impact to the surrounding road network should not be anticipated.

Table 4 – Trip Generation and Attraction of the Proposed Development

•		•	•		
	Trip Generation and Attraction				
Time Period	PC		LGV		2-Way Total
	In	Out	In	Out	2-vvay lotai
Trips at AM peak per hour	4	2	1	1	8
(09:00 – 10:00)	7	2	1	Δ.	8
Trips at PM peak per hour	1	3	1	1	6



(17:00 – 18:00)					
Traffic trip per hour	1	1	0.5	0.5	2
(average)	1	1	0.5	0.5	3

- 3.8 During the operation of the proposed development, the major source of wastewater will be sewage generated by staff and visitors. The applicant will implement good practice under ProPECCPN 5/93 when designing on-site sewage system with the Site. No public announcement system or any form of audio amplification system will be used at the Site at any time during the planning approval period. All visitors are required to take away all waste produced at the Site. Garbage or other forms of waste will be taken away by staff to the nearest refuse collection point regularly by the use of trolleys.
- 3.9 The applicant will strictly comply with all environmental protection / pollution control ordinances, i.e. Water Pollution Control Ordinance, Air Pollution Control Ordinance, Noise Control Ordinance etc. at all times during the planning approval period. The applicant will also follow relevant mitigation measures and requirements in the latest the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued by Environmental Protection Department to minimise adverse environmental impacts and nuisance to the surrounding area.

4) Conclusion

- 4.1 The proposed development will not create significant nuisance to the surrounding areas. Adequate mitigation measures have been provided, i.e. submission of drainage and fire service installations proposals to mitigate any adverse impact arising from the proposed development after planning approval has been granted by the Board.
- 4.2 In view of the above, the Board is hereby respectfully recommended to <u>approve</u> the subject application for "Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land'.

R-riches Property Consultants Limited
Sep 2023



LIST OF PLANS

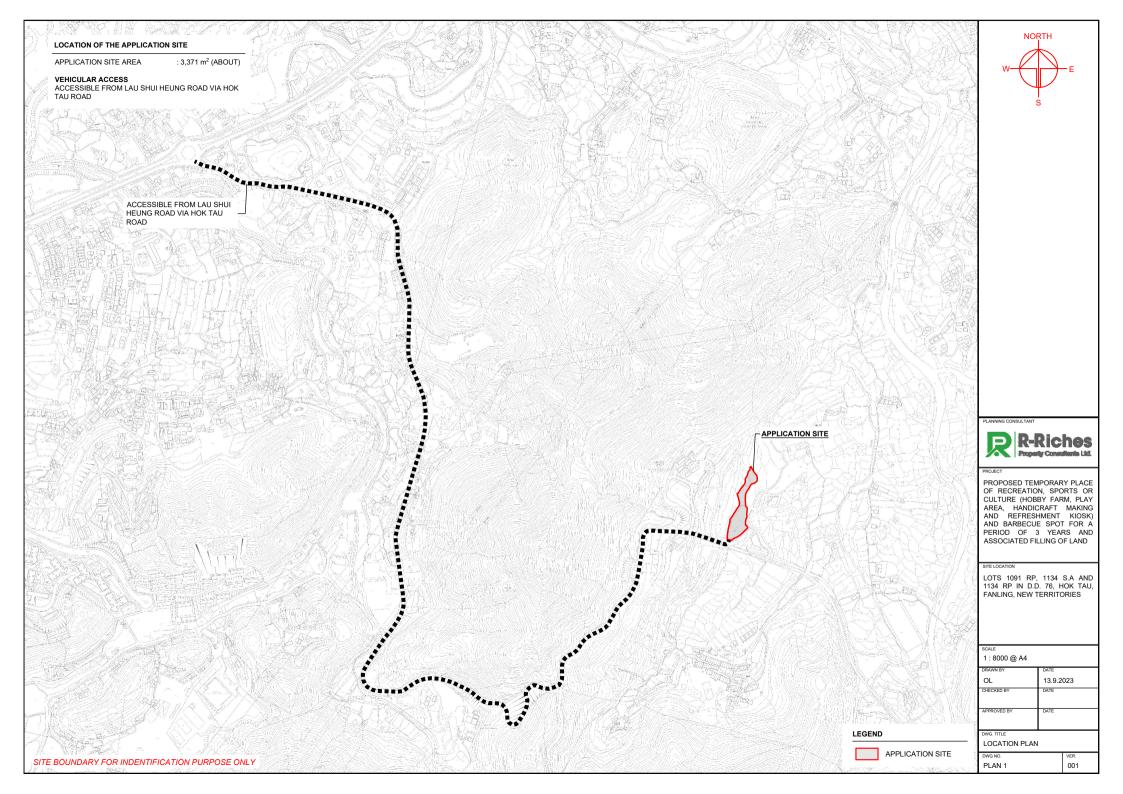
Plan 1	Location Plan
Plan 2	Plan Showing the Zoning of the Application Site
Plan 3	Plan Showing the Land Status of the Application Site
Plan 4	Layout Plan
Plan 5	Plan showing the paved ratio of the Application Site
Plan 6	Swept Path Analysis

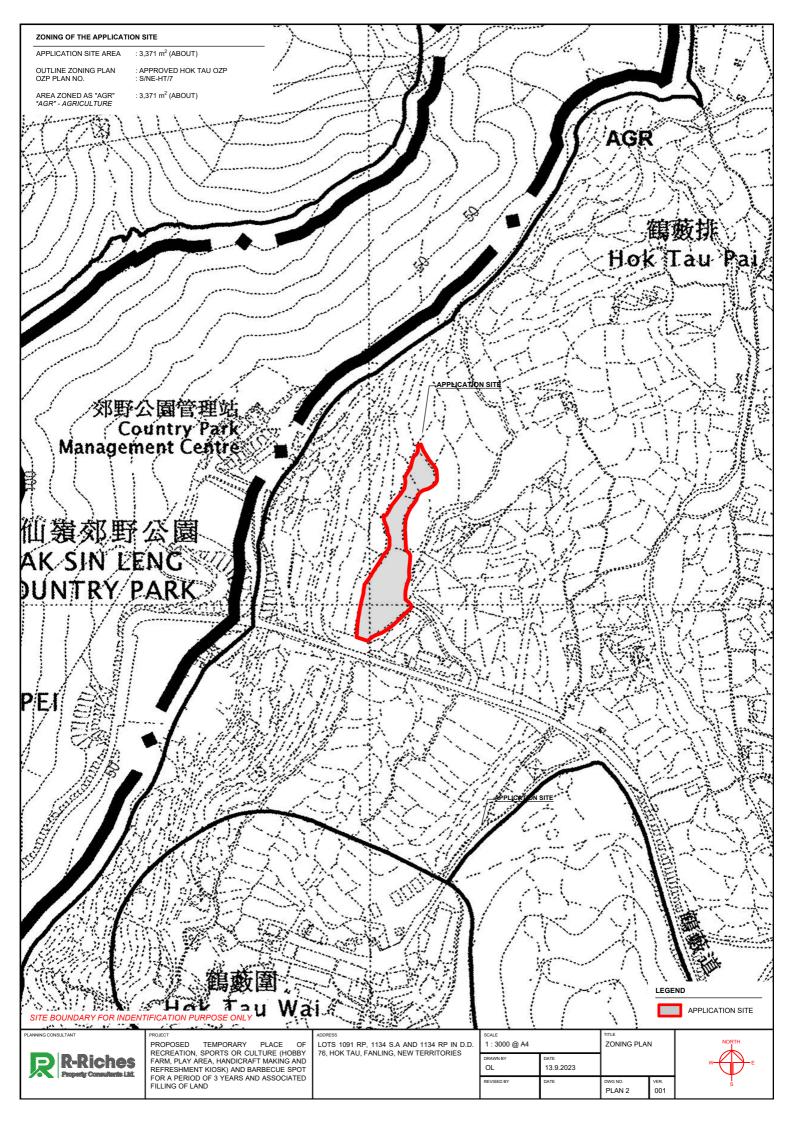
APPENDICES

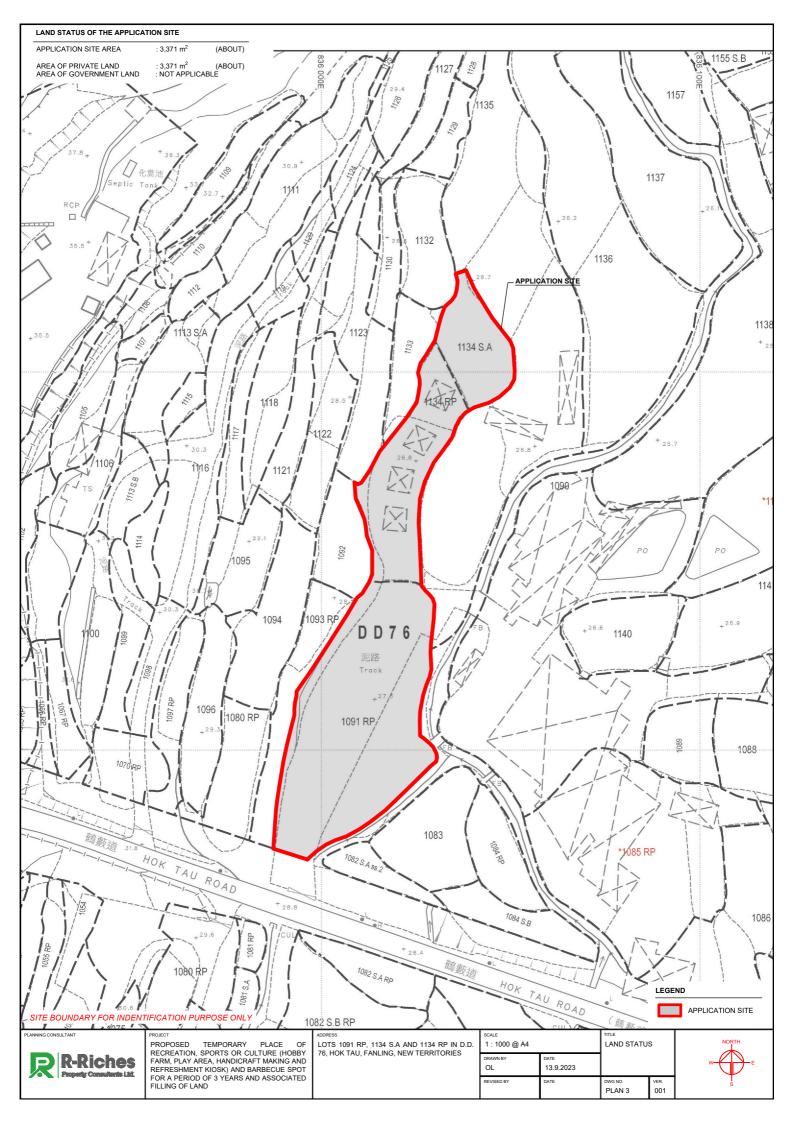
Appendix I Accept FSIs proposal of the previous application No. A/NE-HT/16

Appendix II Drainage proposal

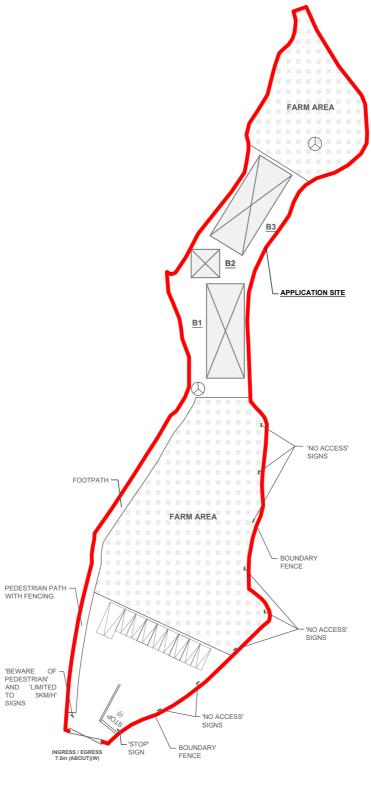








COVERED AREA BUILDING HEIGHT **DEVELOPMENT PARAMETERS** STRUCTURE GFA APPLICATION SITE AREA COVERED AREA (ABOUT) : 3,371 m² : 356 m² HANDCRAFT MAKING AND AGRICULTURAL EDUCATION ROOM REFRESHMENT KIOSK, TOILET STORAGE OF FARM TOOLS, В1 160 m² (ABOUT) 160 m² (ABOUT) 3.5 m (ABOUT)(1-STOREY) : 3,015 m² UNCOVERED AREA (ABOUT) 36 m² (ABOUT) 160 m² (ABOUT) 36 m² (ABOUT) 160 m² (ABOUT) 3.5 m (ABOUT)(1-STOREY) 3.5 m (ABOUT)(1-STOREY) PLOT RATIO SITE COVERAGE (ABOUT) (ABOUT) : 0.11 : 11 % ВЗ BARBEQUE SPOT AND PLAY AREA NO. OF STRUCTURE DOMESTIC GFA NON-DOMESTIC GFA TOTAL GFA : 3 : NOT APPLICABLE : 356 m² (// TOTAL 356 m² (ABOUT) 356 m² (ABOUT) (ABOUT)



PARKING AND LOADING/UNLOADING PROVISIONS

NO. OF PRIVATE CAR PARKING SPACE DIMENSION OF PARKING SPACE : 8 : 5 m (L) X 2.5 m (W)

(ABOUT)

(ABOUT)

: 3.5 m : 1

BUILDING HEIGHT NO. OF STOREY

NO. OF LOADING/UNLOADING SPACE FOR LIGHT GOODS VEHICLE : 1 : 7 m (L) X 3.5 m (W) DIMENSION OF LOADING/UNLOADING SPACE

LEGEND

APPLICATION SITE STRUCTURE PARKING SPACE

L/UL SPACE

INGRESS/EGRESS



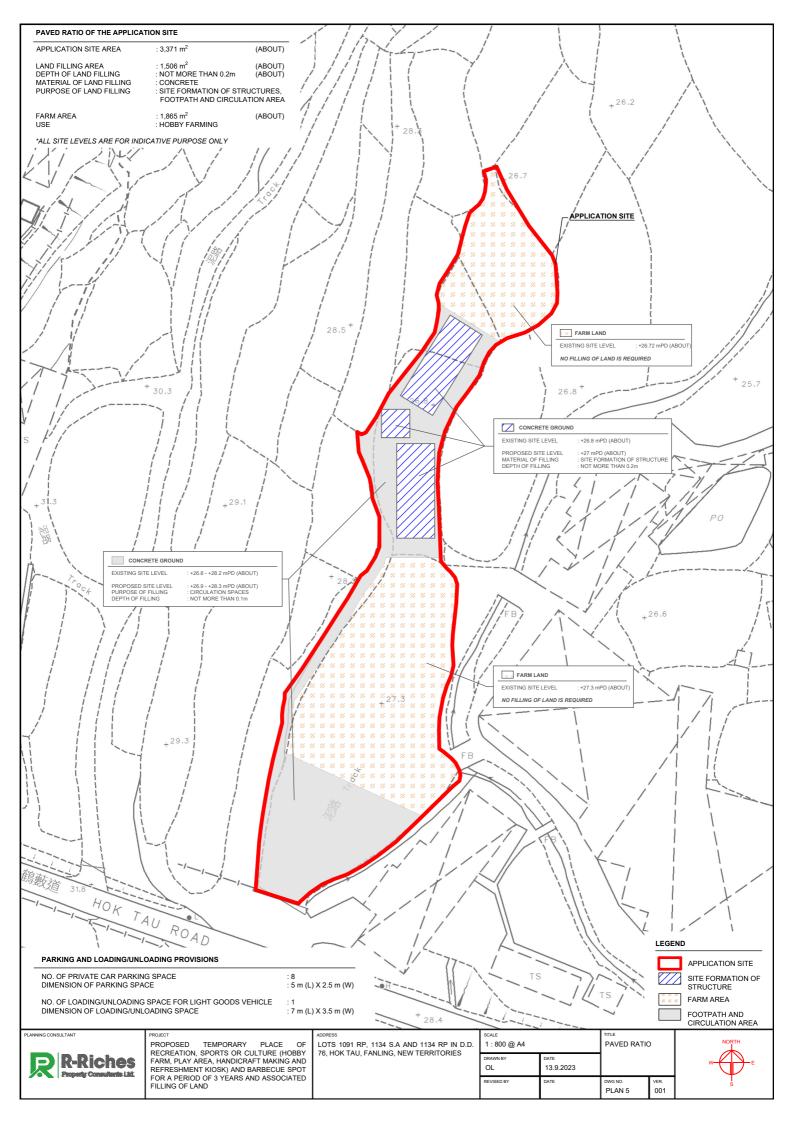


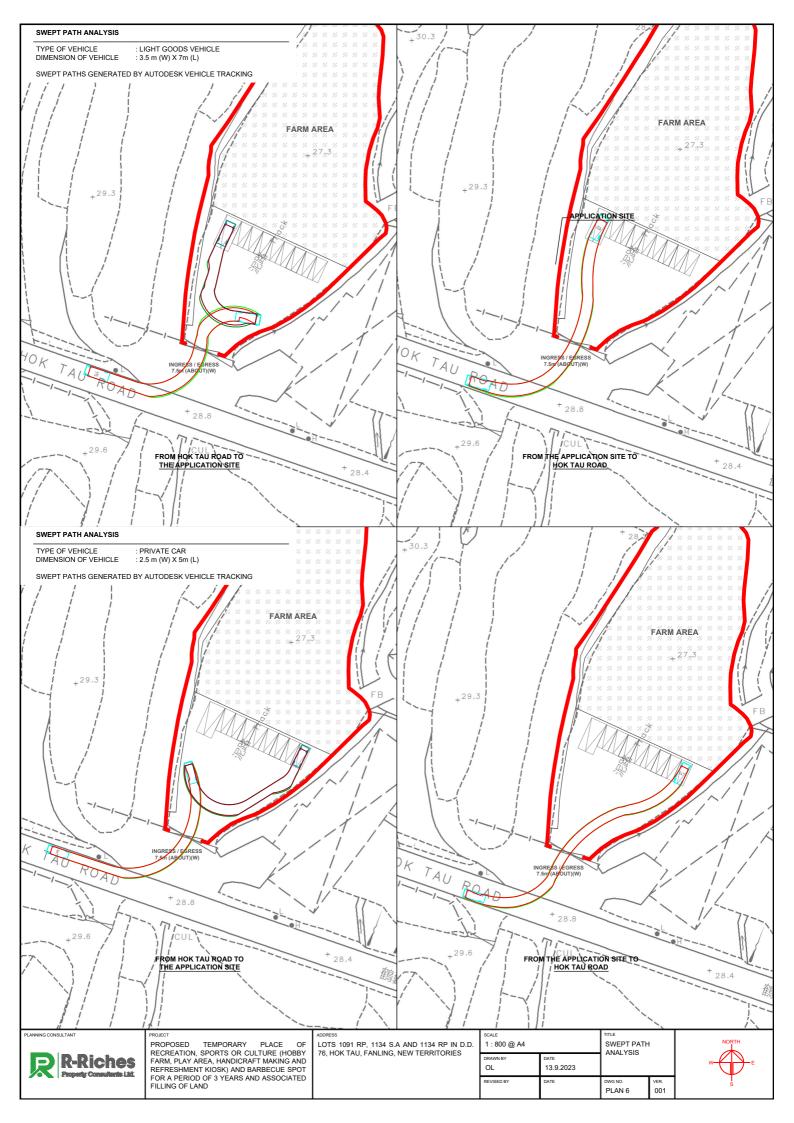
PROJECT
PROPOSED TEMPORARY PLACE OF
RECREATION, SPORTS OR CULTURE (HOBBY
FARM, PLAY AREA, HANDICRAFT MAKING AND
REFRESHMENT KIOSK) AND BARBECUE SPOT
FOR A PERIOD OF 3 YEARS AND ASSOCIATED
FILLING OF LAND

LOTS 1091 RP, 1134 S.A AND 1134 RP IN D.D. 76, HOK TAU, FANLING, NEW TERRITORIES

1:800 @ A4	LAYOUT PLAI	N	
DRAWN BY OL	13.9.2023		
REVISED BY	DATE	DWG NO. PI AN 4	VER. 001







DEVELOPMENT PARAMETERS

APPLICATION SITE AREA UNCOVERED AREA

PLOT RATIO SITE COVERAGE

FIRE SERVICE INSTALLATIONS

3 x EXIT SIGN 3 x EMERGENCY LIGHT 5 x 4 KG DRY POWER TYPE FIRE

EXTINGUISHER

HOSE REEL SET

HOSE REEL PUMP

1 x 5 KG CO2 TYPE FIRE EXTINGUISHER

SUFFICIENT EMERGENCY LIGHTING SHALL BE PROVIDED THROUGHOUT THE ENTIRE BUILDING IN ACCORDANCE WITH BS5266: PART 1 AND BS EN 1838FFICIENT EMERGENCY LIGHTING SHALL BE

PROVIDED THROUGHOUT THE ENTIRE BUILDING IN ACCORDANCE WITH BS5266: PART1 AND BS

SUFFICIENT DIRECTIONAL AND EXIT SIGN SHALL

BE PROVIDED IN ACCORDANCE WITH BS 5266: PART 1 AND FSD CIRCULAR LETTER 5/2008.

SUFFICIENT PORTABLE HAND-OPERATED APPROVED APPLIANCE AS REQUIRED BY OCCUPANCY AND AS MARKED ON PLANS.

AN HOSE REEL SYSTEM SHOULD BE SUPPLIED BY A 2M3/ F.S WATER TANK. THERE SHALL BE SUFFICIENT HOSE REEL TO ENSURE THAT EVERY PART OF EACH BUILDING CAN BE REACHED BY A LENGTH OF NOT MORE THAN 30M OF HOSE REEL TUBING.THE F.S WATER TANK, F.S PUMP ROOM AND HOSE REEL SHALL BE CLEARLY MARKED ON

EXIT

(F.E)

(F.E)

H.R.

FS NOTES:

FN1838

SUFFICIENT

PLANS.

F.S PUMP ROOM.

NO. OF STRUCTURE DOMESTIC GFA NON-DOMESTIC GFA BUILDING HEIGHT NO. OF STOREY

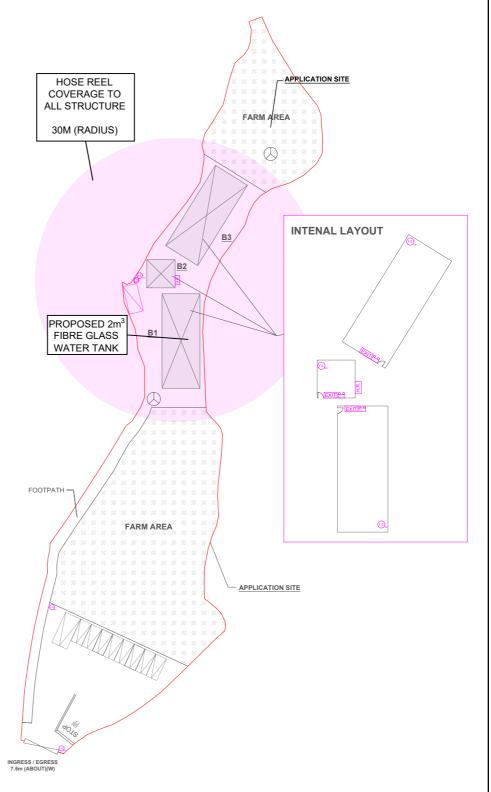
: 3,371m² (ABOUT) : 356m² (ABOUT) : 3,015m² (ABOUT)

: 0.11 (ABOUT) : 11% (ABOUT)

: 3 : N/A : 356m² (ABOUT) 3.5m (ABOUT)

STRUCTURE	USE	COVERED AREA	GFA	BUILDING HEIGHT
B1	HANDICRAFT MAKING AND AGRICULTURAL EDUCATION ROOM	160m² (ABOUT)	160m ² (ABOUT)	3.5m (ABOUT)(1-STOREY)
B2	REFRESHMENT KIOSK, TOILET	36m ² (ABOUT)	36m2 (ABOUT)	3.5m (ABOUT)(1-STOREY)
B3	STORAGE OF FARM TOOLS	160m ² (ABOUT)	160m ² (ABOUT)	3.5m (ABOUT)(1-STOREY)
	BARBEQUE SPOT AND PLAY AREA			

TOTAL 356m² (ABOUT) 356m² (ABOUT)



ONE NO.5.0 KG CO2 F.E SHALL BE PROVIDED FOR

- SECONDARY POWER SUPPLY SHALL BE OVIDED TO ELECTRICAL FIRE SERVICES PROVIDED TO INSTALLATIONS
- SECONDARY POWER SUPPLY WILL BE PROVIDED AND TEED OFF BEFORE MAIN SWITCH
- THE STORAGE LIMITATION FOLLOWS THE LPC RULES INCORPORATING BS EN 12845:2003.
 CATEGORY I: FREE STANDING STORAGE (ST1) OF DRIED FOOD OF NOT HIGHER THAN 4M.

LEGEND



APPLICATION SITE STRUCTURE PARKING SPACE L/UL SPACE

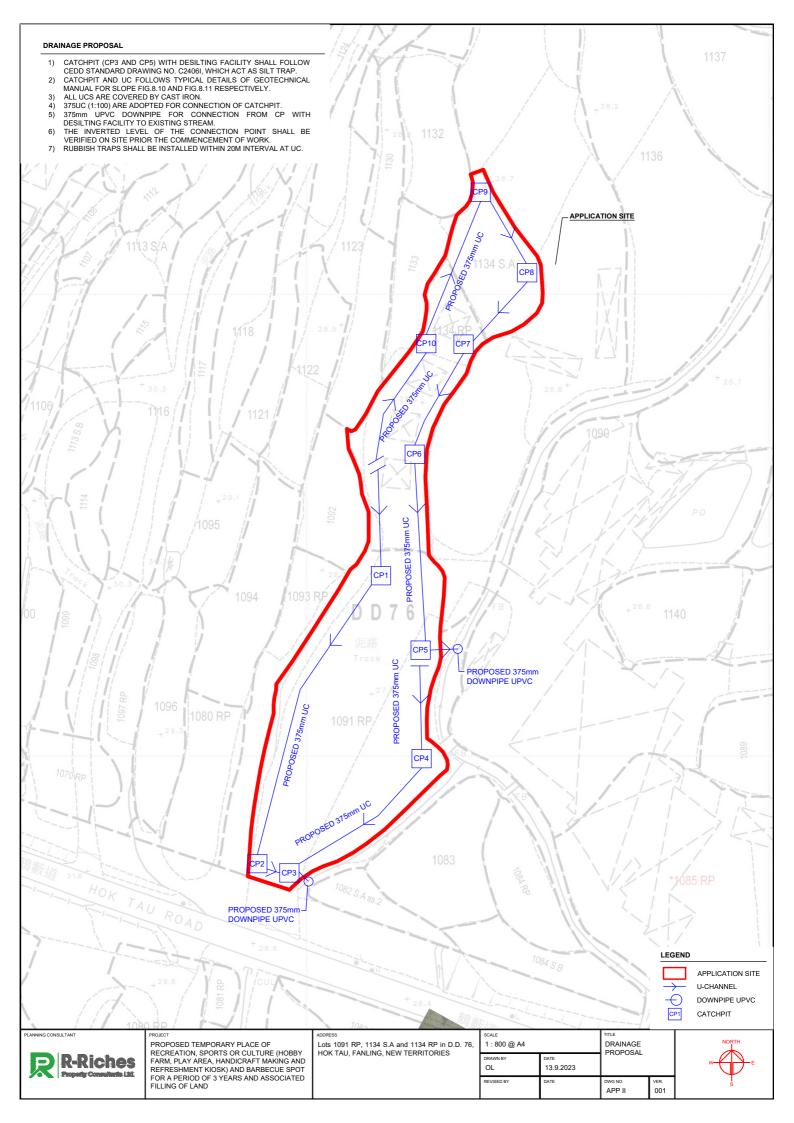


PROPOSED TEMPORARY PLACE OF RECREATION, SPORTS OR CULTURE (HOBBY FARM, PLAY AREA, HANDICRAFT MAKING AND REFRESHMENT KIOSK) AND BARBECUE SPOT FOR A PERIOD OF 3 YEARS AND ASSOCIATED FILLING OF LAND

Lots 1091 RP, 1134 S.A and 1134 RP in D.D. 76, HOK TAU, FANLING, NEW TERRITORIES

SCALE		TITLE		Γ
1 : 800 @ A4		FSIs PROPOSAL		l
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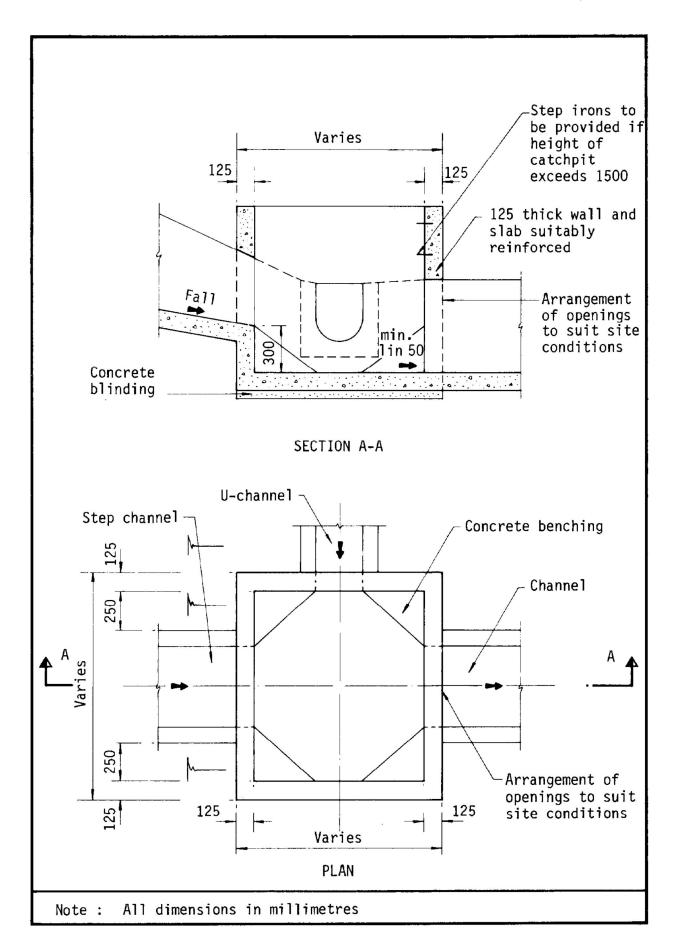


Figure 8.10 - Typical Details of Catchpits

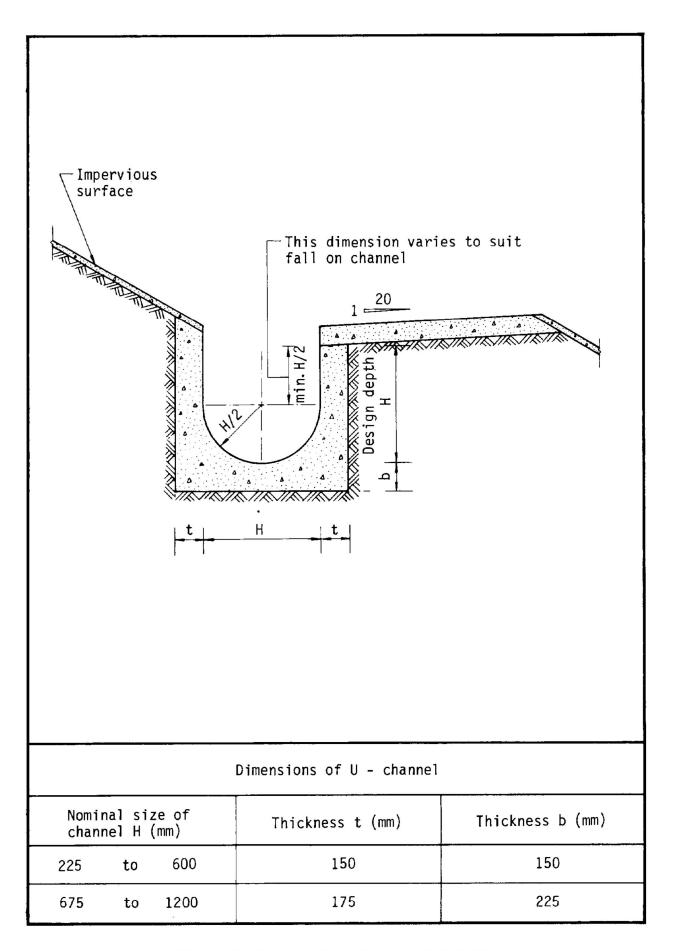


Figure 8.11 - Typical U-channel Details



Our Ref.: DD76 Lot 1091 RP & VL Your Ref.: TPB/A/NE-HT/21

The Secretary
Town Planning Board
15/F, North Point Government office
333 Java Road
North Point, Hong Kong

Dear Sir,



By Email

8 November 2023

1st Further Information

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone,

Various Lots in D.D. 76, Hok Tau, Fanling, New Territories

(S.16 Planning Application No. A/NE-HT/21)

We are writing to submit further information to address departmental comments of the subject application (Appendix I).

Should you require more information regarding the application, please contact our Mr.

Orpheus LEE at or the undersigned at your convenience. Thank you for your kind attention.

Yours faithfully,

For and on behalf of

R-riches Property Consultants Limited

Louis TSE

Town Planner

cc DPO/STN, PlanD

(Attn.: Ms. Carman CHEUNG

email: ccycheung@pland.gov.hk)

(Attn.: Mr. Markie AU

email: mwlau@pland.gov.hk

Responses-to-Comments

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone,

Various Lots in D.D. 76, Hok Tau, Fanling, New Territories

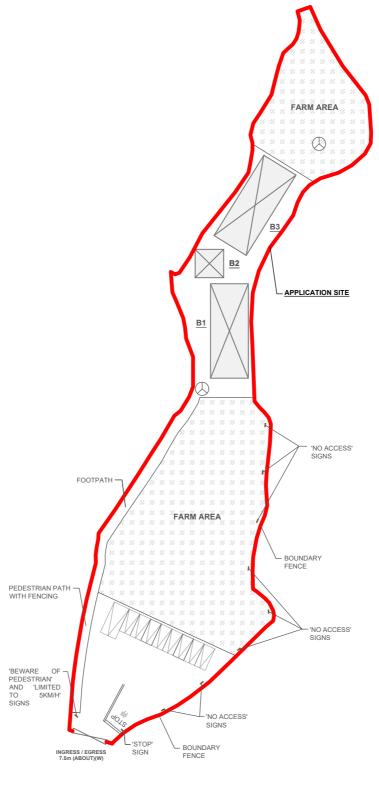
(Application No. A/NE-HT/21)

(i) A RtoC Table:

Departmental Comments Applicant's Responses 1. Comments of Director of Agriculture, Fisheries and Conservation (DAFC) (a) It is noted that the subject application is Please be confirmed that the same mitigation similar to that of the Application No. A/NEmeasures, i.e. 'No Access' signage and HT/16. Please clarify whether the boundary fence will be erected along the mitigation measures as proposed in the FI eastern boundary of the Site that adjoins the of Application No. A/NE-HT/16 regarding watercourse to avoid visitor from reaching the protection of the watercourse to the (Plan 1). All surface run-off will be collected by immediate east of the subject site, i.e. "No peripheral drainage U-channel, therefore, Access" signage and boundary fence will be adverse impacts to the watercourse should not erected along the eastern boundary of the be anticipated. Site that adjoins the watercourse to avoid visitor from reaching and all surface run-off will be collected by peripheral drainage Uchannel, will be implemented so as to avoid adverse impact to the watercourse nearby.



COVERED AREA BUILDING HEIGHT **DEVELOPMENT PARAMETERS** STRUCTURE GFA APPLICATION SITE AREA COVERED AREA (ABOUT) : 3,371 m² : 356 m² HANDCRAFT MAKING AND AGRICULTURAL EDUCATION ROOM REFRESHMENT KIOSK, TOILET STORAGE OF FARM TOOLS, В1 160 m² (ABOUT) 160 m² (ABOUT) 3.5 m (ABOUT)(1-STOREY) : 3,015 m² UNCOVERED AREA (ABOUT) 36 m² (ABOUT) 160 m² (ABOUT) 36 m² (ABOUT) 160 m² (ABOUT) 3.5 m (ABOUT)(1-STOREY) 3.5 m (ABOUT)(1-STOREY) PLOT RATIO SITE COVERAGE (ABOUT) (ABOUT) : 0.11 : 11 % ВЗ BARBEQUE SPOT AND PLAY AREA NO. OF STRUCTURE DOMESTIC GFA NON-DOMESTIC GFA TOTAL GFA : 3 : NOT APPLICABLE : 356 m² (A TOTAL 356 m² (ABOUT) 356 m² (ABOUT) (ABOUT)



PARKING AND LOADING/UNLOADING PROVISIONS

NO. OF PRIVATE CAR PARKING SPACE DIMENSION OF PARKING SPACE : 8 : 5 m (L) X 2.5 m (W)

(ABOUT)

(ABOUT)

: 3.5 m : 1

BUILDING HEIGHT NO. OF STOREY

NO. OF LOADING/UNLOADING SPACE FOR LIGHT GOODS VEHICLE : 1 : 7 m (L) X 3.5 m (W) DIMENSION OF LOADING/UNLOADING SPACE

LOTS 1091 RP, 1134 S.A AND 1134 RP IN D.D. 76, HOK TAU, FANLING, NEW TERRITORIES

1:800 @ A4 LAYOUT PLAN 13.9.2023 OL PLAN 1 001



APPLICATION SITE

PARKING SPACE L/UL SPACE

INGRESS/EGRESS

STRUCTURE

LEGEND

R-Riches

PROPOSED TEMPORARY PLACE OF RECREATION, SPORTS OR CULTURE (HOBBY FARM, PLAY AREA, HANDICRAFT MAKING AND REFRESHMENT KIOSK) AND BARBECUE SPOT FOR A PERIOD OF 3 YEARS AND ASSOCIATED FILLING OF LAND



Our Ref.: DD76 Lot 1091 RP & VL Your Ref.: TPB/A/NE-HT/21

By Email

13 November 2023

The Secretary
Town Planning Board
15/F, North Point Government office
333 Java Road
North Point, Hong Kong

Dear Sir,

2nd Further Information

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone, Various Lots in D.D. 76, Hok Tau, Fanling, New Territories

(S.16 Planning Application No. A/NE-HT/21)

We are writing to submit further information to provide clarifications of the subject application, details are as follows:

(i) The majority portion of the application site, i.e. 2,033m², 60% of the site area (about), will be reserved as farm area (**Plan 1**). As the farming activity is similar to the always permitted agricultural use, the proposed development is therefore not frustrating the planning intention of the "Agriculture" zone.

Should you require more information regarding the application, please contact our Mr.

Orpheus LEE at : or the undersigned at your convenience. Thank you for your kind attention.

Yours faithfully,

For and on behalf of

R-riches Property Consultants Limited

Louis TSE

Town Planner

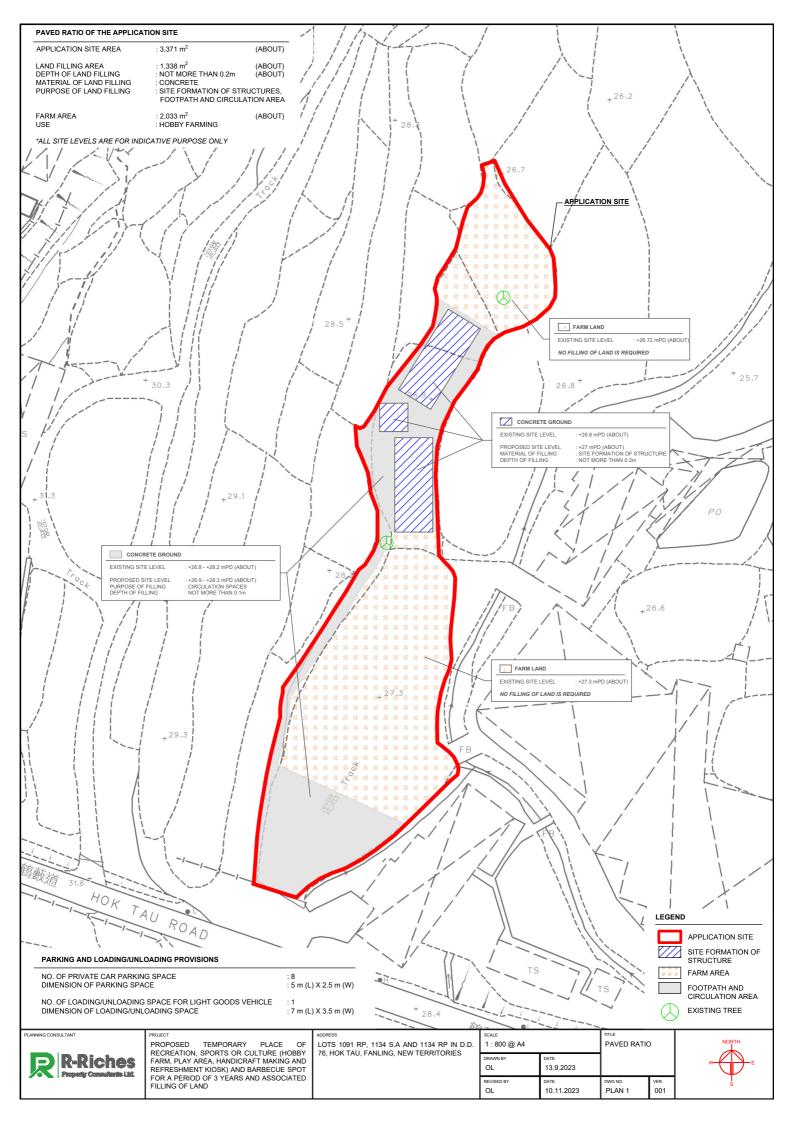
cc DPO/STN, PlanD

(Attn.: Ms. Carman CHEUNG

email: ccycheung@pland.gov.hk)

(Attn.: Mr. Markie AU

email: mwlau@pland.gov.hk





Our Ref.: DD76 Lot 1091 RP & VL Your Ref.: TPB/A/NE-HT/21 關有限公司 **盆卓物業**

The Secretary
Town Planning Board
15/F, North Point Government office
333 Java Road
North Point, Hong Kong

By Email

14 November 2023

Dear Sir,

3rd Further Information

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone,

Various Lots in D.D. 76, Hok Tau, Fanling, New Territories

(S.16 Planning Application No. A/NE-HT/21)

We are writing to submit further information to address departmental comments of the subject application (Appendix I).

Should you require more information regarding the application, please contact our Mr.

Orpheus LEE at or the undersigned at your convenience. Thank you for your kind attention.

Yours faithfully,

For and on behalf of

R-riches Property Consultants Limited

Louis TSE

Town Planner

cc DPO/STN, PlanD

(Attn.: Ms. Carman CHEUNG

(Attn.: Mr. Markie AU

omoil.

email: ccycheung@pland.gov.hk)

email: mwlau@pland.gov.hk

,

Responses-to-Comments

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone,

Various Lots in D.D. 76, Hok Tau, Fanling, New Territories

(Application No. A/NE-HT/21)

- (i) The applicant would like to provide clarifications of the subject application, details areas follow:
 - The application site (the Site) is the subject of a previous S.16 planning application (No. A/NE-HT/16) for the same use submitted by the same applicant, which was approved by the Town Planning Board (the Board) on a temporary basis of 3 years on 12/3/2021. Throughout the planning approval period, the applicant had made effort to comply with the approval conditions. Furthermore, the applicant also submitted application for Short Term Waiver (STW) for erection of structures at the Site, however, as of 14/11/2023, comments of Lands Department (LandsD) are still pending. As the STW approval is required to be obtained by the applicant prior erection of structures, the applicant have not been able to implement the proposed scheme during the planning approval period of the previous application.
 - The applicant will strictly follow the proposed scheme and ensure that all the existing hard-paving at the Site will be removed by the applicant after planning and STW approval have been granted from the Board and LandsD respectively.

(ii) A RtoC Table:

Departmental Comments		Applicant's Responses	
1.	Comments of Commissioner for Transport (C for T)		
(a)	The applicant should advise and substantiate	A total of 8 private car parking and 1	
	the traffic generation from and attraction to	loading/unloading (L/UL) for light goods	
	the Site and the traffic impact to the nearby	vehicle (LGV) spaces are provided at the Site	
	road links and junctions.	for the use of visitor and staff. A total of $\underline{14}$	
		vehicular trips are estimated to be generated	
		from the proposed development at peak	
		hours per day. Advanced booking is required	
		for visitors to access the Site and the use of	
		parking spaces, this could help regulate the	
		use of parking spaces and prevent excessive	
		number of vehicles and visitors to the Site. In	
		addition, the Site is served with public	
		transport, i.e. green minibus route No. 52B,	



		visitors are encouraged and recommended to make use of the public transport services to access the Site (Annex I). Only 2 trips of LGV are estimated for transportation and L/UL of goods to support the daily operation of the proposed development. As the traffic generation and attraction from and to the Site are minimal, adverse traffic impact to the nearby roads and junctions should not be anticipated.
(b)	The applicant shall justify the adequacy of the parking spaces and loading/unloading spaces so provided by relating to the number of vehicles visiting the Site and with reference to other similar development.	The estimated maximum number of visitors per day is 30 (about) and 50 (about) during weekdays and weekend respectively. Advanced booking is required for visitors using the car parking spaces which could help to regulate the use of the car parking spaces and prevent excessive number of vehicles from entering the Site. Visitors are encouraged and recommended to make use of the public transport services to access the Site. As the Site is the subject of a previous application, i.e. No. A/NE-HT/16, which was approved by the Board in 2021, same arrangement has already been adopted by the applicant and is workable. As visitors are likely to travel to the Site in groups by private car and public transport, the proposed provision of car parking spaces and L/UL is sufficient for the proposed development.
(c)	It is noted that Hok Tau Road is a single track access road. The applicant is required to demonstrate that adequate passing bay has been provided on-route to the Site.	Sufficient vehicle passing bays are provided along Hok Tau Road to the Site (Annex II). The applicant will strictly follow the proposed traffic arrangement for the Site at any time during the planning approval period.
(d)	The applicant shall advise the management/control measures to be implemented to ensure no queuing of vehicles outside the Site	Sufficient space is provided for vehicle to smoothly manoeuvre within the Site to ensure no queuing of vehicle along the Hok Tau Road (Plan 1). Staff is deployed at the ingress/egress to monitor the traffic condition and direct incoming/existing vehicles to ensure no queuing of vehicle outside the Site.



(e)	The applicant shall advise the provision and management of pedestrian facilities to ensure pedestrian safety.	Staff is deployed at the ingress/egress to direct incoming/exiting vehicles. Vehicles will be limited to the speed of 5km/hour within the Site. In addition, 'Beware of pedestrian' and 'Stop' signs will be placed at the ingress/egress to enhance pedestrian safety.
(f)	The applicant shall advise the measures in preventing illegal parking by visitors to the Site; and	Advanced booking is required for visitors using the car parking spaces which could help to regulate the use of the car parking spaces and prevent excessive number of vehicles to the Site. 'No parking' sign will be erected at the ingress/egress of the Site to avoid illegal parking at Hok Tau Road. If illegal parking activities were observed in vicinity of the Site, they will be reported to respective departments by staff deployed at the ingress/egress.
(g)	The proposed vehicular access between Hok Tau Road and the Site is not managed by TD. The applicant should seek comments from the responsible party.	Noted.



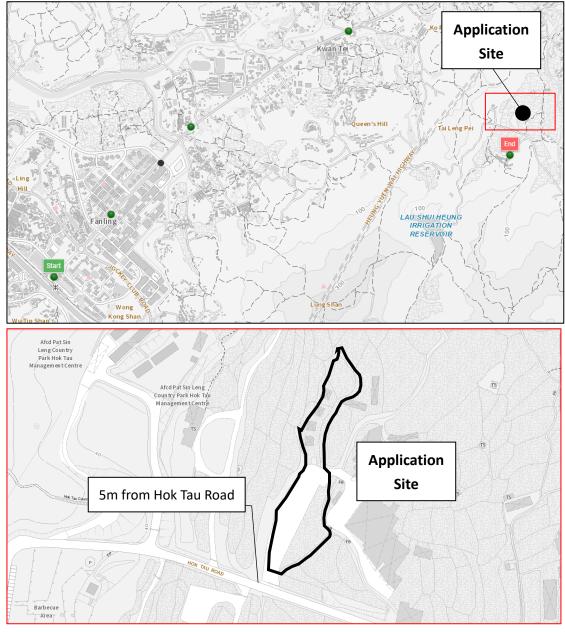
Public Transport Services

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone,

Various Lots in D.D. 76, Hok Tau, Fanling, New Territories

(Application No. A/NE-HT/21)

(i) For visitor who is travelling to the application site (the Site) by public transport, Hok Tau Road is located approximately 5m south of the Site, which is served with public transport, i.e. Green Minibus No. 52B, details are as follows:



Route of Minibus No. 52B

 $\textbf{Source:} \ \underline{https://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.qov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.gov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.gov.hk/en/public-transport/green-mini-bushttps://www.hkemobility.gov.hk/en/public-transport/green-mini-bushttps://www.hk$



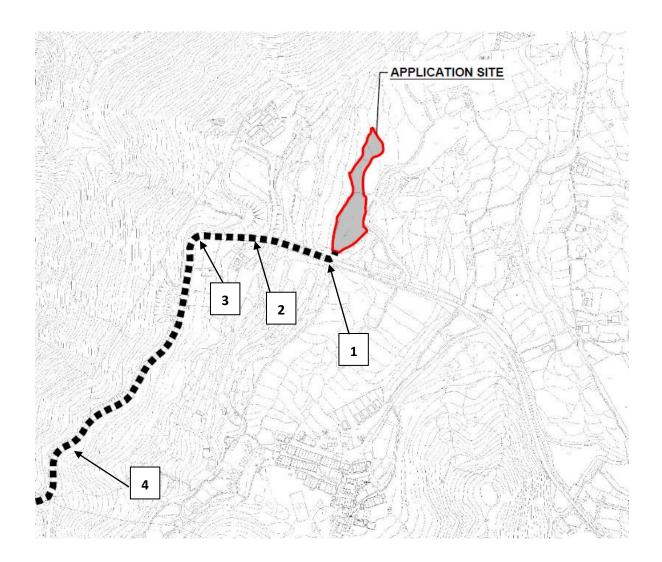
Vehicle Passing-Bay Along Hok Tau Road

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone,

Various Lots in D.D. 76, Hok Tau, Fanling, New Territories

(Application No. A/NE-HT/21)

(i) The application site (the Site) is accessible from Lau Shui Heung Road via Hok Tau Road. Sufficient vehicle passing-bays are provided along Hok Tau Road to the Site, details are as follows:



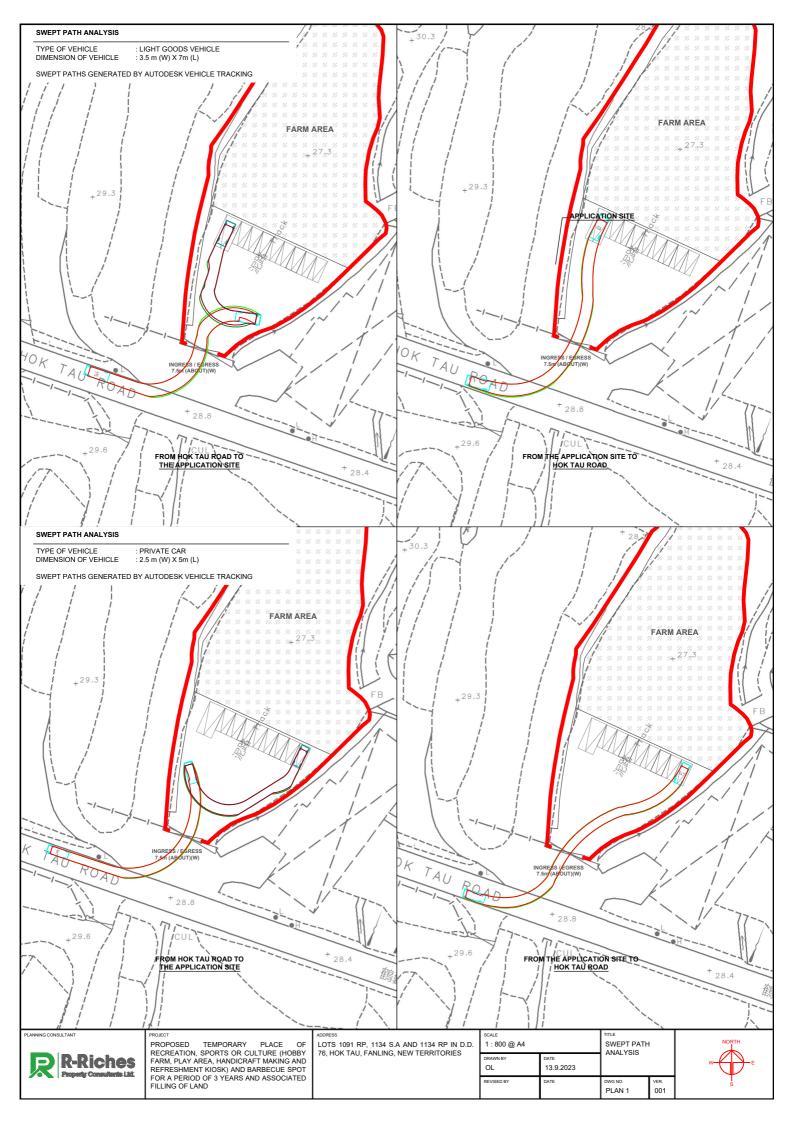














Our Ref.: DD76 Lot 1091 RP & VL Your Ref.: TPB/A/NE-HT/21

North Point, Hong Kong

The Secretary
Town Planning Board
15/F, North Point Government office
333 Java Road

Dear Sir,



By Email

7 December 2023

4th Further Information

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone,

Various Lots in D.D. 76, Hok Tau, Fanling, New Territories

(S.16 Planning Application No. A/NE-HT/21)

We are writing to submit further information to provide clarifications of the subject application, details are as follows:

(i) A self-explanatory letter from the applicant is provided for your consideration (**Appendix** I).

Should you require more information regarding the application, please contact our Mr.

Orpheus LEE at / or the undersigned at your convenience. Thank you for your kind attention.

Yours faithfully,

For and on behalf of

R-riches Property Consultants Limited

Louis TSETown Planner

cc DPO/STN, PlanD

(Attn.: Ms. Carman CHEUNG

email: ccycheung@pland.gov.hk)

(Attn.: Mr. Markie AU

email: mwlau@pland.gov.hk

致城市規劃委員會:

擬議臨時康體文娱場所(休閒農莊、遊樂空間、手工藝製作及 小食亭)及燒烤地點(為期3年)及相關填土工程 大量約份第76約地段第1091號餘段、第1134號A分段及第1134號餘段

(規劃申請編號: A/NE-HT/21)

本人為是次規劃申請(編號: A/NE-HT/21)之申請人,現提供進一步資料以支持是次規劃申請。詳細如下:

- (一)是次申請地點涉及一宗先前規劃申請(編號:A/NE-HT/16),本人為同一申請人。城市規劃委員會(城規會)於2021年間同意申請地點的規劃申請。同時, 是次規劃申請與先前規劃申請編號:A/NE-HT/16 的主要發展參數維持不變。 因此,是次規劃申請符合城規會的先前決定及符合該「農業」地帶的規劃意向。
- (二)本人在先前申請獲得規劃許可後,隨即於 2021 年 4 月 9 日就規劃申請編號:A/NE-HT/16 向地政總署提交短期豁免申請書申請,並曾多次查詢相關申請進度及按照北區地政專員的要求處理申請地點內之構築物(見附件一)。然而,截至今天,地政總署一直未能批出短期豁免書予本人。
- (三)承上段,在<u>未獲得</u>地政總署短期豁免書的情況下,本人未能按照規劃許可內的布局設計進行建築工程,包括落實消防及渠務設施。以致上述規劃許可於2023 年被撤銷。本人謹此承諾,在獲得是次申請規劃許可及短期豁免申請書後,<u>必定</u>會按照擬議發展計劃進行發展,盡最大努力履行附帶條件,並於規劃許可逾期後還原土地作經常准許的農業用途。

本人懇求城規會各委員酌情處理是次規劃申請,讓本人能夠繼續經營擬議發展用途,為公眾提供更多康體及休閒場地。

fungChiuHan Fung Chiu Han 2023年11月28日





新界粉嶺壁峰路3號 北區政府合署6樓 北區地政處 (經辦人:林玉玲)

致 北區地政主任 林女士:

盈卓規劃 有限公司

有關短期豁免書申請事宜. 新界粉嶺鶴藪丈量約份第76約地段第1091號餘段、

第1134號 A 分段及第1134號餘段

就有關上述地段,申請人會按照規劃申請編號: A/NE-HT/16 — 用途為擬ʻ蘭壁 時康體文與場所(休閒農場、鴻海地點、遊樂空間、手工藝製作及小食亭)(為期3 年)申請短期豁免書。

如貴處有任何疑問,請致電

姐聯絡,感謝貴處的諒解與配合。



2022年8月8日



盈卓規劃有限公司



Our Ref.: DD76 Lot 1091 RP & VL Your Ref.: TPB/A/NE-HT/21

物 業

The Secretary
Town Planning Board
15/F, North Point Government office
333 Java Road
North Point, Hong Kong

By Email

20 December 2023

Dear Sir,

5th Further Information

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone, Various Lots in D.D. 76, Hok Tau, Fanling, New Territories

(S.16 Planning Application No. A/NE-HT/21)

We are writing to submit further information to address departmental comments of the subject application (**Appendix I**).

Should you require more information regarding the application, please contact our Mr. Louis TSE at or the undersigned at your convenience. Thank you for your kind attention.

Yours faithfully,

For and on behalf of

R-riches Property Consultants Limited

Matthew NG

Planning and Development Manager

cc DPO/STN, PlanD

(Attn.: Ms. Carman CHEUNG

(Attn.: Mr. Markie AU

email: ccycheung@pland.gov.hk)

email: mwlau@pland.gov.hk

v.nk)

Responses-to-Comments

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone, Various Lots in D.D. 76, Hok Tau, Fanling, New Territories

(S.16 Planning Application No. A/NE-HT/21)

- (i) The applicant would like to provide clarifications for the subject application, details are as follows:
 - Majority of the application site (the Site) is currently hard-paved. The applicant will ensure the hard-paving will be removed from the Site after planning approval has been granted from the Town Planning Board (the Board), in order to facilitate the proposed scheme at the Site (Annex I).

(ii) A RtoC Table:

	Departmental Comments	Applicant's Responses		
1. (Comments of District Lands Officer/North, Lan	ds Department (DLO/N, LandsD)		
(a)	The application site comprises Old Schedule Agricultural Lots held under the Block Government Lease all of them contain the restriction that no structures are allowed to be erected without the prior approval of the Government. No right of access via Government land (GL) is granted to the application.	Noted.		
(b)	The applied use has been operating on site. There are unauthorized structures erected within the application site. The lot owner(s) should immediately rectify the lease breaches and this office reserves the rights to take necessary lease enforcement action against the breaches without separate notice.	Noted. The applicant will submit Short Term Waiver (STW) application to the Lands Department to facilitate the proposed structures at the Site after planning approval has been obtained from the Board.		
(c)	Portion of the unauthorized structures erected on Lot No. 1091 RP in D.D. 76 was found extended to the adjoining GL outside the application site. Any occupation of GL with Government's prior approval is an offence. The lot owner(s)/the applicant	Noted. The applicant will strictly follow the proposed scheme after planning approval has been granted from the Board, and ensure that occupation of GL will <u>not</u> be carried out without prior approval from the Government.		



should immediately cease the occupation of the GL and this office reserves the rights to take necessary land control action against the illegal occupation of GL without separate notice. As land filling works are proposed in the (d) Noted. The applicant will comply with all the planning submission, the applicant should land filling requirements imposed by relevant comply with all the land filling requirements Government departments for the proposed imposed by relevant Government filling of land works and ensure that the departments. GL should not be disturbed adjoining GL will not be disturbed. unless with prior approval. (e) Should planning approval be given and Noted. subject to the lot owner(s)/applicant cease the occupation of GL as demand in para (c) above, the lot owner(s) will need to apply to this office for Short Term Waiver to permit the structure (s) erected/to b erected on site. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. The application will be considered by the LandsD acting in the capacity of the lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, its commencement date would be the first date of the occupation and it will be subject to such terms and conditions, including among others the payment of fee and administrative fee, as may be imposed by the LandsD.

致城市規劃委員會:

擬議臨時康體文娱場所(休閒農莊、遊樂空間、手工藝製作及 小食亭)及燒烤地點(為期3年)及相關填土工程 丈量約份第76約地段第1091號餘段、第1134號A分段及第1134號餘段

(規劃申請編號: A/NE-HT/21)

本人為是次規劃申請(編號:A/NE-HT/21)之申請人,現提供進一步資料以支持是次規劃申請。詳細如下:

由於現時場地已經鋪設石屎,本人承諾於獲得規劃許可後,將會移除場地的石屎,並根據擬議的計劃落實休閒農莊。本人懇求城規會各委員酌情處理是次規劃申請,讓本人能夠經營擬議發展用途,為公眾提供更多康體及休閒場地。

fung Chiu Han Fung Chiu Han 2023年12月19日

Appendix II of RNTPC Paper No. A/NE-HT/21A

Previous S.16 Applications

Approved Applications

Application No.	<u>Uses/ Development</u>	<u>Date of</u> <u>Consideration</u>
A/NE-HT/9	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Barbecue Spot, Play Area, Handicraft Making and Refreshment Kiosk) for a Period of 3 Years	7.12.2018
A/NE-HT/16	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Play Area, Handicraft Making and Refreshment Kiosk) and Barbecue Spot for a Period of 3 Years	12.3.2021 (revoked on 12.6.2023)

Government Departments' General Comments

1. Traffic

Comments of the Commissioner for Transport (C for T):

- she has no comment on the application from the traffic engineering point of view; and
- the proposed vehicular access between Hok Tau Road and the Site is not managed by Transport Department. The applicant should seek comments from the responsible party.

Comments of the Chief Highway Engineering/New Territories East, Highways Department (CHE/NTE, HyD):

- he has no comment on the application; and
- the access road adjacent to the Site is not maintained by HyD.

2. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- he has no objection to the application from the public drainage viewpoint;
- the applicant shall implement the accepted drainage proposal for the Site to ensure that the development will not cause adverse drainage impact to the adjacent area; and
- the Site is in an area where no DSD stormwater drain and no public sewerage connection are available. Environmental Protection department should be consulted regarding the sewerage treatment/disposal aspects of the development and the provision of septic tank.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- there is no substantial environmental complaint received in the past three years;
- he has no objection to the application from the environmental planning perspective subject to the approval condition that no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the Site, as proposed by the applicant, during the planning approval period; and
- the applicant is advised to note his advisory comments at **Appendix IV**;

4. Fire Safety

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

- he has no in-principle objection to the application subject to fire service installations (FSIs) being provided to the satisfaction of his department; and
- the applicant is advised to note his advisory comments appended at **Appendix IV**.

5. Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- as there is no record of approval by the Building Authority for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application; and
- the applicant is advised to note his advisory comments under Building Ordinance appended at **Appendix IV**.

6. Nature Conservation and Agriculture

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

- the Site falls within the "AGR" zone and possesses potential for agricultural rehabilitation. He has no strong view against the application for the proposed use and land filling from an agricultural perspective on the understanding that agricultural activities are involved in the proposed use. Nonetheless, the Site should be reinstated upon the expiry of the planning permission if it is granted. He has no comment on the non-agricultural development related to the application; and
- in view of the FI submitted (**Appendix Ib**), he has no further comment on the application from a nature conservation perspective.

7. Landscape

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

- she has no objection to the application from the landscape planning perspective;
- the Site is located in an area of uplands and hillsides and settled valleys landscape character surrounded by erected greenhouse structures to its immediate south, woodland at the west, active farmlands and vegetate areas. The proposed development is considered not entirely incompatible with the landscape character of the surrounding areas;
- based on aerial photos and site photos, the Site is mainly hard paved with some trees of common species observed at the southern entrance and along the western boundary which are close to the Site. Significant adverse impact on the landscape character and the existing landscape resources within the Site arising from the proposed use is not anticipated.

8. Food and Environmental Hygiene

Comments of the Director of Food and Environmental Hygiene (DFEH):

• she has no adverse comment on the application and her detailed advisory comments are at **Appendix IV**.

9. Other Departments

- the following government departments have no comment on/no objection to the application:
 - (i) Project Manager (North), North Development Office, Civil Engineering and Development Department;
 - (ii) Chief Engineering/Construction, Water Supplies Department;
 - (iii) Head of Geotechnical Engineering Office, CEDD;
 - (iv) Director of Leisure and Cultural Services; and
 - (v) Commissioner of Police (C of P).

Recommended Advisory Clauses

- (a) to note the following comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) there are unauthorized structures erected within the Site. The lot owner(s) should immediately rectify the lease breaches and her office reserves the rights to take necessary lease enforcement action against the breaches without separate notice;
 - (ii) portion of the unauthorized structures erected at Lot 1091 RP in D.D. 76 was found extended to the adjoining government land (GL) outside the Site. Any occupation of GL without Government's prior approval is an offence. The lot owner(s)/the applicant should immediately cease the occupation of the GL and her office reserves the rights to take necessary land control action against the illegal occupation of GL without separate notice;
 - (iii) as land filling works are proposed in the planning submission, the applicant should comply with all the land filling requirements imposed by relevant government departments. GL should not be disturbed unless with prior approval;
 - (iv) should the application be approved, the lot owner(s)/applicant cease the occupation of GL as demanded in paragraph (ii) above, the lot owner(s) will need to apply to her office for Short Term Waiver to permit the structure(s) erected/to be erected on Site. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. The application will be considered by the LandsD acting in the capacity of the lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, its commencement date would be the first date of the occupation and it will be subject to such terms and conditions, including among others the payment of fee and administrative fee, as may be imposed by the LandsD;
- (b) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant is reminded to seek approval for any proposed works from relevant departments prior to commencement of the works;
- (c) to note the following comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that
 - (i) the Site is in an area where no DSD stormwater drain and no public sewerage connection are available. Environmental Protection Department should be consulted regarding the sewerage treatment/disposal aspects of the development and the provision of septic tank;
 - (ii) the applicant should be advised that the limited desk-top checking by Government on the drainage proposal covers only the fundamental aspects of the drainage design which will by no means relieve his obligations to ensure that (i) the proposed drainage works will not cause any adverse drainage or environmental impacts in the vicinity; and (ii) the proposed drainage works and the downstream drainage systems have the adequate capacity and are in good conditions to receive the flows collected from his

lot and all upstream catchments;

- (iii) the applicant should indicate clearly the full alignment and size of the existing/proposed drainage facilities downstream of the application site all the way down to the ultimate discharge point (i.e. a well established stream course/ public drainage system);
- (iv) the applicant should advise if there will be walls or kerbs laid along the site boundary. If so, adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the site to be intercepted by the drainage system of the subject site;
- (v) all proposed sand traps and catchpits should be regularly desilted by the applicant or the successive owners of the proposed development to prevent sand and silt from being washed into the existing drainage system/channel at its downstream;
- (vi) DSD noticed that the proposed drainage connection to the downstream area will run through other GL. The applicant shall demonstrate that the proposed drainage construction / improvement / modification works and the operation of the drainage can be practicably implemented on site;
- (vii) the applicant should be reminded to minimize the possible adverse environmental impacts on the existing stream course in his design and during construction. DEP and DAFC should be consulted on possible environmental and/or ecological impacts of the development. Furthermore, as natural watercourses in village areas are within the jurisdiction of HAD under ETWB TCW No. 14/2004, comments from HAD should be sought;
- (viii) the applicant will be required to submit as-built drawing plans showing the completed proposed drainage facilities for record purpose;
- (d) to note the following comments of the Director of Fire Services (D of FS) that:
 - (i) in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to FSD for approval. In addition, the applicant should also be advised on the following points:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - the location of the proposed FSI to be installed should be clearly marked on the layout plans; and
 - (ii) the applicant is reminded that if the proposed structure(s) is required to comply with the BO (Cap. 123), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (e) to note the following comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:

- (i) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
- (ii) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
- (iii) if the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of the Buildings Authority (BA), they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not designated for any approved uses under the captioned application;
- (iv) for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
- (v) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, the prior approval and consent of the BA should be obtained, otherwise they are UBW under the BO. An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
- (vi) the applicant's attention is also drawn to the provision under regulations 40 and 41 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulation B(SSFPD&L)R in respect of disposal of foul water and surface water respectively;
- (vii) site formation works are building works under the control of the BO. Before the proposed filling of land is to be carried out on the Site, the prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorized building works. An AP should be appointed as the coordinator for the proposed site formation in accordance with the BO; and
- (viii) detailed checking under the BO will be carried out at building plan submission stage;
- (f) to note the following comments of the Director of Environmental Protection (DEP) that the applicant is advised to:
 - (i) erect a 2m tall fence along the southeastern boundary of the Site to avoid visitors from reaching the stream;
 - (ii) to follow the relevant mitigation measures and requirements in the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" to minimize any potential environmental nuisance;
 - (iii) to provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste / wastewater generated from the proposed use. If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of EPD's Practice Note for Professional

- Person (ProPECC) PN 1/23 "Drainage Plans subject to Comment by the Environmental Protection Department Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations" including percolation test; and
- (iv) it is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances; and
- (g) to note the following comments of the Director of Food and Environmental Hygiene Department (DFEH) that:
 - (i) no Food and Environmental Hygiene Department's (FEHD) facilities will be affected;
 - (ii) proper licence/ permit issued by FEHD is required if there is any food business/ catering service/ activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public:
 - under the Food Business Regulation, Cap. 132X, a food business licence is required for the operation of the relevant type of food business listed in the Regulation. For any premises intended to be used for food business (e.g. a restaurant, a food factory, a fresh provision shop), a food business licence from the FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) shall be obtained. The application for licence, if acceptable by the FEHD, will be referred to relevant government departments such as the Buildings Department, Fire Services Department and Planning Department for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;
 - (b) depending on the mode of operation, generally there are three types of food business licence/ permit that the operator of shop and services may apply for under the Food Business Regulation (the Regulation):
 - if food is sold to customers for consumption on the premises, a restaurant licence should be obtained;
 - if food is only prepared for sale for consumption off the premises, a food factory licence should be obtained; and
 - if fresh, chilled or frozen beef, mutton, pork, reptiles (including live snake), fish (including live fish) and poultry is sold, a fresh provision shop licence should be obtained;
 - (c) for the operation of refreshment kiosks, under the Food Business Regulation, Cap. 132X, a Food Factory Licence must be obtained from FEHD for food business which involves the preparation of food for sale for human consumption off the premises before commencement of such business;
 - (d) when a restaurant licensee/licence applicant wishes to use any outside seating accommodation (OSA) outside the restaurant premises for alfresco dining, he/she should take notice of the main licensing criteria for OSA, covering

matters such as legal right to use the land concerned, planning, building safety, fire safety, and traffic requirements, etc. as well as to obtain approval from the DFEH before commencement. Restaurateurs operating OSA business without approval may be subject to prosecution pursuant to the Food Business Regulation (Cap. 132X). Repeated convictions may lead to suspension or cancellation of their licences;

- (e) In accordance with Section 4 of Food Business Regulation, Cap. 132X, the expression "food business" means, any trade or business for the purpose of which any person engages in the handling of food or food is sold by means of a vending machine. But it does not include any canteen in work place (other than a factory canteen referred to in section 31) for the use exclusively of the persons employed in the work place. As such, a staff canteen that exclusively use by the staff members of that working place does not require a food business licence from this department. However, if the said canteen provided foods to the outsiders with payment, a food business licence is required;
- (f) the operation of the eating place must not cause any environmental nuisance to the surrounding. The refuse generated by the proposed eating place are regarded as trade refuse. The management or owner of the site is responsible for its removal and disposal at their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity; and
- proper licence issued by FEHD is required if related place of entertainment is involved. Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement, a Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment. There should be no encroachment on the public place and no environmental nuisance should be generated to the surroundings. Its state should not be a nuisance or injurious or dangerous to health and surrounding environment. Also, for any waste generated from such activities/ operation, the applicant should arrange disposal properly at their own expenses.

4+5

致城市規劃委員會秘書:

專人送遞或郵遞:香港北角渣華道 333 號北角政府合署 15 樓

傳真:2877 0245 或 2522 8426

電郵: tpbpd@pland.gov.hk

To: Secretary, Town Planning Board

By hand or post: 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax: 2877 0245 or 2522 8426 By e-mail: tpbpd@pland.gov.bk

有關的規劃申請編號 The application no. to which the comment relates

A/NE-HT/21

意見詳情 (如有需要,請另頁說明).

Details of the Comment (use separate sheet if necessary)

「提意見人」姓名/名稱	Name of person/company making this comment	俊志3

簽署 Signature

日期 Date 7023、10-19

致城市規劃委員會秘書:

專人送遞或郵遞:香港北角渣華道 333 號北角政府合署 15 櫻

傳真:2877 0245 或2522 8426

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有關的規劃申讀編號 The application no. to which the comment relates

A/NE-HT/21

意見詳情(如	/有需要,	請另頁說明)
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「提意見人」姓名/多 簽署 Signature	Tame of person/com		mment to <u>} 0 -</u>	(o -):	 >>3



香港新界粉領區鄉事委員會 Hong Kong Fanling District Rural Committee

P-77

敬啟者:

責處構號: TPB/A/NE-HT/21

新界船屬鶴載主量的份第 76 約地段第 1091 號餘段、第 1134 號 A 分段及第 1134 號餘段 第 1134 號餘段 軽議臨時康體主娛場所(休閒農場、燒烤地點、遊樂空間、手工藝製作及 小食率) (為期 3 年)及相關填土工程 (申請編號: A/NE-HT/21)

本會頃接該區村民求助, <u>強烈反對</u> 題述之申請,其理由是村民 不滿以下幾點:

- 每逢假日,該村周圍都迫爆遊人,路旁全是違泊車輛,十分擠迫, 人車爭路、危及行人/村民。現時已車位不足,公厕不足,欠缺 完善交通配套。
- 2)欠缺完善公共交通配套,村民不滿該地投除了的士外,只得一條專線小巴 52B 行走鶴藪村至粉嶺火車站,村民每天候車時間太長,阻延出外、上班上學及回家時間。由於村內周邊全是景點(鶴藪水塘及行山徑等),吸引很多遊人前來,導致假日候車時間會更耐。
- 3)村路又狹窄又多灣路,是否會加潤村路? 加上單線行車,現已非常繁忙,經常出現塞車/避車/人車爭路的問題越來越嚴重,對所有人(行山者、村民及駕駛者)都非常危險。
- 4)再引入大量車輛及遊人,該條狹窄又多灣的村路將嚴重超出負荷, 直接影響到以下五條村(新塘莆、布格仔、高莆、流水響及鶴藪)的 村民出入,因該條路是他們的必經之路,出入村內必受到阻延影響。

P-3/7

- 5) 經營場地太密集太近民居、不論嘈音滋養、排污問題、空氣污染等,都影響到周邊村民的生活環境。
- 6) 最疑問的是周邊已設有政府(免費)燒烤場,是否認為求過於供, 數量還未足夠?

或未來計劃要拆掉、關閉、停止使用該段政府公眾(免費)燒烤場? 造就機會給予從商謀利的申請者?

懸請 贵署考慮村民之憂慮及強烈反對的聲音,慎重處理。

此致 規劃署沙田、大埔及 北區規劃專員

粉嶺區鄉事委員會主席

(季國風)

2023年10月30日



香港新界粉嶺區鄉事委員會 Hong Kong Fanling District Rural Committee

P4/7

敬啟者:

貴處檔號: TPB/A/NE-HT/21

新界粉嶺鶴藪之量約份第 76 約地段第 1091 號餘段、第 1134 號 A 分段及第 1134 號餘段 第 1134 號餘段 擬議臨時康體文娱場所(休閒農場、烧烤地點、遊樂空間、手工藝製作及 小食亭) (為期 3 年)及相關填土工程 (申請編號: A/NE-HT/21)

本會項接該區村民求助,<u>豫烈反對</u> 超遊之申請 , 其理由是村民 不满以下幾點:

- 1)每逢假日,該村周圍都迫爆遊人,路旁全是違泊車輛,十分擠迫, 人車爭路、危及行人/村民。現時已車位不足,公願不足,欠缺 完善交通配套。
- 2) 欠缺完善公共交通配套,村民不滿該地段除了的士外,只得一條專 線小巴 52B 行走鹌薮村至粉嶺火車站,村民每天候車時間太長,阻 延出外、上班上學及回家時間。由於村內周邊全是景點(鹌籔水塘 及行山徑等),吸引很多遊人前來,導致假日候車時間會更耐。
- 3)村路又狹窄又多灣路,是否會加潤村路? 加上單線行車,現已非常繁忙,經常出現塞車/避車/人車爭路的問題越來越嚴重,對所有人(行山者、村民及駕駛者)都非常危險。
- 4)再引入大量車輛及遊人,該條狹窄又多灣的村路將嚴重超出負荷, 直接影響到以下五條村(新塘莆、布格仔、高莆、流水響及鶴鼓)的 村民出入,因該條路是他們的必經之路,出入村內必受到阻延影響。

P2/7

- 5) 經營場地太密集太近民居,不論嘈音滋擾、排污問題、空氣污染等,都影響到周邊村民的生活環境。
- 6) 最疑問的是周邊已設有政府(免費)燒烤場,是否認為求過於供, 數量還未足夠? 或未來計劃要拆掉、關閉、停止使用該段政府公眾(免費)燒烤場? 造就機會給予從商謀利的申請者?

懸請 贵署考虑村民之爱虑及強烈反對的聲音,慎重處理。

此致 規劃署沙田、大埔及 北區規劃事員

粉嶺區鄉事委員會首副主席

刘 孔 安 敬上 (劉永安)

2023年10月30日



香港新界粉嶺區鄉事委員會 Hong Kong Fanling District Rural Committee

P6/7

敬啟者:

貴處構號: TPB/A/NE-HT/21

新界粉扇鶴藝文量的份第 76 約地段第 1091 號餘段、第 1134 號 A 分段及第 1134 號餘段第 1134 號餘段額 1134 號條段級議臨時康體文娱場所(休閒農場、燒烤地點、遊樂空間、手工藝製作及小食亭) (為期 3 年)及相關填土工程(申請編號: A/NE-HT/21)

本會頃接該區村民求助, <u>強烈反對</u> 題述之申請,其理由是村民 不滿以下幾點:

- 1)每逢假日,該村周圍都迫爆遊人,路旁全是違泊車輛,十分擠迫, 人車爭路、危及行人/村民。規時已車位不足,公厕不足,欠缺 完善交通配套。
- 2)欠缺完善公共交通配套,村民不滿該地段除了的士外,只得一條專 線小巴 52B 行走稿載村至粉嶺火車站,村民每天候車時間太長,阻 延出外、上班上學及回家時間。由於村內周邊全是景點(梅載水塘 及行山徑等),吸引很多遊人前來,等致假日侯車時間會更耐。
- 3) 村路又狭窄又多灣路,是否會加潤村路? 加上單線行車,現已非常繁忙,經常出現塞車/避車/人車爭路的問題越來越嚴重,對所有人(行山者、村民及駕駛者)都非常危險。
- 4) 再引入大量車輛及遊人,該條狹窄又多灣的村路將嚴重超出負荷, 直接影響到以下五條村(新塘莆、布格仔、高莆、流水響及鶴藪)的 村民出入,因該條路是他們的必經之路,出入村內必受到阻延影響。

P-7/7

- 5) 經營場地太密集太近民居,不論嘈音滋養、排污問題、空氣污染等,都影響到周邊村民的生活環境。
- 6)最疑問的是周邊已設有政府(免費)燒烤場,是否認為求過於供, 數量還未足夠? 或未來計劃要拆掉、關閉、停止使用該段政府公眾(免費)燒烤場? 造就機會给予從商謀利的申請者?

懸請 贵署考虑村民之憂慮及強烈反對的聲音,慎重處理。

此致 規劃署沙田、大埔及 北區規劃專員

粉嶺區鄉事委員會副主席

游艺色

(鄧志佳)

2023年10月30日

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&puble A/NE-HT/21 DD 76 Hok Tau BBQ 02/11/2023 02:34
02/11/2023 02:54
From: To: tpbpd <tpbpd@pland.gov.hk> File Ref:</tpbpd@pland.gov.hk>
A/NE-HT/21
Lots 1091 RP, 1134 S.A and 1134 RP in D.D. 76, Hok Tau, Fanling
Site area: About 3,371sq.m
Zoning: "Agriculture"
Applied use: Hobby Farm / BBQ / Handicraft Making / Refreshment Kiosk / 9 Vehicle Parking / Filling of Land
Dear TPB Members,
Application 16
REVOKED ON 12.6.2023: As the applicant had failed to comply with conditions (c), (d), (f) & (h) satisfactorily by 12.6.2023, the planning permission for the subject application had already been revoked on the same date.
This application should be considered together with A/NE-HT/20 deferred 11 Aug as they part of the same scam with the ultimate intention of filling in farmland to facilitate brownfield.
How can members continue to approve applications with a long history of deception and manipulation? Handicraft making, seriously, are we that DUMB?
Previous objections applicable and upheld.
Mary Mulvihill
From:

To: tpbpd <tpbpd@pland.gov.hk>
Date: Saturday, 17 October 2020 3:45 AM CST
Subject: A/NE-HT/16 DD 76 Hok Tau

A/NE-HT/16

Lots 1091 RP, 1134 S.A, 1134 RP (Part) in D.D. 76, Hok Tau, Fanling

Site area : About 3,371m²
Zoning : "Agriculture"

Applied Use: Hobby Farm - BBQ - 9 Vehicle Parking

Dear TPB Members,

Application 9 was approved in December 2018 and there have been FIVE extensions of time re compliance.

Members should question why applicants are allowed so much time to comply with conditions, two years into a three years approval period is certainly not acceptable.

"Regarding the concerns of relevant departments, the applicants had undertaken to provide boundary fencing with buffer from the existing stream, set back from the country park boundary and designate "non-building" area within the site"

Clearly the Applicant has not met some of the many conditions.

Members should ask to see current images of the site to determine what progress has been made.

Previous objections upheld.

Mary Mulvihill

From:

To: "tpbpd" <tpbpd@pland.gov.hk>

Sent: Tuesday, July 24, 2018 1:14:25 AM Subject: A/NE-HT/9 DD 76 Hok Tau

A/NE-HT/9

Lots 1091 RP, 1134 S.A, 1134 RP (Part), 1135, 1136, 1137, 1138 and 1157 in D.D. 76,

Hok Tau, Fanling

Site area: About 15,216m² Zoning: "Agriculture"

Applied Use: Hobby Farm – BBQ – 20 Parking

Dear TPB Members,

The application appears to be to legitimize an ongoing unapproved operation.

From the Google image it would appear that a substantial section of the site has been built over and is effectively brownfield.

The proposed use is not in line with the planning intention of the

"Agriculture" ("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 current submission for a departure from the planning intention.

Members should enquire if any attempts are being made to rehabilitate the brownfield section.

Mary Mulvihill

☐ Urgent	☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&pub
	Comments on the Section 16 Application No. A/NE-HT/21 03/11/2023 11:30
From: To: Cc:	tpbpd <tpbpd@pland.gov.hk></tpbpd@pland.gov.hk>
File Ref: 1 attachme Pri TPB202311036	

Dear Sir/Madam,
Please refer to the attachment for the captioned.
Yours faithfully,
Ng Hei Man (Mr.)
Campaign Manager
The Conservancy Association

Registered Name 註冊名稱: The Conservancy Association 長春社 (Incorporated in Hong Kong with limited liability by guarantee 於香港註冊成立的擔保有限公司)

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長春社 Since1968 The Conservancy Association

3rd November 2023

Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam,

Comments on the Section 16 Application No. A/NE-HT/21

The Conservancy Association (CA) OBJECTS to the captioned application.

1. Not in line with the planning intention of Agriculture (AGR) zone

According to the approved HT Outline Zoning Plan (OZP) No. S/NE-TK/19, the planning intention of 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". However, we cannot see any details to justify how such plan would fulfill the planning intention of AGR zone, with 44.7% of the land filling area covered by concrete.

2. Adverse environmental impacts

We worry that there would be several potential adverse environmental impacts caused by the application:

No plans on land recovery: Various structures/uses, including 3 structures for handcraft making and agricultural education room, refreshment kiosk, toilet, storage of farm tools, barbeque spot and play area, would be temporarily proposed in the application site. However, no details are available to illustrate how the land would be recovered after the proposed temporary use.

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- Sewage impacts: According to the application, we cannot see any details sewerage management, such as design; collection, treatment and disposal of sewage, and so on. Besides, insufficient details are available to identify other sources of wastewater arising from operation, particularly potential oily wastewater from recreation and floor washing activities in the proposed barbeque area, and how these pollution sources would be treated. We worry that if the above issues cannot be properly addressed, it may lead to serious environmental and hygiene problems within the application site and its surrounding area.
- Disturbance on natural stream: a natural stream is located at the middle of the site and eventually would lead to Tan Shan River, an Ecological Important Stream. Despite provision of "fenced buffer area" along the natural stream, the "fenced buffer area" is still fragmented and its width is unclear. We worry that additional surface runoff and human activities arise from the campsite would cause stream pollution.
- Other sources of environmental impacts not clearly addressed: There are no site management and operational plans to describe issues such as number of expected visitors/users, crowd control, waste management, and so on. All these would help identify source of environmental impacts and then suggest measures to minimize or mitigate potential environmental disturbance, but we cannot see the project proponent has attempted to address this.

Yours faithfully,
Ng Hei Man
Campaign Manager
The Conservancy Association

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Dear Sir/ Madam,

Attached please see our comments regarding seven applications. There are SIX pdf files attached to this email. If you cannot see/ download/ open these files, please notify us through email.

Please do not disclose our email address.

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

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嘉道理農場暨植物園公司 Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

3rd November 2023.

By email only

Dear Sir/ Madam,

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Barbecue Spot, Play Area, Handicraft Making and Refreshment Kiosk) for a Period of 3 Years and Associated Filling of Land (A/NE-HT/21)

- 1. We refer to the captioned.
- 2. There are two revoked applications for 'Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Barbecue Spot, Play Area, Handicraft Making and Refreshment Kiosk) for a Period of 3 Years' (A/NE-HT/9¹, revoked in 2021; A/NE-HT/16², revoked in 2023) covering the current site. Both applications were approved with conditions but revoked because the applicant(s) failed to comply with certain conditions.
- 3. We would like the Board to consider, if this application is to be approved with condition(s) (again), would it be better to ensure those condition(s) (if any) can be complied with before approving this application? Is there such a mechanism?
- 4. Also, we urge the Board to investigate whether the previous approved applications covering the current site also involved filling of land, which is specifically mentioned in the title of the current application; we urge the Board to consider whether the proposed filling of land in this application would greatly affect the arability of the site which is within

1 https://www.ozp.tpb.gov.hk/api/Perm/Gist?caseNo=A%2fNE-HT%2f9&lang=EN&ext=pdf&dType=in

² https://www.ozp.tpb.gov.hk/api/Perm/Gist?caseNo=A%2fNE-HT%2f16&lang=EN&ext=pdf&dType=in



嘉道理農場暨植物園公司 Kadoorie Farm & Botanic Garden Corporation

Agriculture (AGR) zone. We urge the Board to seriously take note that Hok Tau is an area actively involved in genuine cultivation. There are many active farms in this area and we urge the Board to seriously consider the potential cumulative impacts, if any, of approving this application.

5. Thank you for your attention.

Ecological Advisory Programme Kadoorie Farm and Botanic Garden

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	HKBWS's comments on the planning application for the proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Barbecue Spot, Play Area, Handicraft Making and Refreshment Kiosk) for a Period of 3 Years and Associated Filling of Land at Hok Tau, Fanling (A/NE-HT/21) 03/11/2023 18:16
From: To: Cc: File Ref:	tpbpd <tpbpd@pland.gov.hk></tpbpd@pland.gov.hk>
Dear Sir/Mada	m,
Place of Recre	g Bird Watching Society's comments on the planning application for the proposed Temporary ation, Sports or Culture (Hobby Farm, Barbecue Spot, Play Area, Handicraft Making and Liosk) for a Period of 3 Years and Associated Filling of Land at Hok Tau, Fanling (A/NE-HT/21)
Thank you.	
Best Regards,	
	lei 黃雪媚 Officer 保育主任 ng Bird Watching Society 香港期息命



20231103_HokTau_HobbyFarm_A_NE_HT_21_HKBWS.pdf





Secretary, Town Planning Board 15/F, North Point Government Offices 333 Java Road, North Point, Hong Kong (E-mail: tpbpd@pland.gov.hk)

By email only

3 November 2023

Dear Sir/Madam,

Comments on the planning application for the proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Barbecue Spot, Play Area, Handicraft Making and Refreshment Kiosk) for a Period of 3 Years and Associated Filling of Land at Hok Tau, Fanling (A/NE-HT/21)

The Hong Kong Bird Watching Society (HKBWS) objects to the planning application based on the following reasons.

1 Not in line with the planning intention of the "Agriculture" (AGR) zoning

- 1.1 The application site is located within the AGR zone, where the planning intention is "to <u>retain and safeguard</u> good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to <u>retain</u> fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes". From Google aerial photograph in 2022, there are active farmlands clustered near the application site (Figure 1). We consider that the site has potential for agricultural uses.
- 1.2 According to the layout plan submitted by the applicant, it is claimed that the covered area is about 356m². However, from the photos extracted from a website of the operating company¹ and also Google Street View, the paved area in the application site is much larger than that presented in the proposed layout plan (Figure 2). In the planning statement, it is also mentioned that 1,506 m² (about 45% of land will be filled with concrete. We

¹ https://fourseasonsvalley.com/%e9%a0%90%e7%b4%84%e8%bb%8a%e4%bd%8d/











are concerned the extend of farmland loss and the impacts of filling of land is highly underestimated. We urge the Town Planning Board (Board) to reject this application of recreation-intensive development, which is not in line with the planning intention to retain land for farming purposes.

2 Potential sewerage impacts of the proposed recreational development

- 2.1 There is a watercourse running next to the application site. This watercourse would feed into an Ecological Important Stream named Tan Shan River² (Figure 1). Any potential adverse impacts of the proposed recreational development on the water quality should not be overlooked.
- 2.2 The proposed catering and recreational development including barbecue site, refreshment kiosk and toilets, are going to accommodate a maximum of 38 and 58 visitors and staffs during weekdays and weekends respectively.
- 2.3 However, no information is provided to indicate the expected amount of sewerage during operation of toilets, kitchen facilities for food preparation and kitchenware cleansing, which will unavoidably generate sewage. It is also uncertain how it will be treated.
- 2.4 We are concerned if all the above sewerage problems are not properly treated, it would potentially deteriorate the water quality of the adjacent river of conservation concern and adversely affect the aquatic organisms and wildlife which utilize the stream and the wetland connected in the downstream.

3 Set an undesirable precedent to the future development

As the site is connected to the ecologically sensitive stream and the surrounding active farmland, the approval of this application will set an undesirable precedent to the future similar applications within the AGR zone, and thus nullifying the statutory planning control mechanism. We are concerned the approval would eventually lead to an overall degradation of the agricultural environment and promotion of undesirable recreational uses within AGR zone in the Hok Tau area.

² Section of Tan Shan River (River Jhelum) with Ecological Importance. Available at: https://www.afcd.gov.hk/english/conservation/con_wet/streams_rivers_hk/Con_NSR/files/25_Tan_Sh an River.pdf











We urge the Board to reject this application in order to protect the Tan Shan River, AGR zone and the existing agricultural cluster from any development threats.

4 Justifications for the decision and comments made by Government departments and the Board

According to the Hong Kong Planning Standards and Guidelines (HKPSG), Chapter 10, Section 2.1 (iii), the Board has the responsibility to "control adjoining uses to minimise adverse impacts on conservation zones and optimise their conservation value". We note that all other Government bureaux/departments are also bound to the HKPSG, the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department (PlanD) has the responsibility to advise the Board on the ecological and planning aspects in particular³. Given AFCD's mission to conserve natural environment and safeguard the ecological integrity⁴ and the proposed development is not in line with the planning intention of the statutory zoning, HKBWS would also expect AFCD and PlanD to object this application. Should AFCD, PlanD or the Board feels otherwise, we urge that the appropriate justifications are provided.

The HKBWS respectfully requests the Board to take our comments into consideration and <u>reject</u> the current application. Thank you for your kind attention.

Yours faithfully,
The Hong Kong Bird Watching Society

⁴ AFCD Vision and Mission. Available at: http://www.afcd.gov.hk/english/aboutus/vision mission/abt vision mission.html







³ AFCD Role of Department. Available at: http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html





Figure 1. The Google Earth aerial photograph in 2022 shows that there are active farmlands near the application site (marked with red color). We are concerned the proposed recreation-intensive development will lead to a general degradation of the agricultural clustering environment in Hok Tau area. It also illustrates the natural watercourse through the application site (marked by blue color). We are concerned the toilets, kitchen facilities for food preparation and kitchenware cleansing associated with catering and recreational development will lead to adverse ecological impacts on the river and the connecting Ecological Important Stream named Tan Shan River (marked by green color).











Figure 2. The Google Street View photograph and the site photos extracted from the website of the operating company shows that the paved area is much larger than that presented in the layout plan submitted by the applicant. We are concerned that the farmland loss is highly underestimated.

