

2022年 3月 2 日

此文件在 收到。城市規劃委員會
只會在此日期前收到所有申請的資料。
申請的日期。

This document is received on 21 MAR 2022.
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Form No. S16-III
表格第 S16-III 號

**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條遞交的許可申請

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

**適用於祇涉及位於鄉郊地區土地上及/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.info.gov.hk/tpb/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.info.gov.hk/tpb/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

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/NE-MTL/5
	Date Received 收到日期	21 MAR 2022

- 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。
- 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.info.gov.hk/tpb/>. 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, 1 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.info.gov.hk/tpb/>)。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 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- 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

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

MA TSO LUNG ECO PARK COMPANY LIMITED

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)

OFFICE FOR FINE ARCHITECTURE LIMITED

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable)
詳細地址/地點/丈量約份及地段號碼 (如適用)

Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96, Ma Tso Lung, North District, New Territories

(b) Site area and/or gross floor area involved
涉及的地盤面積及/或總樓面面積☒ Site area 地盤面積 1183 sq.m 平方米 ☐ About 約☒ Gross floor area 總樓面面積 104.98 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)..... sq.m 平方米 ☐ About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3
(e) Land use zone(s) involved 涉及的土地用途地帶	AGRICULTURE AND CONSERVATION AREA (1)
(f) Current use(s) 現時用途	VACANT LAND (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 Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

- ☐ is the sole "current land owner"[#] (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」[#] (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"[#] (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」[#] (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 Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at 15/03/2022 (DD/MM/YYYY), this application involves a total of 4 "current land owner(s)"[#].
根據土地註冊處截至 2022 年 03 月 15 日的記錄，這宗申請共牽涉 4 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

- ☒ has obtained consent(s) of 4 "current land owner(s)"[#].
已取得 4 名「現行土地擁有人」[#] 的同意。

Details of consent of "current land owner(s)"[#] obtained 取得「現行土地擁有人」[#] 同意的詳情

No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註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)
1	Remaining Portion of Lot 1321 in D.D.96	12/03/2022
2	Remaining Portion of Lots 1304, 1322 & Lot 1306 in D.D.96	12/03/2022
1	Remaining Portion of Lot 1303 in D.D.96	12/03/2022

(Please use separate sheets 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)

- ☐ has notified "current land owner(s)"#
已通知 名「現行土地擁有人」#。

Details of the "current land owner(s)"# notified 已獲通知「現行土地擁有人」#的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets 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)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)#&
於 _____ (日/月/年)向每一名「現行土地擁有人」#郵遞要求同意書&

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)&
於 _____ (日/月/年)在指定報章就申請刊登一次通知&
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)&
於 _____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知&
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)&
於 _____ (日/月/年)把通知寄往相關的業主立案法團／業主委員會／互助委員會或管理處，或有關係的鄉事委員會&

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別	
(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B)) (如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)	
(a) Proposed use(s)/development 擬議用途/發展	PROPOSED TEMPORARY HOLIDAY CAMP AND SHOP & SERVICES FOR A PERIOD OF 3 YEARS (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期	<input checked="" type="checkbox"/> year(s) 年 3 <input type="checkbox"/> month(s) 個月
(c) Development Schedule 發展細節表	
Proposed uncovered land area 擬議露天土地面積 1078.02sq.m <input type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積 104.98sq.m <input type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目 14
Proposed domestic floor area 擬議住用樓面面積 N/Asq.m <input type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積 104.98sq.m <input type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積 104.98sq.m <input type="checkbox"/> About 約
Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另買說明) 6 MOVABLE CONTAINERS FOR SHOP AND SERVICES (1 STOREY, 2.6M HEIGHT); 8 PORTABLE TOILETS (1 STOREY, 2.6M HEIGHT)	
Proposed number of car parking spaces by types 不同種類停車位的擬議數目 Private Car Parking Spaces 私家車車位 N/A Motorcycle Parking Spaces 電單車車位 N/A Light Goods Vehicle Parking Spaces 輕型貨車泊車位 N/A Medium Goods Vehicle Parking Spaces 中型貨車泊車位 N/A Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 N/A Others (Please Specify) 其他 (請列明) N/A	
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目 Taxi Spaces 的士車位 N/A Coach Spaces 旅遊巴士車位 N/A Light Goods Vehicle Spaces 輕型貨車車位 N/A Medium Goods Vehicle Spaces 中型貨車車位 N/A Heavy Goods Vehicle Spaces 重型貨車車位 N/A Others (Please Specify) 其他 (請列明) N/A	

Proposed operating hours 擬議營運時間24 HOURS DAILY INCLUDING PUBLIC HOLIDAY.....			
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？	Yes 是	<input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) ACCESSIBLE FROM MA TSO LUNG ROAD	
	No 否	<input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度) <input type="checkbox"/>	
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。)			
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動？	Yes 是	<input type="checkbox"/> Please provide details 請提供詳情	
	No 否	<input checked="" type="checkbox"/>	
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程？	Yes 是	<input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及／或範圍) <input type="checkbox"/> Diversion of stream 河道改道 <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約	
	No 否	<input checked="" type="checkbox"/>	
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響？	On environment 對環境 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> On traffic 對交通 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> On water supply 對供水 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> On drainage 對排水 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> On slopes 對斜坡 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Affected by slopes 受斜坡影響 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Landscape Impact 構成景觀影響 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Tree Felling 砍伐樹木 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Visual Impact 構成視覺影響 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Others (Please Specify) 其他 (請列明) Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> _____ _____		

	<p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible)</p> <p>請註明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、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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(B) Renewal of Permission for Temporary Use or Development in Rural Areas	
位於鄉郊地區臨時用途/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	
(e) Approval conditions 附帶條件	<p><input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件</p> <p><input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件</p> <p><input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
(f) Renewal period sought 要求的續期期間	<p><input type="checkbox"/> year(s) 年</p> <p><input type="checkbox"/> month(s) 個月</p>

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 SEE DEVELOPMENT STUDY REPORT.

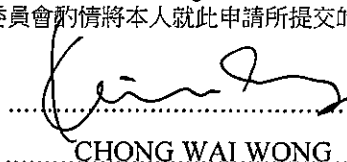
8. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.

本人現准許委員會酌情將本人就此申請所提交的資料，在該會網頁及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署


CHONG WAI WONG



Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

DIRECTOR

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s) ☒ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 /

☒ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 /

☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 /

☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

on behalf of
代表

OFFICE FOR FINE ARCHITECTURE LIMITED

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

15/03/2022

(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 Application 申請摘要 (Please provide details in both English and Chinese <u>as far as possible</u> . This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。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下載及於規劃署規劃資料查詢處供一般參閱。)	
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置／地址	Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96, Ma Tso Lung, North District, New Territories
Site area 地盤面積	<div style="display: flex; justify-content: space-between;"> 1183 sq. m 平方米 <input type="checkbox"/> About 約 </div> <div style="display: flex; justify-content: space-between;"> (includes Government land of 包括政府土地 sq. m 平方米 <input type="checkbox"/> About 約) </div>
Plan 圖則	Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3
Zoning 地帶	AGRICULTURE AND CONSERVATION AREA (1)
Type of Application 申請類別	<div> <input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> Year(s) 年 <u>3</u> <input type="checkbox"/> Month(s) 月 _____ </div> </div> <div> <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____ </div> </div>
Applied use/ development 申請用途/發展	PROPOSED TEMPORARY HOLIDAY CAMP AND SHOP & SERVICES FOR A PERIOD OF 3 YEARS

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	104.98 <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	0.0887 <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用	14	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	2.6 m 米 <input type="checkbox"/> (Not more than 不多於)	
		1 Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	8.87 % <input type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 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) _____ _____		0
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 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 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____		0

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SITE PHOTO LOCATION PLAN		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

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。

PLANNING STUDY

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

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

PREPARED BY:

Office for Fine Architecture Limited.

Unit B, 16/F, Easy Tower, 609 Tai Nan West Street,

Cheung Sha Wan, Hong Kong

March 2022

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

EXECUTIVE SUMMARY

The Applicant, Ma Tso Lung Eco Park Company Limited, hereby submits this Application for planning permission for conversion of the existing "Conservation Area (1)" (Lots 1321RP and 1322RP in D.D.96) and "Agriculture" uses (Lots 1303 RP, 1304 RP and 1306) into "Temporary Holiday Camp and Shop & Services for a period of 3 years" under Section 16 of the Town Planning Ordinance (CAP.131).

The Application Site is located in Ma Tso Lung, North District, New Territories (Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96) with an site area of 1183 m² (0.43 acre from Lease). Lots 1321 RP and 1322 RP are for conservation use since 2004 and lots 1303 RP, 1304 RP and 1306 are for agriculture use since 1898.

To cater for the increasing demand for outdoor activity by both Hong Kong residence and Mainland Chinese individual visitors, and launch an outdoor activity place and supporting facilities for visitors, the Applicant intends to operate a "Temporary Holiday Camp and Shop & Services for a period of 3 years".

Lots 1321 RP and 1322 RP are located in the "Conservation Area (1)" while lots 1303 RP, 1304 RP and 1306 are located in the "Agriculture" of the "Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3". "Temporary Holiday Camp and Shop & Services" is not included in both "Column 1" and "Column 2" of "Conservation Area (1)" and "Agriculture" zones, so temporary development is proposed and planning permission from Town Planning Board is required.

Justifications for the proposed application:

Promote environmental friendly life

Remaining simple life culture in the rural area and promoting environmental friendly life. The proposed "Temporary Holiday Camp and Shop & Services" is to provide more opportunity for public to keep in touch with the nature and help to form a slow living lifestyle in the city.

The proposed usage in the lots helps achieving natural integration with the surrounding. The lots are locate in rural area, so tourists/ local can explore natural and old elements all around after enjoying camping, including Shun Yee San Tsuen.

In compliance with 2021 Policy Address

According to The Chief Executive's 2021 Policy Address, there is a focus about The Northern Metropolis. The government aims to develop The Northern Metropolis in order to meet the target of the Hong Kong 2030+.

The Northern Metropolis encompasses the mature new towns in Tin Shui Wai, Yuen Long and Fanling/ Sheung Shui and their neighboring rural areas while the application site is located with these districts.

Together with the development of The Northern Metropolis, more visitors to the above new towns and rural areas is expected. The proposed "Temporary Holiday Camp" can help attracting people to Ma Tso Lung.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

In compliance with the Approved OZP

Under the “Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3” - Schedule of Uses & Planning Intention for Agriculture (AGR), the zone is intended primarily to retain and safeguard good quality land/farm for agriculture purposes and rehabilitation for cultivation.

The proposed usage will provide greenery area, except the use for portable toilet and movable containers. All of which falls within the concept of the planning intention for agriculture zone and good quality land can be retained. At the same time, the whole usage will not cause any major non-compatibility with the surrounding environment.

And for “Conservation Area (1)”, the “no-net-loss in wetland” principle is adopted for any change in use within this zone.

The proposed usage will not cause any change and destruction to the ecosystem in the wetland. It is to promote an eco-friendly lifestyle to the younger generation. For the long term development, it is better to educate citizens to conserve the environment by visiting the area rather than only on text book. Thus all the structures are flexible. The surrounding environment will not be affected.

Site Constraints/ Design Consideration

The expected vehicular traffic, pedestrians flow generated by the visitors will be low as most travelers are visiting by bicycles. The site is located along Ma Tso Lung Road, area around the site are mainly village type houses and land for agricultural use which would not generate heavy traffic.

GFA & PR

The site is an empty land in the present but there will only be some movable containers and portable toilets in the application. So the proposed usage under this application would only cause minor changes in GFA. No building work and construction is required base on the proposed temporary structure. Only flexible structures are required, including 89.30 m² movable containers (2600mmH) for shops and services and 15.68 m² portable toilet area (2600mmH).

Height of Temporary Structure

By consideration of environmental sustainable, no construction is required. The proposed temporary development intents to promote environmental friendly life and experience, thus solid structure will be replaced by low flexible structure such as portable toilets and movable containers to reduce impacts to environment.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

Summary:

In summary, the proposed application for planning permission under Section 16 of Town Planning Ordinance is an extremely straightforward application for converting the existing conservation and agriculture uses into “Temporary Holiday Camp and Shop & Services” use which are allowed with permission.

Based on the above justifications and as detailed in this Planning Study Report, MEMBERS of the Town Planning Board are sincerely requested to give its favorable consideration and approval to the subject application.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

**規劃申請報告書內文摘要
(內文如有差異，應以英文版本為準)**

申請人馬草壟生態園有限公司茲根據城市規劃條例第 16 條(香港法例第 131 章)申請位於北區信義新村馬草壟的用途改變計劃。計劃將位於 D.D. 96, Lot 1321RP 及 1322RP 內現有「自然保育區(1)」用途、以及 Lot 1303 RP, 1304 RP 及 1306 內現有「農業」用途重新開發為「臨時帳幕營地及商店及服務行業」。

申請地點位於新界北區信義新村馬草壟(地段編號 DD96, Lot 1321 RP, 1322 RP, 1303 RP, 1304 RP 及 1306)，地段面積為 1183 平方米(0.43 英畝)。Lot 1321 RP 及 1322 RP 自 2004 年起用於自然保育用途。而 Lot 1303 RP, 1304 RP 及 1306 則自 1898 年起用於農業用途。

為應付本地居民和中國內地遊客對戶外活動設施日益增長的需求，並為遊客開設戶外活動場所和配套設施，申請人打算經營一個「臨時帳幕營地及商店及服務行業」。

申請地點 Lot 1321 RP 及 1322 RP 位於「馬草壟及蠔殼圍分區計劃大綱核准圖編號 S/NE-MTL/3」內「自然保育區(1)」用途範圍內，而 Lot 1303 RP, 1304 RP 及 1306 則位於大綱圖內的「農業」用途。計劃中的「臨時帳幕營地及商店及服務行業」用途不包括在「自然保育區(1)」及「農業」的第一欄及第二欄，因此建議進行臨時開發，並需要城市規劃委員會的規劃許可。

申請理據：

推廣環保生活

在該地區保持簡單的生活文化並促進環保生活。提議的臨時帳幕營地將為公眾提供更多與大自然保持聯繫的機會，並有助於在城市中形成一種慢生活的生活方式。

擬議中的用途實現了與周圍環境的自然融合。該地段位於農村，遊客及當地人在享受農業後可以探索周圍的自然和古老元素，包括信義新村。

符合分區計劃大綱核准圖

根據「馬草壟及蠔殼圍分區計劃大綱核准圖編號 S/NE-MTL/3」的土地用途表內「農業(AGR)」用途及規劃意向，該區域主要旨在保留和維護優質的農業用地/農場和恢復種植。

擬議用途將提供綠化面積，除了可移動廁所及可移動貨櫃面積。所有這些都屬於 AGR 區規劃意圖的概念，可以保留優質土地。同時，整個使用不會引起與周圍環境的重大不兼容。

另外，若要改變「自然保育區(1)」途，發展需遵從「不會有濕地淨減少」原則。

擬議用途不會對生態環境造成改變及破壞。擬議可向年輕一代推廣生態保育的重要性，長遠而言，若要保護環境，與其只在書本上教育，讓市民切身處地造訪這些區域才是最有效的方法。而且，擬議中使用的構築物都是靈活的，因而對附近環境不會造成影響。

符合 2021 施政報告

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

根據行政長官 2021 年的施政報告，報告中重點說明北部都會區，以「香港 2030+」為基礎，建立北部都會區。

北部都會區包括天水圍、元朗、粉嶺上水等已發展成熟的新市鎮及其相鄰鄉郊地區，而是次用途改變計劃的地址正正落在以上地區。

在北部都會區發展的期間，愈來愈多的訪客將會到訪上述新市鎮及其鄰近鄉郊地區。「臨時帳幕營地及商店及服務行業」能幫助吸引更多的訪客到馬草壟。

地盤限制/設計考慮

建議中的使用不會對該用地及周邊環境造成任何重大影響，訪客所產生的車輛流量低。該場地地位於馬草壟路旁，場地周圍主要是不會產生大量行人流量的鄉村型發展/農業用地，不會產生交通繁忙。

總樓面面積及地積比率微小變化

地段內現時只是一塊空地，而加擬議中亦只打算加上可移動貨櫃及流動廁所，所以在擬定用途下僅會導致 GFA 和 PR 的微小變化，並不需要進行任何興建。計劃僅需要靈活的結構，包括面積 89.30 平方米可移動貨櫃 (2600mmH) 的商店及服務行業以及 15.68 平方米的流動廁所 (2600mmH)。

臨時構築物的高度

由於考慮到環境可持續性，不需要進行任何興建。為了推廣環保生活，計劃中的項目採用靈活性較高的矮結構來取代興建項目，以減少對環境的影響。

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

總結：

總結以上各點，根據城市規劃條例第 16 條申請改變現有的「自然保育區(1)」及「農業」用途為「臨時帳幕營地及商店及服務行業」是極為直接的申請。

基於上述理據及補充規劃文件內的詳細說明，希望城規會的委員對是項申請作出正面的考慮及予以批准。

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- 2.3 Current Zoning
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 - Lot Index Plan
 - Block Plan
 - Site Photo Location Plan & Site Photos
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 - Relevant Extract of Notes from Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3
- Appendix C
 - Lease Document of Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96
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 - The Proposed Design for “Temporary Holiday Camp and Shop & Services”
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 - Site Area Chart
 - Particulars of A Development Proposal

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

1.0 Introduction

The Application Site is located in Ma Tso Lung, North District, New Territories (Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96). The site area of the specified lots is 1183 m² (0.43 acre from Lease). Lots 1321 RP and 1322 RP are for conservation use since 2004 and lots 1303 RP, 1304 RP and 1306 are for agriculture use since 1898.

Lots 1321 RP and 1322 RP are located in the “Conservation Area (1)” while lots 1303 RP, 1304 RP and 1306 are located in the “Agriculture” of the “Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3”.

As “Temporary Holiday Camp and Shop & Services” is not included in both “Column 1” and “Column 2” of “Conservation Area (1)” and “Agriculture” zones, this application is for planning permission for conversion of the existing “Conservation Area (1)” and “Agriculture” uses into “Temporary Holiday Camp and Shop & Services”.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

2.0 Existing Site Information

2.1 Building History, Location and Surroundings

- 2.1.1 The subject lots are at Ma Tso Lung, North District, New Territories.
- 2.1.2 Lots 1321RP and 1322RP are conservation areas since 2004 while lots 1303 RP, 1304 RP and 1306 are agriculture land since 1898.
- 2.1.3 The expected vehicular traffic, pedestrians flow generated by the visitors will be low .The site is located along Ma Tso Lung Road, located around the site are mainly low density village houses, which would not generate heavy traffic.
- 2.1.4 To cater for the increasing demand for outdoor activity by both Hong Kong residence and Mainland Chinese individual visitors because of the change of use application, and launch an outdoor activity place for visitors, the Applicant intends to operate a "Temporary Holiday Camp and Shop & Services".
- 2.1.5 Please refer to **Appendix A** for relevant Lot Index plan and location plan.

2.2 Existing development information

The development information of the existing site/building at the subject lot is as follows:

Site Area of Lots 1321RP, 1322RP, 1303 RP, 1304 RP & 1306	1183 m ² (0.43 acre from Lease)
Existing Height of Building	0
Existing site coverage	0%
Existing car parking provision	0 nos.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

2.3 Current Zoning

- 2.3.1 According to the explanatory statement of the “Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3”, the first draft plan No. DPA/NE-MTL/1 was exhibited for public inspection under Section 5 of the Town Planning Ordinance on 30 July 2010, then CE in C, under Section 9(1)(a) of the Ordinance, the draft Ma Tso Lung and Hoo Hok Wai DPA Plan, OZP No. DPA/NE-MTL/2 was re-numbered on 21 February 2012. On 16 June 2015, the CE in C, approved the draft Ma Tso Lung and Hoo Hok Wai OZP under section 9(1)(a) of the Ordinance and was re-numbered as S/NE-MTL/3. The plan was then exhibited for public inspection under section 9(5) of the Ordinance on 19 June 2015.
- 2.3.2 Lots 1321RP and 1322RP are located within the “Conservation Area (1)” zone while lots 1303 RP, 1304 RP and 1306 are located within the “Agriculture” zone of the “Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3”. “Temporary Holiday Camp and Shop & Services” is not included in both “Column 1” and “Column 2” of “Conservation Area (1)” and “Agriculture” zones and planning permission from Town Planning Board is required.
- 2.3.3 Around the site are “Agriculture” and “Greenbelt” zones.
- 2.3.4 Relevant extract of OZP Plan and notes are attached as **Appendix B**.

2.4 Lease Document

- 2.4.1 The lease of the subject lots (D.D.96, Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306) were granted and demise into each lessee in 1898.
- 2.4.2 Under the Special Conditions of the lease, the lots shall be used for agricultural and/or garden purpose and no other land use is prohibited.
- 2.4.3 Relevant extract of Lease Document and assignment is attached as **Appendix C**.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

3.0 Application under Section 16 of Town Planning Ordinance

3.1 Application

3.1.1 We now apply for planning permission for conversion of the site (Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96). The conversion is from existing "Conservation Area (1)" and "Agriculture" uses into "Temporary Holiday Camp and Shop & Services".

3.1.2 The proposed schematic layout plan for the "Temporary Holiday Camp and Shop & Services" is attached as **Appendix D**.

3.2 Justification

3.2.1 Promote environmental friendly life

Remaining simple life culture in the rural area and promoting environmental friendly life. The proposed "Temporary Holiday Camp and Shop & Services" is to provide more opportunity for public to keep in touch with nature and help to form a slow living lifestyle in the city.

The proposed usage in the lots helps achieving natural integration with the surrounding. The lot is located in rural area, tourists/ local can explore natural and old elements all around after enjoying camping, including Shun Yee San Tsuen.

In compliance with the Approved OZP

Under the "Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3" - Schedule of Uses & Planning Intention for Agriculture (AGR), the zone is intended primarily to retain and safeguard good quality land/farm for agriculture purposes and rehabilitation for cultivation.

The proposed usage will provide greenery area, except the use for portable toilet and movable containers. All of which falls within the concept of the planning intention for zone AGR and good quality land could be retained. At the same time, the whole usage will not cause any major non-compatibility with the surrounding environment.

And for "Conservation Area (1)", the "no-net-loss in wetland" principle is adopted for any change in use within this zone.

The proposed usage will not cause any change and destruction to the ecosystem in the wetland. It is to promote an eco-friendly lifestyle to the younger generation. For the long term development, it is better to educate citizens to conserve the environment by visiting the area rather than only on text book. Thus all the structures are flexible. The surrounding environment will not be affected.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

In compliance with 2021 Policy Address

According to The Chief Executive's 2021 Policy Address, there is a focus about The Northern Metropolis. The government aims to develop The Northern Metropolis in order to meet the target of the "Hong Kong 2030+".

The Northern Metropolis encompasses the mature new towns in Tin Shui Wai, Yuen Long and Fanling/ Sheung Shui and their neighboring rural areas while the application site is located with these districts.

Together with the development of The Northern Metropolis, more visitors to the above new towns and rural areas is expected. The proposed "Temporary Holiday Camp" can help attracting people to Ma Tso Lung.

Extraordinary view from the camping site

Ma Tso Lung is a favorite spot for outdoor activity lovers. There is an increasing trend of visitors going to Ma Tso Lung for the sunset views. From the "Temporary Holiday Camp and Shop & Services", visitors can enjoy the view facing the metropolis of Shenzhen without any obstruction.

Site Constraints/ Design Consideration

The expected vehicular traffic and pedestrians flow generated by the visitors will be low as most travelers are visiting by bicycles. The site is located along Ma Tso Lung Road, area around the site are mainly village type houses and land for agricultural use which would not generate heavy traffic.

Integrate into rural area/ achieve neighborhood harmony

The property of planning usage is in leisure/ slow living aspect. New usage can bring positive impact to the local residents in rural area, it would entrain an attractive greenly program. In addition, this kind of camping site appears in the city can improve the relationship between people. The younger could acquire the knowledge of camping/farming from the elderly.

Significance Traditional Culture

The proposed usage in the lot help to create a journey of experiencing the life in past. Nearby the planning area are natural views and old building, including Shun Yee San Village, which are non-negligible cultural elements. The proposed planning can attract citizens to explore all around in rural area and take a rest in proposed camping site.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

Height of Temporary Structure

By consideration of environmental sustainable, no construction is required. The proposed temporary development intends to promote environmental friendly life and experience, thus solid structure will be replaced by low flexible structure such as portable toilets and movable containers and they are all 2600mmH. It helps reducing impacts to environment.

3.2.2 GFA & PR

The site is an empty land in the present but there will only be some movable containers and portable toilets in the application. So the proposed usage under this application would only cause minor changes in GFA. No building work and construction is required base on the proposed temporary structure. Only flexible structures are required, including 89.30 m² movable containers (2600mmH) for shops and services and 15.68 m² portable toilet area (2600mmH).

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

3.3 Details of Application

3.3.1 Charge

The charge is to provide an area for the visitors to camp. The fee will be charged online when the visitors reserve through the website. The Holiday Camp will be opened 24 hours daily including public holiday but maximum 10 hours can be reserved. The visitors will be charged per hour. Any fee other than renting an area for camping will be charged on site (e.g. camp renting).

3.3.2 Visitor Flow Control

To minimize the impact brought by visitors to the neighborhood, there will be a visitor flow control. The flow control will be supervised by the security guards. The maximum number of camps in the site is 25 camps. And there will only be a maximum of 100 people in the holiday camp. As hikers who look for check point and visitors who only stop by to take pictures are expected, there will also be a maximum number for these kinds of people, which is 200 people per day.

3.3.3 Security Measures

To enhance the security in the area, CCTV will be installed in the area to make sure it is safe in the area. They will be provided to the police department in case anything happens in the area. The CCTV itself can also provide a deterrent effect.

Other than that, at least two security guards will be on site 24 hours daily. Considering that it is a holiday camp, visitors will come and go at different times. So it is very important to have security guards in the site. The number of security guards will be changed depending on the visitors flow. If the reservation shows that there are more than 60% of reservation, two more guards will be stationed to control the visitor flow. The security guards will also take patrol every hour for the night shift in order to prevent anything from getting worse.

3.3.4 Shops and Services

The opening hours of the shops is 8am to 6pm daily. There will be one staff per shop so there will be a total of 6 staffs running the shops. As the "Temporary Holiday Camp and Shop & Services" is to promote environmental friendly life and increase the awareness to ecosystem and agriculture, the shops will be selling local vegetable, flower fertilizers, plants, etc. Visitors can also rent the tent in the shops in case they forget to bring one.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

4.1 Infrastructure

The proposed “Temporary Holiday Camp and Shop & Services” is a simple way to make better use of agriculture and conservation lands with less pollution. At the same time, the development help retaining and safeguarding the existing good quality land/farm for agriculture purposes.

4.2 Traffic

The site is located near Ma Tso Lung road, which is served by taxi directly. Also, some visitors would choose to go to Ma Tso Lung by bicycle as it is a favourite spot for outdoor activities.

As the site is located near Ma Tso Lung Road, visitors can access the site mainly from one direction. Low traffic flow will be retained. At the same time, the site is surrounded by low density agricultural area. Therefore, the traffic flow remains low in the morning or evening on working day since it is mainly for local resident use. By observation, there is only a slightly increase in traffic flow during weekends due to the exploration of visitors or tourists.

The proposed development project will not generate a lot of traffic during workdays, as it only provides major healthy and leisure activities, which will take a long time.

4.3 The Environment

The proposed temporary development is a way to keep visitors out of sensitive habitat and double down on promoting sustainable recreation practices. Organizing “Temporary Holiday Camp and Shop & Services” with human resources bring benefits to the natural environment.

There will be no negative impact on the overall environmental quality to the surrounding environment. There is no vegetation nor trees in the developed site which is currently use, as part the existing land is full of grass. As to retain and safeguard good quality land/farm for agriculture purposes, greenery area will be remained and developed.

Located around the site are mainly agricultural and greenbelt lands, by consideration of environmental sustainable, no construction is required. Solid structure will be replaced by movable container. Therefore, the temporary structure will not be taller than the adjacent building and only short shadow will appear, there is no negative impact for the surrounding.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

5.1 Summary and Conclusion

In summary, the proposed application for planning permission under Section 16 of Town Planning Ordinance is an extremely straightforward application for converting the existing “Conservation Area (1)” and “Agriculture” uses into “Temporary Holiday Camp and Shop & Services”.

The proposed usage caters for increasing demand for outdoor activities, creating an environmental-friendly experience and a journey for traditional culture in Ma Tso Lung, which can increase cultural and environmental awareness. The proposed temporary development supports the rehabilitation of farmland in Hong Kong.

There are no adverse planning issues to consider.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

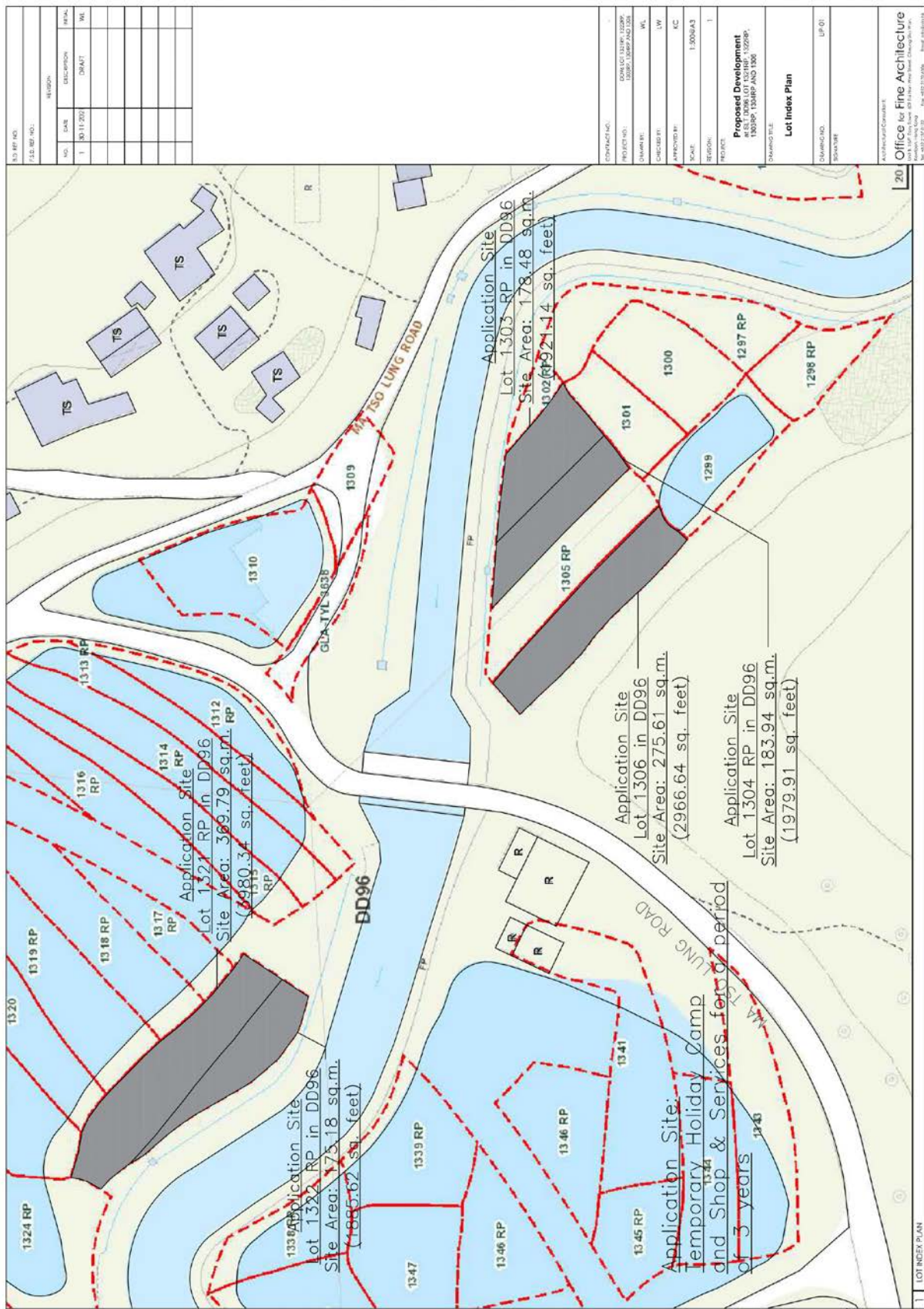
APPENDIX A

Block Plan, Lot Index Plan and Site Photo Location Plan

Block Plan

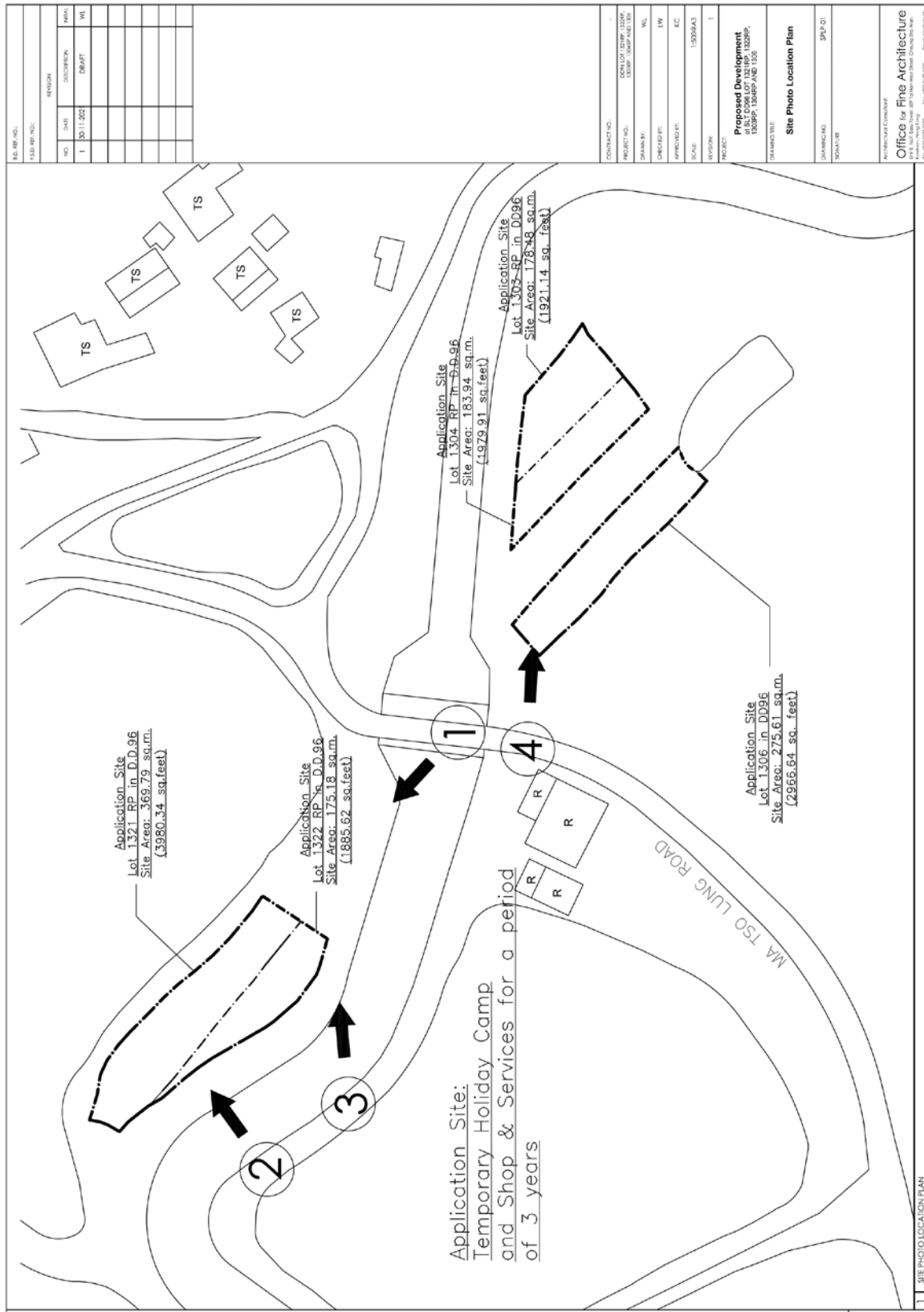


Lot Index Plan



**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

Site Photo Location Plan



**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

Photo 1



Photo 2



**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

Photo 3



Photo 4



**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

APPENDIX B

**Relevant Extract of Notes from “Approved Ma Tso Lung
and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3”**

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

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AGRICULTURE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<p>Agricultural Use Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office</p>	<p>Animal Boarding Establishment Barbecue Spot Burial Ground Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project</p>

Planning Intention

This 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.

Remarks

Any diversion of streams or filling of land/pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below :

- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
- (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

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CONSERVATION AREA (1)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (Fish Pond Culture Only)	Field Study/Education/Visitor Centre
Nature Reserve	Government Refuse Collection Point
Nature Trail	Government Use (not elsewhere specified)
On-Farm Domestic Structure	House (Redevelopment only)
Wetland Habitat	Public Convenience
Wild Animals Protection Area	Public Utility Installation
	Radar, Telecommunications Electronic
	Microwave Repeater, Television
	and/or Radio Transmitter Installation
	Utility Installation for Private Project

Planning Intention

The planning intention of this zone is to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem at Hoo Hok Wai and the rest of the Deep Bay area. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest.

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

**APPROVED MA TSO LUNG AND HOO HOK WAI
OUTLINE ZONING PLAN NO. S/NE-MTL/3**

EXPLANATORY STATEMENT

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

**APPROVED MA TSO LUNG AND HOO HOK WAI
OUTLINE ZONING PLAN NO. S/NE-MTL/3**

EXPLANATORY STATEMENT

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**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

**APPROVED MA TSO LUNG AND HOO HOK WAI
OUTLINE ZONING PLAN NO. S/NE-MTL/3**

(Being an Approved Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

Note : For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan (OZP) No. S/NE-MTL/3. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 On 10 September 2004, under the power delegated by the Chief Executive (CE), the then Secretary for Housing, Planning and Lands directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Ma Tso Lung and Hoo Hok Wai area as a development permission area (DPA). Subsequently on 17 June 2010, the Secretary for Development directed the Board to extend the coverage of the draft DPA plan.
- 2.2 On 30 July 2010, the draft Ma Tso Lung and Hoo Hok Wai DPA Plan No. DPA/NE-MTL/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of eight valid representations were received. On 8 October 2010, the representations were published for three weeks for public comments and one valid comment was received.
- 2.3 On 8 September 2011, upon further consideration of the representations and comment to the draft Plan, the Board decided to propose amendments to partially meet a representation by rezoning an area to the northwest of Liu Pok from "Agriculture" ("AGR") to "V" and an area to the northeast of Liu Pok from "V" to "AGR". On 16 September 2011, the proposed amendments were published for public inspection under section 6C(2) of the Ordinance. Upon expiry of the three-week public inspection period, one further representation was received. On 11 November 2011, the Board considered the further representation and decided not to uphold the further representation. The Board decided that the proposed amendments to the DPA Plan would form part of the DPA Plan under section 6F(8) of the Ordinance.
- 2.4 On 21 February 2012, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Ma Tso Lung and Hoo Hok Wai DPA Plan, which was subsequently re-numbered as DPA/NE-MTL/2. On 2 March 2012, the approved Ma Tso Lung and Hoo Hok Wai DPA Plan No. DPA/NE-MTL/2 was exhibited for public inspection under section 9(5) of the Ordinance.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

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- 2.5 On 8 February 2013, under the power delegated by the CE, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Ma Tso Lung and Hoo Hok Wai area.
- 2.6 On 19 July 2013, the draft Ma Tso Lung and Hoo Hok Wai OZP No. S/NE-MTL/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of six valid representations were received. On 11 October 2013, the representations were published for three weeks for public comments and eight valid comments were received. On 28 February 2014, the Board considered the representations and comments and decided not to propose any amendment to the OZP to meet the representations under section 6B(8) of the Ordinance.
- 2.7 On 20 December 2013, the draft Ma Tso Lung and Hoo Hok Wai OZP No. S/NE-MTL/2, incorporating amendments mainly to excise two pieces of land in the southern part of Ma Tso Lung and Hoo Hok Wai for incorporation into the draft Kwu Tung North OZP No. S/KTN/1 to reflect the boundary of the Kwu Tung North New Development Area (NDA), was exhibited for public inspection under section 7 of the Ordinance. During the two-month exhibition period, a total of three representations were received. On 15 April 2014, the Board published the representations for three weeks for public comment and one comment was received. The comment was considered invalid by the Board on 4 July 2014.
- 2.8 On 25 September 2014, the CE, under section 8(2) of the Ordinance, agreed to extend the statutory time limit for the Board to submit the draft OZP to the CE in C for approval for a period of six months until 20 May 2015.
- 2.9 On 9 January 2015, the Board considered the representations and agreed to defer the decisions on the representations to the OZP such that the decisions on all representations in respect of OZPs relating to the North East New Territories NDAs, which include the Kwu Tung North NDA could be made together. On 28 April 2015, the Board decided not to propose any amendment to the draft OZP to meet the representations under section 6B(8) of the Ordinance.
- 2.10 On 16 June 2015, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ma Tso Lung and Hoo Hok Wai OZP, which was subsequently renumbered as S/NE-MTL/3. On 19 June 2015, the approved Ma Tso Lung and Hoo Hok Wai OZP No. S/NE-MTL/3 (the Plan) was exhibited for public inspection under section 9(5) of the Ordinance.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings for the Ma Tso Lung and Hoo Hok Wai area (the Area) so that development and redevelopment within the Area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the road alignments and boundaries between the land use zones may be subject to minor alterations as detailed planning proceeds.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

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4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Planning Scheme Area and in particular zones and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land use planning and control of development to meet changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at <http://www.info.gov.hk/tpb>.

5. THE PLANNING SCHEME AREA

- 5.1 The Area covers an area of about 500 ha of land. It is located approximately 2 km to the northwest of Fanling/Sheung Shui. It is bounded by the southern bank of Sham Chun River in the north, Lo Wu Station and Mass Transit Railway (East Rail Line) in the east, Tai Shek Mo in the south as well as Tai Law Hau in the west. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 The Area commands the cross boundary location in the northernmost rural area of the North District adjoining Shenzhen City in the north. The surroundings are predominantly agricultural spotted with rural settlements. The highest point with an elevation of 183 mPD is located at Tai Shek Mo. Another hilly upland is to the west of Tse Koo Hang with a height of 108 mPD. The extensive lowlands mainly comprise arable land intermixed with clusters of village settlements, abandoned fish ponds, marsh, undisturbed woodlands, vegetated habitats and natural watercourse.
- 5.3 A spectrum of natural habitats including woodland, mixed shrubland, lowland forests, freshwater/brackish wetlands, natural watercourses, abandoned fish ponds and marshy wetland are found in the Area. Hoo Hok Wai, situated at the northern portion of the Area, is a large plain of ecologically sensitive area which consists of a range of ponds, marsh, reedbeds and seasonally wet grassland. Ho Sheung Heung Egretty, an important breeding site for ardeids particularly for Chinese Pond Heron, is located near Ngam Pin.
- 5.4 There are no significant economic activities in the Area. Only small-scale cultivated land and livestock farms are found near the settlements. A number of cottage workshops and open storage sites, however, have been established in the Area. Some economic activities tailored to the unique landscape and resources, including agriculture and aquaculture/fisheries, can also be found in the Area.
- 5.5 The graded historic building within the Area is MacIntosh Fort at Ma Tso Lung (Grade 2), which is worthy of preservation.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

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6. POPULATION

According to the 2011 Population Census, the total population within the Area was 1,000 persons. It is expected that the total planned population of the Area would be about 1,400 persons.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Tourism

The rural landscape, natural features, fishponds/wetlands with the rural villages in traditional setting and orderly pattern form tranquil and scenic attractions of the Area. The hilly landscaped areas to the south of Hoo Hok Wai at Ma Tso Lung have an elevated position with expansive views over the wetland system. The wetland system with its extensive bird populations creates opportunities for bird watching and the relatively lower ecological value of the hilly area presents opportunities to develop an eco-lodge. Liu Pok is well-preserved in its traditional rural village setting with fishponds and agricultural land in front of the village and the green backdrop of buried grounds and hilly landscaped areas at the back. All of these create an attractive atmosphere that can be celebrated through appropriate tourism activities.

7.1.2 Economic and Employment

The proposed development in the Area will enhance economic and employment opportunities. The provision of land for the proposed eco-lodge at the hillside of Ma Tso Lung could provide job opportunities for the locals while enhancement of the leisure and recreational opportunities such as birdwatching will attract visitors. Supporting uses e.g. cafes, shops, accommodation, markets etc. can be established within the village areas. There are also opportunities for conventional agricultural, tourism and leisure uses e.g. hobby farm. This will provide opportunities for local residents to harness the economic opportunities created by the release of the Frontier Closed Area (FCA). Besides, the proximity to Kwu Tung North New Development Area and Lok Ma Chau Loop (with a possible access road through Hoo Hok Wai/Ma Tso Lung) will also provide job opportunities to the local residents.

7.1.3 Agriculture

Large pieces of flat fallow agricultural land are concentrated near Shun Yee San Tsuen, Liu Pok and the strip near Tse Koo Hang. The rehabilitation of fallow farm land and preservation of wet agriculture land would be effective in conserving the rural setting as well as essential to preserve the natural environment and the ecological value in many parts of the FCA.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

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7.1.4 Nature Conservation

The environmental value of the Hoo Hok Wai in the Area within the wider Deep Bay wetland ecosystem creates visual and ecological opportunities. The ecosystem should be protected and enhanced through existing mechanism provided by the Town Planning Ordinance and the New Nature Conservation Policy so that it can contribute to an environmental corridor which extends from Deep Bay to Ho Sheung Heung Egrettry. Besides, the “no-net-loss in wetland” principle for development in Deep Bay Area and Hoo Hok Wai as enshrined in ‘Town Planning Board Guidelines for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 12C) had been stated in the Notes and the ES of the Plan.

7.2 Constraints

7.2.1 Relief and Geotechnical Aspect

The environmentally important wetlands/fishponds at Hoo Hok Wai and along Ng Tung River present limitation to development within the Area. Extensive natural and hilly landscaped areas at the southern and southwestern parts of the area also restrict opportunities for major development. With hilly topography and occurrence of landslides, majority of the southern part of the Area suffers from high to extreme geological limitations and is mostly unsuitable for development. Such topographic relief imposes geotechnical constraints on proposed development, and geotechnical assessment would be required for any proposed development involving site formation and slope stabilization works.

7.2.2 Traffic

All vehicular accesses are of a limited capacity and not intended for heavy traffic. Due to the limited transport infrastructure in the Area, uncoordinated development would create problems and hazards to both pedestrian and vehicular traffic. Improvements to transport facilities are required since the Area’s release from the FCA.

7.2.3 Land Ownership

About 36% of land in the Area are private land. These private land are mainly concentrated in the fish ponds at the northern portion of the Area except those at the northern and western periphery of Hoo Hok Wai, Ma Tso Lung San Tsuen, Shun Yee San Tsuen and Liu Pok to the north.

7.2.4 Environmental

Part of the Area falls within the consultation zone for the Sheung Shui Water Treatment Works. Also, the helipad at Tai Shek Mo is a major source of noise pollution in the vicinity. Any new development should be subject to noise impact assessment.

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7.2.5 Ecological Aspect

The rural character and the ecological importance of Hoo Hok Wai poses a major development constraint to the Area. According to the findings of the “Land Use Planning for the Closed Area – Feasibility Study” and the Ecological Field Survey of Hoo Hok Wai, the contiguous wetland complex in Hoo Hok Wai is generally of high ecological importance. Not only is it an important foraging and roosting area for wetland-dependent species, in particular large waterbirds and Eurasian Otter which is a threatened species, but it also contains an important flight line corridor linking the wetlands in Hoo Hok Wai and the Inner Deep Bay area. Developments and man-made disturbances in this area should be avoided as far as possible.

7.2.6 Sewerage

The Area is currently not served by any public sewerage system, Septic tanks and soakaway pits are commonly used in traditional villages. Subject to availability of funds, village sewerage will be provided to Ma Tso Lung San Tsuen, Shun Yee San Tsuen and Liu Pok under Public Works Programme Item No. 4203 DS/B “North District Sewerage Stage 2 Part 2B”. There is otherwise no public sewerage works planned for the Area. As the Area falls within the Deep Bay catchment, no additional pollution loading should be discharged into Deep Bay as a result of any new development or redevelopment proposal. On-site treatment facilities as an alternative to connection to public sewers may not be possible as such facilities are unlikely to comply with the requirement of “no net increase in pollution load to Deep Bay”. The inadequacies of sewerage infrastructure will pose a constraint to the development of the Area.

7.2.7 Burial Grounds

The permitted burial grounds for indigenous villagers are proposed to be retained and should be refrained and protected from development.

8 GENERAL PLANNING INTENTION

- 8.1 In January 2008, the Security Bureau announced that about 2,400 hectares of land will be released from the Closed Area in phases. The Study on Land Use Planning for the Closed Area was commissioned by the Government to formulate a planning framework to guide the conservation and development of the land to be released from the Closed Area. The Study recognizes the strategic role of the Closed Area for creation of a conservation, cultural heritage and sustainable development belt between Hong Kong Special Administrative Region and Shenzhen City.
- 8.2 The Study also indicates the need to strengthen nature conservation of rich natural resources, to conserve cultural heritage resources worthy of preservation, to promote sustainable uses by capitalizing on the boundary location and to allow suitable development compatible with the surroundings so as to achieve a balance between conservation and development in the Closed Area.

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- 8.3 The Planning Scheme Area is situated at the western portion of the Closed Area and comprises ecologically valuable wetland, fishponds, hilly terrain, agricultural land, village settlements and traditional buildings. The general planning intention of the Area is to protect the natural setting, environmental diversity and to promote heritage conservation and recreation tourism. It is also the planning intention to conserve the rural character, the natural habitats including the contiguous wetland complex of ecological importance, the undisturbed woodland and lowland river habitats and the unique landscape as well as the ecologically important areas and the upland scene of the Area.

9. LAND USE ZONINGS

9.1 "Village Type Development" ("V") : Total Area 6.33 ha

- 9.1.1 The planning intention of this zone is to designate both existing recognized village and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructure and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board. In order to provide opportunities for short-term accommodation in existing NTEH, "Hotel (Holiday House only)" may also be permitted on application to the Board. The accommodation can complement any proposed agricultural and recreational uses to promote village life experience, leisure farming and agri-tourism.
- 9.1.2 Liu Pok is the only recognized village in the Area and is zoned "V". The boundary of "V" zone is drawn up having regard to the existing village 'environs', outstanding Small House applications, Small House demand forecast, local topography, existing settlement pattern, ecologically important areas and other site specific characteristics. Areas of difficult terrain, dense vegetation, burial grounds and streamcourses have been avoided where possible.
- 9.1.3 Except for those specified, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.
- 9.1.4 In order to address the concerns on potential impacts from developments on existing stream courses in general, it is suggested that the Lands Department when processing Small House grant and applications in close proximity to existing stream courses, concerned departments including the Agriculture, Fisheries and Conservation Department and Planning Department should be

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consulted to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.

9.1.5 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.1.6 As diversion of streams may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activity.

9.2 “Government, Institution or Community” (“G/IC”) : Total Area 1.62 ha

9.2.1 This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

9.2.2 Existing facilities under this zoning include MacIntosh Fort at Ma Tso Lung, the flood shelter near Tak Yuet Lau, Tak Yuet Lau Police Post, Tai Shek Mo Observation Post and two raw water tunnel portals for Water Supplies Department located near Ma Tso Lung San Tsuen in the west and Ng Tung River in the east respectively.

9.3 “Other Specified Uses” (“OU”) : Total Area 9.15 ha

“OU (Eco-lodge)”

9.3.1 The planning intention for this zone is to provide for sustainable-based tourism in the form of an eco-lodge for development of low-rise, low-density resort-type accommodation. The proposed development shall not have adverse impact on the local environment and shall adopt best practice/green architecture/sustainable principles in design, construction and operation. Uses in support of the resort-type accommodation as well as active and/or passive recreational developments may be permitted subject to planning permission.

9.3.2 The small knoll to the west of Tse Koo Hang is zoned “OU(Eco-lodge)” and it possesses expansive views over the environmentally sensitive fishponds/wetlands of Hoo Hok Wai which serves as a valuable natural setting, but relatively untouched due to restricted public access and physical separation. The site is accessible to high value ecological areas and can be linked with recreational uses as well as historical and cultural interest in the Closed Area.

9.3.3 Any future development should integrate with the natural topography to provide a low impact sustainable tourism facility that will directly benefit the preservation/appreciation of the surrounding environmental resources and

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also provide opportunities to enhance the well-being of local residents. The eco-lodge should preferably be constructed on stilts to minimize site formation on the natural landscape of the site.

- 9.3.4 Application for development within this zone shall be in the form of a comprehensive development scheme including a layout plan and relevant supporting documents for consideration of the Board. To blend in with the natural landscape and the surrounding rural environment, no new development, or addition, alteration and/or modification to or redevelopment of an existing building within this zone shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 0.2 and a maximum building height of 6m. The built structure should be 1 storey over stilts to allow the building to be lifted off the ground to minimize site disturbance and permit variation in building height to create visual interest in the development.
- 9.3.5 When opportunity arises, it is desirable to designate the whole proposed eco-lodge area as “OU(Eco-lodge)” within one statutory plan to achieve the future planning intention as stated above and for better planning control purpose.

9.4 “Agriculture” (“AGR”) : Total Area 33.67 ha

- 9.4.1 This zone is intended primarily to retain and safeguard good quality agricultural land, farm and 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.
- 9.4.2 Most of the agricultural land of good quality are found in western and central part of the Area. With basic agricultural infrastructure, including irrigation facilities, fallow arable land can be easily rehabilitated for agricultural purpose. On the other hand, the agricultural land to the west and north of Liu Pok has the potential to provide low intensity leisure farming or organic farming to promote village life experience.
- 9.4.3 As diversion of streams or filling of land/pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities. However, filling of land for genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

9.5 “Green Belt” (“GB”) : Total Area 198.20 ha

- 9.5.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to preserve the existing topography and natural vegetation as well as to provide passive recreational outlets. There is a general presumption against development within this zone. However, limited developments may be permitted if they are justified on strong planning grounds. Developments requiring planning permission from the Board will be assessed on their individual merits taking

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into account the relevant Town Planning Board Guidelines.

- 9.5.2 The “GB” zone mainly includes the woodland and densely vegetated hillslopes at Ma Tso Lung, Tai Shek Mo, and Tse Koo Hang, and the permitted burial grounds for indigenous villagers. The burial grounds have been in existence for many years, which are considered as an existing use and intended for burial places of deceased indigenous villagers in the Area.
- 9.5.3 The “GB” zone also includes the planted mitigation woodland in the northeastern Hoo Hok Wai area (adjacent to Sham Chun River), two ruderal vegetation areas and two planted woodlands alongside the border road and the marsh located to the north of Liu Pok which forms a buffer area between the Hoo Hok Wai wetland ecosystem and the village type developments in Liu Pok.
- 9.5.4 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

9.6 “Conservation Area” (“CA”) : Total Area 10.81 ha

- 9.6.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 9.6.2 Ho Sheung Heung Egretty is one of the largest egrettries in Hong Kong with increasing number of breeding birds in recent decade. The Ho Sheung Heung Egretty together with its peripheral secondary woodland and fishponds are zoned “CA” to protect and conserve the ecological value of the egretty and associated habitat, to protect the natural landscape and topographical features as well as to restrict further development in the immediate vicinity of the egretty.
- 9.6.3 Within the “CA” zone, redevelopment of an existing house shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the draft DPA plan.
- 9.6.4 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

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9.7 “Conservation Area (1)” (“CA (1)”) : Total Area 228.37 ha

- 9.7.1 The planning intention of this zone is to protect and conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem at Hoo Hok Wai and the rest of the Deep Bay area. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest.
- 9.7.2 The “CA(1)” zone covers the contiguous and ecologically sensitive wetland complex in Hoo Hok Wai that forms an integral part of the Deep Bay wetland. These features are to be protected and conserved in order to maintain the ecological integrity of the Deep Bay wetland ecosystem as a whole.
- 9.7.3 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

10 COMMUNICATIONS

10.1 Road Network

The central part of the Area is served by Ma Tso Lung Road. It is a very narrow and sub-standard single track access with carriageway width less than 5m. The eastern part of the Area is served by a local track Pai Tau Lo (Vernon Pass). The northern part of the Area, Hoo Hok Wai, is mainly served by the single-lane Border Road. There are also narrow village roads scattered in the Area to serve the residents, especially the clustered population at Liu Pok, Ma Tso Lung San Tsuen and Shun Yee San Tsuen.

10.2 Public Transport

Given its remote location, restricted access and sparse population, the Area is not well served by any public transport facilities. There is a green minibus route (No. 51K) plying between the Area and Sheung Shui East Rail Station with restricted services. There are also locally run buses serving Ma Tso Lung San Tsuen and Shun Yee San Tsuen to connect to Sheung Shui East Rail Station.

11 UTILITY SERVICES

11.1 Sewerage and Drainage System

- 11.1.1 The Area is susceptible to flooding during rainy seasons. To ameliorate the flooding problem in the Area, training of a section of the natural stream to the northwest of Shun Yee San Tsuen was completed under the project

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“Drainage Improvement Works in Ki Lun Tsuen, Kwu Tung, Ma Tso Lung and Sha Ling in New Territories” in 2011. Most parts of the Area are flood prone because they lie on a tidal flood plain with a high ecological value which prevents major drainage improvement works. Major developments should be subject to Drainage Impact Assessment to address the local drainage impacts on areas in the vicinity, as well as the provision of proper drainage facilities for the development.

- 11.1.2 The Area is currently not served by any public sewerage system. Septic tanks and soakaway pits are commonly used in traditional villages. Subject to availability of funds, village sewerage will be provided to Ma Tso Lung San Tsuen, Shun Yee San Tsuen and Liu Pok under Public Works Programme Item No. 4203 DS/B “North District Sewerage Stage 2 Part 2B”. There is otherwise no public sewerage works planned for the Area. As the Area falls within the Deep Bay catchment, no additional pollution loading should be discharged into Deep Bay as a result of any new proposed developments. On-site treatment facilities as an alternative to connection to public sewers may not be possible as such facilities are unlikely to comply with the requirement of “no net increase in pollution load to Deep Bay”. The inadequacies of sewerage infrastructure will pose a constraint to the development of the Area.

11.2 Water Supply

- 11.2.1 Potable water supply is generally available in the Area. Liu Pok in the north is served by Table Hill Fresh Water Service Reservoir while rest of the Area is served by Kwu Tung Fresh Water Service Reservoir, both outside the Area. Supply of seawater for flushing is not available and fresh water is used instead currently. Upgrading of the existing water supply system may be required for new developments.
- 11.2.2 Water Supplies Department (WSD) Western Aqueduct including various sizes of water mains, tunnels and the corresponding portals are located within the Area. Advice from WSD should be sought in protecting these waterworks facilities.

11.3 Other Public Utility Services

- 11.3.1 Solid waste disposal relies on small refuse collection points scattered throughout the Area. Collected wastes are transported to the North East New Territories Landfill for disposal.
- 11.3.2 Electricity supply and telephone networks are available in the Area. There is however no existing piped gas system in the Area.

12 CULTURAL HERITAGE

The MacIntosh Fort at Ma Tso Lung, a Grade 2 historic building, is identified in the Area. Some areas with medium archaeological potential are located in the sloping areas at the northwest of Lo Wu Correctional Institution and at the east of Lo Wu Firing Range, and

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Tit Hang. All the above graded historic building and archaeological potential areas are worthy of preservation. The Antiquities Advisory Board (AAB) also released a list of new items in addition to the list of 1,444 historic buildings. These items are subject to grading assessment by the AAB. Details of the list of 1,444 historic buildings and the new items have been uploaded onto the website of the AAB at <http://www.aab.gov.hk>. Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above graded historic buildings/structures, areas with medium archaeological potential or new items pending grading assessment and its/their immediate environs.

13. IMPLEMENTATION

- 13.1 The Plan provides a broad land use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 13.2 At present, there is no definite programme for the provision of comprehensive infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 13.3 Notwithstanding the above, minor improvement works e.g. widening of access road and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

14. PLANNING CONTROL

- 14.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted and no separate permission is required.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the draft DPA plan and which are not in compliance with the terms of the Plan may have adverse impact on the environment, drainage and traffic of the area. Although no action is required to make such use conform to the Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.

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- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering planning applications, will take into account all relevant planning considerations including guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning application can be downloaded from the Board's website and are available from the Secretariat of the Board, the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.
- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this plan or with the permission of the Board, undertaken or continued on land included in this Plan on or after the date of the first publication in the Gazette of the notice of the draft DPA plan may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land/pond or excavation of land in the relevant zones on or after the first publication in the Gazette of the notice of the draft DPA plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against filling of ponds for temporary land uses/developments in conservation-related zonings, such as "CA" and "CA(1)".

**TOWN PLANNING BOARD
JUNE 2015**

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APPENDIX C

**Lease Document of
Lot 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96**

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

D.D. 96

27.3.1985

This Indenture made the

1st of

One thousand nine hundred and

Eighteen the Nineteenth Year EDV AND VII, in the Great

of GOD, of the United Kingdom of GREAT BRITAIN and IRELAND and of the BRITISH Colonies beyond the Seas King, Defender of the Faith, Emperor of INDIA, of the one part, and the several persons, clans, families and "tongs" whose names are set out in the Schedule hereunder written or in any Schedule which may hereafter be substituted therefor and may be certified by the Governor of Hongkong to embody the same awards of the Land Court of the New Territories as are embodied in the Schedule hereunder written, or in any Supplemental Schedule signed by the said Governor which may hereafter be attached hereto (which original Schedule, Substituted Schedules and Supplemental Schedules are hereinafter included in the expression "the Schedule hereto") and each of whom a will whose respective Heirs, Executors, Administrators, Managers and Assigns are where not hereinafter included under the designation of "the Lessee" of the other part: **WHERUNT** Sir MARTIN NATHAN, Knight Commander of the most Distinguished Order of Saint Michael and Saint George was on the day last aforesaid and approved Governor and Commander in Chief of the Colony of Hongkong and its Dependencies and is duly authorized to execute this Indenture on behalf of His said Majesty: **WITNESSETH** this Indenture witnesseth that in consideration of the yearly rents and covenants and conditions hereinafter reserved and contained, by and on the part and behalf of each Lessee respectively to be paid, done and performed, His said Majesty: **VINO EDV AND VII** Doth hereby grant and demise unto each Lessee All that piece or parcel of ground situate, lying and being in Survey District No. in the New Territories of the Colony of Hongkong set out and described in the Schedule hereto opposite to the name of his Lessee and which said piece or parcel of ground is more particularly delineated and described on the plan or plans of Survey District No. attached hereto according to the number set out in the Schedule hereto opposite to the name of such Lessee and marked on the said plan together with the messuages, erections and buildings thereon And all the easements and appurtenances whatsoever to the said demised premises belonging, or in anywise appertaining, **RESERVED** unto His said Majesty, His Heirs, Successors and Assigns all Mines, Minerals, or Quarries of Stone in, under and upon the said premises, and all such Earth, Soil, Marl, Clay, Chalk, Brick-earth, Gravel, Sand, Stone and Stones, and other Earths or Materials, which now are or hereafter during the continuance of this demise shall be under or upon the said premises, or in any part or parts thereof, as His said Majesty, His Heirs, Successors or Assigns may require for the Roads, Public Buildings, or other Public Purposes of the said Colony of Hongkong; with full liberty of Egress, Egress, and Regress, to and for His said Majesty, His Heirs, Successors and Assigns, and His and their Agents, Servants, and Workmen at reasonable times in the day during the continuance of this demise, with or without horses, carts, carriages, and all other necessary things, into, upon, from and out of all or any part, or parts of the premises hereby expressed to be demised to them, and to carry and carry away, the said excepted Minerals, Stone, Earths and other things respectively, or any part or parts thereof respectively, thereby doing as little damage as possible to the premises; **AND ALSO** SAVE AND EXCEPT full power to His said Majesty, His Heirs, Successors and Assigns to make and construct in, over, along, through and under the said premises, all and any Public or Common sewers, drains, or water-courses, water or other conduits, telegraph and telephone lines, with full power at all times to enter, into and upon the said demised premises for the purpose of making, laying, erecting, inspecting or repairing the same or otherwise in connection therewith **WE HAVE AND DO HOLD** unto each Lessee the said piece or parcel of ground and premises hereby expressed to be demised to such Lessee, with their and every of their appurtenances from the first day of July One thousand eight hundred and Ninety-eight for and during and unto the full end of the term of twenty-five years except in the case of those lots hereinafter specified a different term of years or tenancy is stated in the Schedule hereto which lots shall be held for the term of years or tenancy therein specified nevertheless to all existing Public or Private rights and tenancies in, over, along, through or under the said demised premises or any part or parts thereof respectively as in any wise appertaining thereto and subject also to such mortgages, incumbrances, tenancies, estates and interest (if any) as are mentioned in the Schedule hereto or are duly entered against the said premises in the register thereof in the Land Office and subject to all existing rights of all persons occupying the said premises as tenants or mortgagors of the same; **But** being and paying therefor yearly and every year the sum stated in the Schedule hereto against the said Lot number or such other sum as may hereafter be

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fixed in lieu thereof under the provisos next hereinafter contained in Current Money of the said Colony of Hongkong, on the thirtieth day of June in every year free and clear from all Taxes, Rates, Charges, Assessments and Deductions whatsoever, charged upon or in respect of the said premises or any part thereof, payment of the said Rent for the current year becoming due on the thirtieth day of June One thousand nine hundred and five; **Provided always** and it is hereby agreed and declared that on the expiration of the first ten years of the term hereby granted the rent hereby reserved shall cease and thereafter such rent shall be paid and become payable in respect of the said premises for the residue of the term hereby granted as shall be fairly and impartially fixed by the Surveyor to His said Majesty, His Heirs, Successors or Assigns (now the Director of Public Works) as the fair and reasonable rental value of the ground at that date; **Provided also** that in the event of any building being erected on any premises expressed to be demised as agricultural or garden ground the rent payable in respect of such premises shall be such sum as shall be specified in the licence for the erection of such building to be granted in manner hereinafter appearing: And each Lessee for himself and herself and for his and her own acts and deeds only and not the one for the other of them doth hereby covenant with His said Majesty, His Heirs, Successors and Assigns by these presents in manner following that is to say, that the Lessee shall and will yearly, and every year, during the said term hereby granted, well and truly pay or cause to be paid to His said Majesty, His Heirs, Successors and Assigns, the said yearly Rent stated in the Schedule hereto opposite the Lot number of the premises demised to him or her or such other rents as shall become payable under the provisos hereinbefore contained clear of all deductions as aforesaid on the several days and times and in the manner hereinbefore reserved and made payable: AND ALSO that the Lessee shall and will during all the said term hereby granted, bear, pay and discharge all taxes, rates, charges and assessments whatsoever, which now are or shall be hereafter assessed or charged upon, or in respect of, the said premises hereby expressed to be demised to him or her or any part thereof: And will pay the said taxes, rates, charges and assessments for each and every year by annual payments in advance with the rent hereinbefore reserved on the thirtieth day of June in every year: AND ALSO that the Lessee shall and will, from time to time, and at all times hereafter when, where, and as often as need or occasion shall be and require, at his or her and their proper costs and charges, well and sufficiently Repair, Uphold, Support, Maintain, Pave, Purge, Sow, Cleanse, Empty, Amend and keep the messuage or tenements, and all other erections and buildings, now or at any time hereafter standing up on the said pieces or parcels of ground hereby expressed to be demised, and all the Walls, Rails, Lights, Pavements, Privies, Sinks, Drains, and Water-courses thereunto belonging and which shall in anywise belong or appertain unto the same, in, by, and with all and all manner of needful and necessary reparations, cleansing and amendments whatsoever, the whole to be done to the satisfaction of the Surveyor of His said Majesty, His Heirs, Successors or Assigns, And the said messuage or tenement, erection, buildings and premises being so well and sufficiently repaired, sustained and amended, at the end or sooner determination of the said term hereby granted shall and will peaceably and quietly deliver up to His said Majesty, His Heirs, Successors or Assigns: And further it shall and may be lawful to and for His said Majesty, His Heirs, Successors or Assigns, by His or their Surveyor, or other persons deputed to act for Him or them, twice or oftener in every year during the said term, at all reasonable times in the day, to enter and come into and upon the said premises hereby expressed to be demised to view, search, and see, the conditions of the same, and of all decays, defects, and wants of reparation and amendments, which upon every such view or views shall be found, to give or leave notice or warning in writing, at or upon the said premises or some part thereof, unto or for the Lessee to repair and amend the same within Three Calendar Months then next following, within which said time or space of Three Calendar Months, after every such notice or warning shall be so given, or left as aforesaid, the Lessee will repair and amend the same accordingly: AND FURTHER that the Lessee or any other person or persons shall not, nor will, during the continuance of this demise, use, exercise or follow, in or upon the said premises, or any part thereof, any noisy, noisome or offensive trade or business whatever, nor convert any ground hereby expressed to be demised as agricultural or garden ground into use for building purposes other than for the proper occupation of the same ground as agricultural or garden ground without the previous Licence of His said Majesty, His Heirs, Successors or Assigns, signified in writing by the Governor of the said Colony of Hongkong, or other person duly authorized in that behalf: AND FURTHER that the Lessee or any other person or persons shall not nor will at any time during the said term erect or construct any building or structure of any description on the said demised premises or any part thereof whether demised as agricultural or garden ground or otherwise without first having obtained the approval thereto of the Surveyor to His said Majesty, His Heirs, Successors or Assigns, or other person duly authorized by the Governor of the said Colony of Hongkong, in that behalf: AND ALSO that the Lessee shall not nor will, assign, demise, mortgage, or otherwise part with, all or any part of the said premises hereby expressed to be demised for all or any part of the term hereby expressed to be granted without forthwith registering such alienation in the Land Office, or such other Office as may hereafter be instituted for the purposes of Land Registration in the said Colony of Hongkong, and paying all reasonable fees and other expenses thereon:

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

~~Provided~~ always, and it is hereby agreed and declared, that in case the said yearly rents hereinbefore reserved, or any part thereof, shall be in arrear and unpaid by the space of twenty-one days next over, or after any or either of the said days whereon the same ought to be paid as aforesaid (whether lawfully demanded or not) or in case of the breach or non-performance of any or either of the covenants and conditions herein contained, and by or on the part and behalf of the Lessee to be kept done and performed, then, and in either of the said cases, it shall and may be lawful to and for His said Majesty, His Heirs, Successors or Assigns, by the Governor of Hongkong, or other person duly authorized in that behalf, in and upon the said premises hereby expressed to be demised in respect of which such rent shall be in arrear or such breach or non-performance shall have occurred or any part thereof in the name of the whole, to re-enter, and the same to have again, retain, re-possess, and enjoy, as in His or their first or former estate, as if these presents had not been made, and the Lessee and all other occupiers of the said premises thereout and thence utterly to expel, put out and remove, this Indenture or anything contained herein to the contrary notwithstanding: ~~Provided~~ also, and it is hereby further agreed and declared that His said Majesty, His Heirs, Successors and Assigns, shall have full power to resume, enter into, and re-take possession of all or any part of the premises hereby expressed to be demised, if required for the improvement of the said Colony of Hongkong, or for any other public purposes whatsoever, Three Calendar Months' notice being given to the Lessee of its being so required, and full and fair compensation for the said Land and the Buildings thereon, being paid to the said Lessee at a valuation, to be fairly and impartially made by the Surveyor of His said Majesty, His Heirs, Successors or Assigns, and upon the exercise of such power the term and estate hereby created shall respectively cease, determine, and be void: ~~Provided~~ also, and it is hereby further agreed and declared that each Lessee shall in such cases where the premises are demised for a term of Seventy-five Years be entitled on the expiration of the said term of Seventy-five Years to a renewed Lease of the premises respectively demised to him or her for a further term of twenty-four Years less three days without payment of any Fine or Premium therefor and at the Rent hereinafter mentioned; And His said Majesty, His Heirs, Successors or Assigns shall and will at the request and cost of such Lessee grant unto him or her on the expiration of the said term of Seventy-five Years hereby granted a new Lease of the said premises for the term of twenty-four Years less three days at such Rent as shall be fairly and impartially fixed by the Surveyor of His said Majesty, His Heirs, Successors, or Assigns as the fair and reasonable rental value of the ground at the date of such renewal; And in all other respects such new Lease shall be granted upon the same terms and under, and subject to the same reservations, covenants, stipulations, provisos and declarations as are contained in this present Lease with the exception of this proviso for renewal which shall not be contained in such new Lease. ~~In Witness~~ whereof the said SIR MATTHEW NATHAN duly authorized by His said Majesty as aforesaid hath executed these presents, and hereunto set the Public Seal of the Colony of Hongkong aforesaid, in the Name and on behalf of His said Majesty.

Matthew Nathan

LS

Examined and certified to be correct,

Ch. Sherson

Member Land Court

Land Officer.

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

SCHEDULE OF CROWN LESSEES.

DISTRICT No. 96

Lot No.	Term of Lease in years	Area	Description of Lot	Name of Owner.		Address	Crown Rent.		Remarks.
				Chinese	Transliteration.		Class	\$ cts.	

1289	75	20	Qad						
1290	31								
1291	31								
1292	31								
1293	31								
1294	31								
1295	31								
1296	31								
1297	31								
1298	31								
1299	31								
1300	31								
1301	31								
1302	31								
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1313	31								
1314	31								
1315	31								
1316	31								
1317	31								
1318	31								
1319	31								
1320	31								
1321	31								
1322	31								
1323	31								

Office for Fine Architecture Limited

Architectural Design Building Maintenance Licensing Services Planning Design
Project Management Property Valuation MBIS/MWIS Interior Design



至一建築師事務所有限公司

建築設計 樓宇維修 牌照服務 規劃設計
項目管理 物業估價 驗圖驗樓 窗口設計

Our Ref: HK/IS/PL/010/L01

TPB ref:

Date: March 18, 2022

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

Attn.: Secretary

Dear Sir/Madam,

Re: Lot 1321RP, 1322RP, 1303RP, 1304RP & 1306 in D.D.96, Ma Tso Lung, North District,
New Territories.
Town Planning Application under Section 16 of the Town Planning Ordinance
(CAP.131)

We are the Authorized Agent appointed by the Applicant for the Town Planning application under Section 16 of Town Planning Ordinance for the captioned subject. This letter is to clarify a few things about the application.

First of all, according to page 3 of the planning statement, there is a section called "Height of Temporary Structure". There will be movable containers and portable toilets as the temporary structure. The height of these structures are all 2600mmH.

Besides, I would like to clarify about the "conversion of the site" on page 12 (Section 3.1.1). "Conversion of the site" means that we would like to seek the planning permission from existing "Conservation Area (1)" and "Agriculture" uses into "Temporary Holiday Camp and Shop & Services".

Should you have any queries or require further information, please do not hesitate to contact undersigned at _____ or our Mr. Wing Lau.

Yours faithfully,
For and on behalf of
Office and Fine Architecture Limited

Authorized Signature
Mr. Wing Lau

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

APPENDIX D

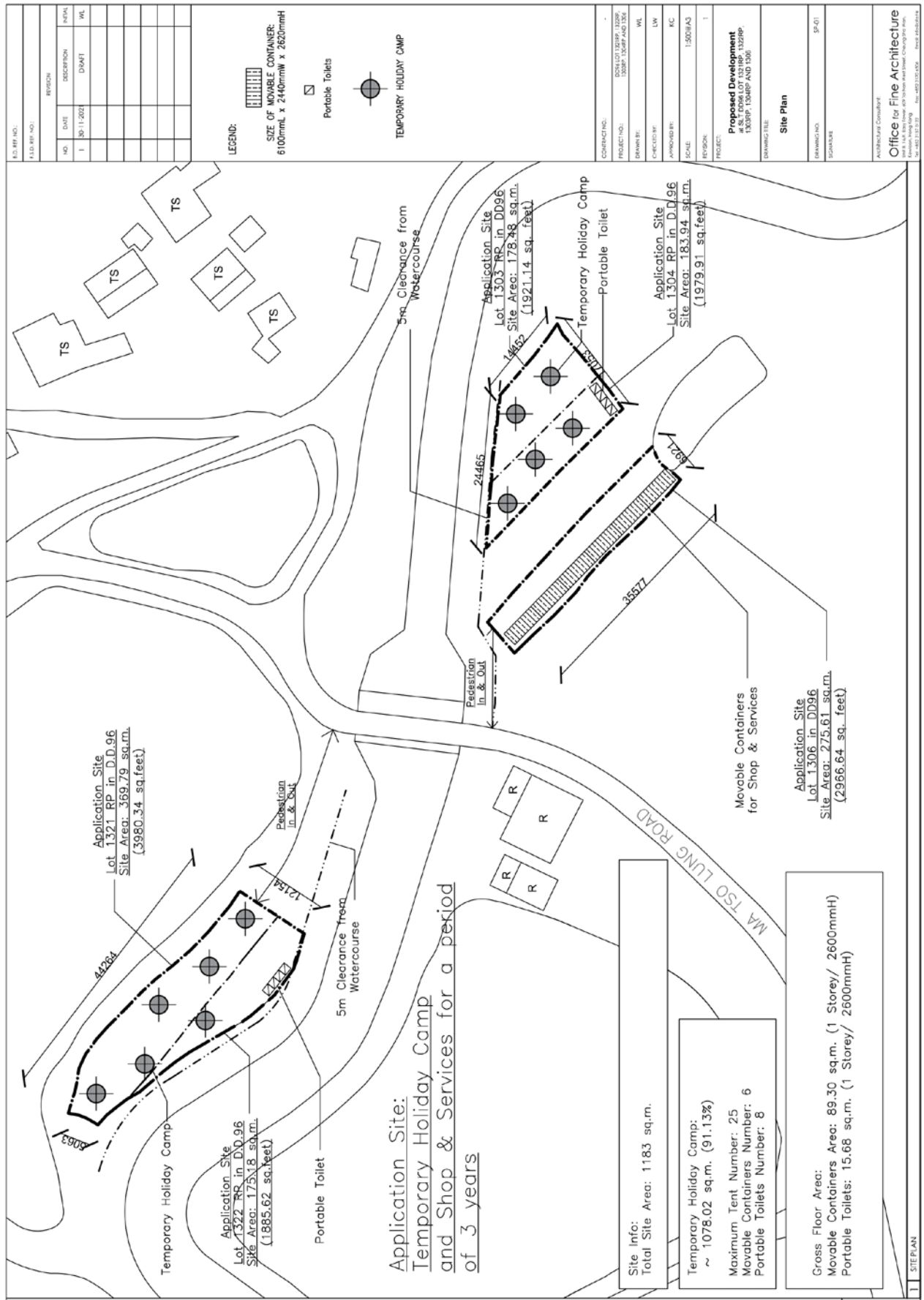
- The Proposed Design for
“Temporary Holiday Camp and Shop & Services”**
- **Layout Plan**
 - **Site Area Chart**
 - **Particulars of A Development Proposal**

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

The Proposed Design for “Temporary Holiday Camp and Shop & Services”

- Layout Plan

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**



**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

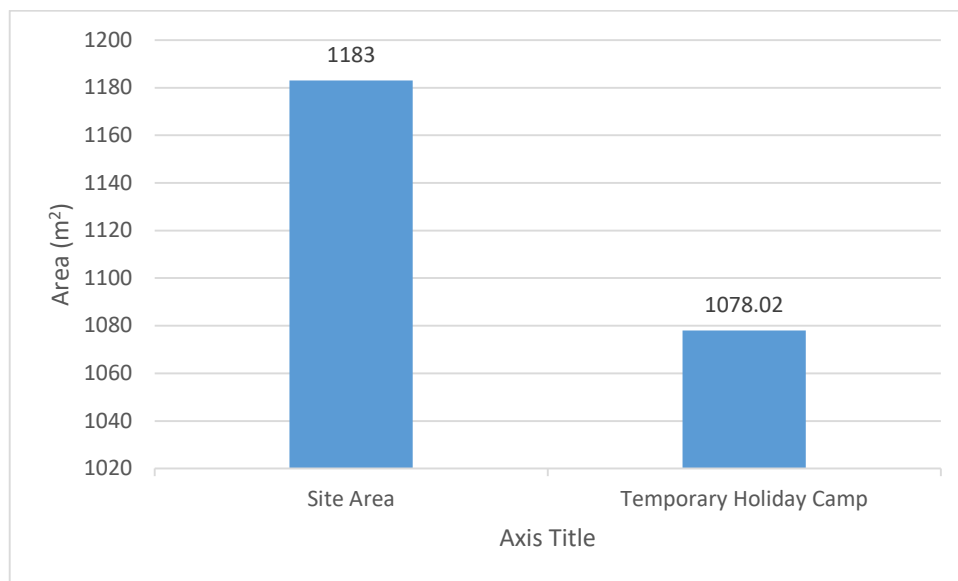
The Proposed Design for “Temporary Holiday Camp and Shop & Services”

- Site Area Chart

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

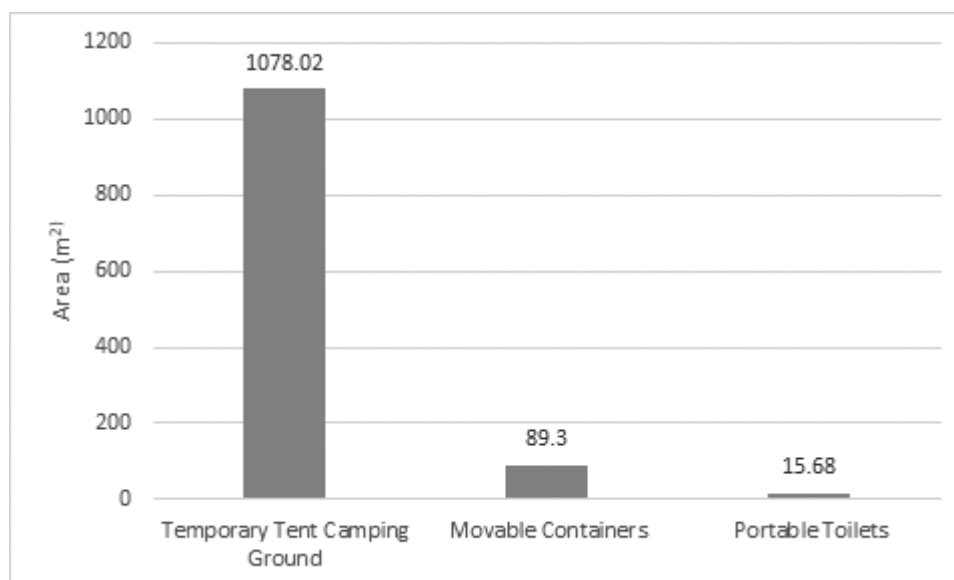
Site info:
Site Area ~ 1183 m²

Area :		Ratio:
Temporary Holiday Camp	1078.02 m ²	91.13%



**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

Area :		Ratio:
Temporary Holiday Camp	1078.02 m ²	91.13%
Movable Containers	89.30 m ²	7.55%
Portable Toilets	15.68 m ²	1.33%



**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

The Proposed Design for “Temporary Holiday Camp and Shop & Services”

- Particulars of A Development Proposal

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

Particulars of A Development Proposal

Total Development Area:	1183 m ²
Total Gross Floor Area: -	104.98 m ²
Movable Containers Area	89.30 m ²
Portable Toilets	15.68 m ²
Location:	Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96, Ma Tso Lung, North District, New Territories
Current Land Use:	
Lots 1321 RP & 1322 RP	Conservation Area (1)
Lots 1303 RP, 1304 RP & 1306	Agriculture
Related Statutory Plan:	Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3
Proposed Development :	
Use	Area
Temporary Holiday Camp	1078.02 m ²
Movable Container Area	89.30 m ²
Portable Toilets	15.68 m ²
Impacts of Development Proposal:	
Alteration of existing building	No
Diversion of stream	No
Filling of pond	No
Filling & excavation of land	No
Adverse impacts on environment, traffic, water supply, drainage, slope	No
Affects by slopes	No
Landscape impact	No
Tree felling	No
Visual impact	No

Our Ref: HK/IS/PL/010/L01
TPB ref: -

Date: March 25, 2022

To: Town Planning Board,
15/F., North Point Government Offices,
333 Java Road,
North Point, Hong Kong
Attn.: **Secretary**

Dear Sir/Madam,

Re: **Lot 1321RP, 1322RP, 1303RP, 1304RP & 1306 in D.D.96, Ma Tso Lung, North District, New Territories.**
Town Planning Application under Section 16 of the Town Planning Ordinance (CAP.131)

We are the Authorized Agent appointed by the Applicant for the Town Planning application under Section 16 of Town Planning Ordinance for the captioned subject. The revised pages regarding the planning study p.3 and p.50 are attached. We submit herewith the document mentioned above for your processing.

Should you have any queries or require further information, please do not hesitate to contact undersigned at : or our Mr. Wing Lau.

Yours faithfully,
Wing Lau
Architectural Assistant
Office for Fine Architecture Limited

**Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP & 1306 in D.D.96,
Ma Tso Lung, North District, New Territories**

In compliance with the Approved OZP

Under the “Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No.S/NE-MTL/3” - Schedule of Uses & Planning Intention for Agriculture (AGR), the zone is intended primarily to retain and safeguard good quality land/farm for agriculture purposes and rehabilitation for cultivation.

The proposed usage will provide greenery area, except the use for portable toilet and movable containers. All of which falls within the concept of the planning intention for agriculture zone and good quality land can be retained. At the same time, the whole usage will not cause any major non-compatibility with the surrounding environment.

And for “Conservation Area (1)”, the “no-net-loss in wetland” principle is adopted for any change in use within this zone.

The proposed usage will not cause any change and destruction to the ecosystem in the wetland. It is to promote an eco-friendly lifestyle to the younger generation. For the long term development, it is better to educate citizens to conserve the environment by visiting the area rather than only on text book. Thus all the structures are flexible. The surrounding environment will not be affected.

Site Constraints/ Design Consideration

The expected vehicular traffic, pedestrians flow generated by the visitors will be low as most travelers are visiting by bicycles. The site is located along Ma Tso Lung Road, area around the site are mainly village type houses and land for agricultural use which would not generate heavy traffic.

GFA & PR

The site is an empty land in the present but there will only be some movable containers and portable toilets in the application. So the proposed usage under this application would only cause minor changes in GFA. No building work and construction is required base on the proposed temporary structure. Only flexible structures are required, including 89.30 m² movable containers (2.6m Height) for shops and services and 15.68 m² portable toilet area (2.6m Height).

Height of Temporary Structure

By consideration of environmental sustainable, no construction is required. The proposed temporary development intends to promote environmental friendly life and experience, thus solid structure will be replaced by low flexible structure such as portable toilets (2.6m Height) and movable containers (2.6m Height) to reduce impacts to environment.

Application Site:
Temporary Holiday Camp
and Shop & Services for a period
of 3 years

Application Site:
Lot 1321 RP in DD96
Site Area: 389.79 sq.m.
(3980.34 sq. feet)

Application Site:
Lot 1303 RP in DD96
Site Area: 178.48 sq.m.
(1921.14 sq. feet)

Application Site:
Lot 1304 RP in DD96
Site Area: 183.94 sq.m.
(1979.91 sq. feet)

Application Site:
Lot 1306 in DD96
Site Area: 275.61 sq.m.
(2966.64 sq. feet)

Site Info:
Total Site Area: 1183 sq.m.

Temporary Holiday Camp:
~ 1078.02 sq.m. (91.13%)
Maximum Tent Number: 25
Movable Containers Number: 6
Portable Toilets Number: 8

Gross Floor Area:
Movable Containers Area: 88.30 sq.m. (1 Storey/ 2.6m Height)
Portable Toilets: 15.68 sq.m. (1 Storey/ 2.6m Height)

Legend:
SIZE OF MOVABLE CONTAINER:
6100mmL x 2440mmW x 2520mmH
Portable Toilets
TEMPORARY HOLIDAY CAMP

Proposed Development
at S/L DD96 LOT 1303 (RP), 1304 (RP), 1306 (RP)
1303P, 1304P AND 1306

Site Plan

Our Ref: HK/IS/PL/010/L01
TPB ref: -

Date: 26 April, 2022

To: Town Planning Board,
15/F., North Point Government Offices,
333 Java Road,
North Point, Hong Kong

Attn.: **Secretary**

by Hand

Dear Sir/Madam,

Re: **Lot 1321RP, 1322RP, 1303RP, 1304RP & 1306 in D.D.96, Ma Tso Lung, North District, New Territories.**
Town Planning Application under Section 16 of the Town Planning Ordinance (CAP.131)

We are the Authorized Agent appointed by the Applicant for the Town Planning application under Section 16 of Town Planning Ordinance for the captioned subject. I am writing to clarify the questions sent from Miss Chong dated on 8 April (from the Director of Environment Protection) and on 20 April (from the Commissioner of Transport).

Comments from the Director of Environment Protection:

1. Please elaborate on the methodology on setting up these facilities, and confirm whether there is any building works and earthworks within the CA(1) zone (e.g. any anchors and fixture on ground).

For the 6 holiday camps in the CA(1) zone, they are not fixed on ground. The symbols in the Layout Plan are just to indicate that there is an area for the visitors to set up their own tents. The maximum number of tents allowed inside the proposed area (including agriculture land in the southern part) is 25. So it would not be too overcrowded. And for the portable toilets, there will be no building works and earthworks included. We simply put 4 portable toilets in the location. There will be no concrete applied on the ground before putting the toilets.

2. Please clarify whether there are any on-site works, or any structures be prefabricated off-site.

There will be no on-site works and structures be prefabricated off-site. The only structure in the site is the portable toilets and as mentioned, no building works and earthworks will be applied.

3. Please clarify whether any construction material (e.g. steel reinforcement bar and cement) would be used on site.

There will be no construction material used on site. No concrete will be used on the ground. As the weight of the toilet itself can support the toilet to stand up straight, there is no concrete needed.

4. Please clarify whether there will be site formation, paving and cement mixing works.

As mentioned, there will be no building works including site formation, paving and cement mixing works.

Comments from the Commissioner of Transport:

1. The applicant shall justify the non-provision of parking spaces and loading/unloading spaces and the visitors would reach the site by cycling.

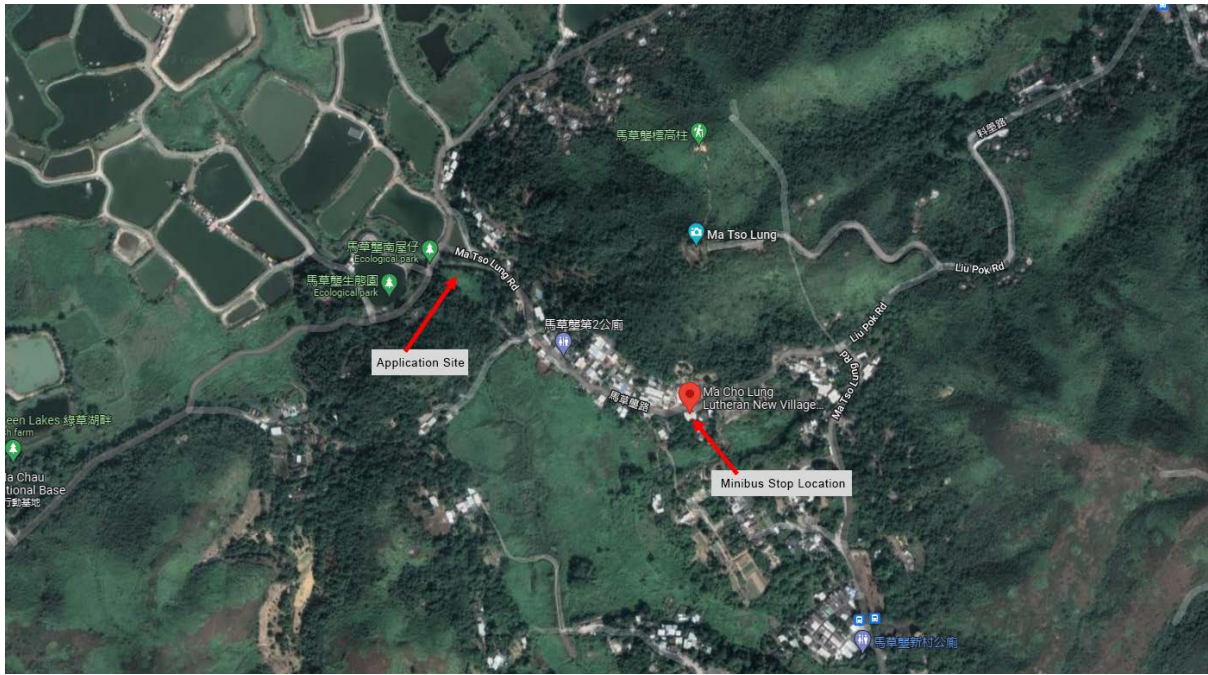
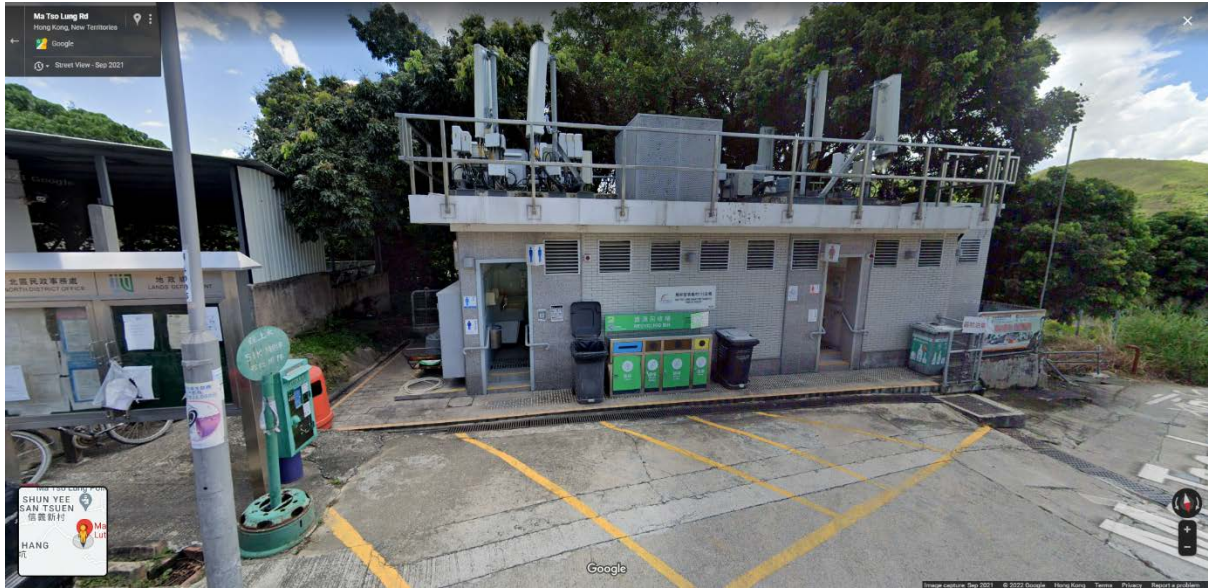
Visitors can access there with minibus "51B". One of the stops is located at Ma Tso Lung Road (see Appendix A for location). There is only a 3 minutes-walk to the application site after getting of the minibus.

On the other hand, the Applicant will recommend the visitors to access through taxi or by bicycle.

Should you have any queries or require further information, please do not hesitate to contact undersigned at _____ or our Mr. Wing Lau.

Yours faithfully,
For and on behalf of
Office for Fine Architecture Limited
Mr. Wing Lau

Appendix A



Our Ref: HK/IS/PL/010/L01
TPB ref: -

Date: May 4, 2022

To: Town Planning Board,
15/F., North Point Government Offices,
333 Java Road,
North Point, Hong Kong
Attn.: **Secretary**

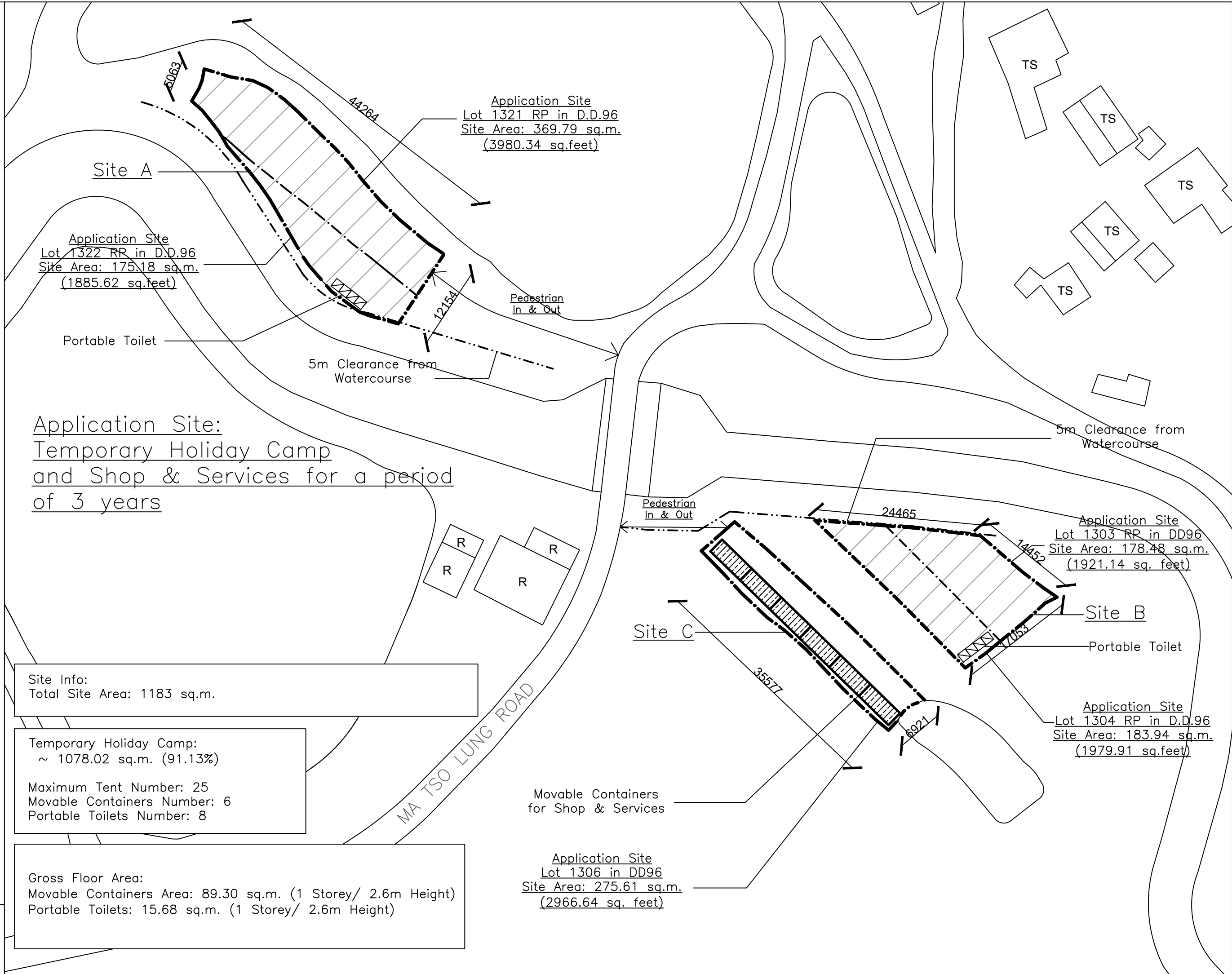
Dear Sir/Madam,

Re: **Lot 1321RP, 1322RP, 1303RP, 1304RP & 1306 in D.D.96, Ma Tso Lung, North District, New Territories.**
Town Planning Application under Section 16 of the Town Planning Ordinance (CAP.131)

We are the Authorized Agent appointed by the Applicant for the Town Planning application under Section 16 of Town Planning Ordinance for the captioned subject. The revised layout plan is attached. We submit herewith the document mentioned above for your processing.

Should you have any queries or require further information, please do not hesitate to contact undersigned at or our Mr. Wing Lau.

Yours faithfully,
Wing Lau
Architectural Assistant
Office for Fine Architecture Limited



B.D. REF. NO.:			
F.S.D. REF. NO.:			
REVISION			
NO.	DATE	DESCRIPTION	INITIAL
1	30-11-2021	DRAFT	WL
LEGEND:			
SIZE OF MOVABLE CONTAINER: 6100mmL x 2440mmW x 2620mmH			
Portable Toilets			
AREA FOR TEMPORARY HOLIDAY CAMP			
CONTRACT NO.: -			
PROJECT NO.: DD96 LOT 1321RP, 1322RP, 1303RP, 1304RP AND 1306			
DRAWN BY: WL			
CHECKED BY: LW			
APPROVED BY: KC			
SCALE: 1:500@A3			
REVISION: 1			
PROJECT: Proposed Development at SLT DD96 LOT 1321RP, 1322RP, 1303RP, 1304RP AND 1306			
DRAWING TITLE: Site Plan			
DRAWING NO. SP-01			
SIGNATURE			
Architectural Consultant:			
Office for Fine Architecture Unit B, 16/F, Easy Tower, 609 Tai Nan West Street, Cheung Sha Wan, Kowloon, Hong Kong Tel: +852 2137 0122 Fax: +852 3170 6506 Email: info@ofa.hk			

**Relevant Extracts of the Town Planning Board Guidelines for
Application for Developments within Deep Bay Area under Section 16
of the Town Planning Ordinance**

(TPB PG-No. 12C)

In considering development proposals in the Deep Bay Area, the Board adopts the recommended principle of “no-net-loss in wetland” which provides for the conservation of continuous and adjoining fishponds. The ‘no-net loss’ can refer to both loss in ‘area’ and ‘function’. No decline in wetland or ecological functions served by the existing fish ponds should occur. As the fish ponds form an integral part of the Deep Bay Area wetland ecosystem, alternative uses could be considered suitable only if it could be demonstrated that they would not result in the loss of ecological function of the original ponds and if they complement the ecological functions of the wetlands and fishponds in and/or around the Deep Bay Area. The important principles are as follows:

Wetland Conservation Area (WCA)

- (a) the WCA comprises the existing and contiguous, active or abandoned fish ponds in the Deep Bay Area, which should all be conserved. The intention of the WCA is to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area;
- (b) new development within the WCA would not be allowed unless it is required to support the conservation of the ecological value of the area or the development is an essential infrastructural project with overriding public interest. Any such development should be supported by an ecological impact assessment (EcoIA) to demonstrate that the development would not result in a net loss in wetland function and negative disturbances impact;
- (c) subject to submission of EcoIA, the types of activities which may be considered within the WCA must be related to uses concerning (i) conservation of the wetland in Deep Bay Area, (ii) environmental education, or (iii) essential infrastructure projects needed for public purpose for which no suitable alternative locations outside the WCA could be identified; and should not add to the pollution loading of the Deep Bay Area;

Wetland Buffer Area (WBA)

- (d) the intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the WCA and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds; and
- (e) within the WBA, for development or redevelopment which requires planning permission, an EcoIA would need to be submitted. Some local and minor uses (including temporary use) are however exempted from the requirement of EcoIA.

Government Departments' General Comments

1. Land Administration

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

- the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.

2. Drainage

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

- no objection to the application from public drainage viewpoint;
- should the application be approved, a condition should be included to request the applicant to submit and implement a drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent area; and
- the Site is in an area where no public sewer connection is available.

3. Fire Safety

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

- no objection in-principle to the application subject to fire service installations (FSIs) being provided to the satisfaction of his department.

4. Building Matters

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

- there is no record of approval by the Building Authority for the buildings/structures existing at the Site and BD is not in a position to offer comments on their suitability for the use related to the application; and
- according to the information submitted by the applicant, the application involves 3 parcels of lands forming 3 different sites under the Building Ordinance (BO). In this connection, any building or structure to be erected in each site should be self-sustainable in all aspects under the BO individually.

5. **Environment**

Comments of the Director of Environmental Protection (DEP):

- no adverse comment on the application; and
- there was no environmental complaint received in the past three years.

6. **Licensing**

Comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, HAD (CO(LA), HAD):

- according to the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) (“HAGAO”), “hotel” and “guesthouse” mean any premises whose occupier, proprietor or tenant holds out that, to the extent of his available accommodation, he will provide sleeping accommodation at a fee for any person presenting himself at the premises, unless all accommodation in the premises is provided for a period of 28 consecutive days or more for each letting which is exempted under the Hotel and Guesthouse Accommodation (Exclusion) Order (Cap. 349C);
- if the mode of operation falls within the definition of “hotel” or “guesthouse” under the HAGAO, a licence under the HAGAO must be obtained before operation. Whether the mode of operation of a camping site falls within the ambit of HAGAO depends on the actual circumstances of each case and cannot be generalized;
- for any structure which constitutes as “building works” or “building” under the Building Ordinance to be included into the licence, the applicant should submit a copy of either an occupation permit issued by the Building Authority or a Certificate of Compliance issued by the LandsD when making an application under the HAGAO; and
- detailed licensing requirements will be formulated upon receipt of application under the HAGAO.

7. **Other Departments**

- the following government departments have no comment on/no objection to the application:
 - (i) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
 - (ii) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
 - (iii) Project Manager (North), North Development Office, Civil Engineering and Development Department (PM(N), CEDD); and
 - (iv) Commissioner of Police (C of P).

Recommended Advisory Clauses

- (a) to note the following comments of the District Lands Officer/Yuen Long, Lands Department (LandsD):
 - (i) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
 - (ii) should the application be approved, the lot owner(s) will need to immediately apply to her office to permit the structures to be erected or regularize any irregularity on site, if any. Besides, given the proposed uses are temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Application(s) for any of the above will be considered by the LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD;
- (b) to note the comments of the Commissioner for Transport that the vehicular access between the Site and Ma Tso Lung Road (Lo Wu Range) is not managed by his office;
- (c) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that the approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (d) to note the following comments of the Chief Engineer/Mainland North, Drainage Services Department:
 - (i) the Site is in an area where no public sewer connection is available;
 - (ii) the applicant is advised on the following general requirements of the drainage proposal:
 - surface channel with grating covers should be provided along the site boundary;
 - a drainage plan should be provided clearly showing the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections etc.) of the proposed drain/ surface channel, catchpits and the discharge structure shall be provided;
 - the cover levels of proposed channels should be flushed with the existing adjoining ground level;
 - a catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit with covers shall be provided;
 - catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap should be

provided;

- the applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. The applicant should also ensure that the flow from the Site will not overload the existing drainage system;
- the applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, peripheral channels should be provided on both sides of the walls or kerbs, and/or 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 Site with details to be agreed by DSD, unless justified not necessary;
- the applicant is reminded that all existing flow paths as well as the run-off falling onto and passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works;
- the proposed drainage works, whether within or outside the site boundary, should be constructed and maintained properly by the applicant and rectify the system if it is found to be inadequate or ineffective during operation.at his/her own expense;
- for works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N and/or relevant private lot owners;
- the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
- the applicant shall allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works;
- the applicant and the successive lot owners shall allow connections from the adjacent lots to the completed drainage works on Government Land when so required;
- photos should be submitted clearly showing the current conditions of the area around the Site, the existing drainage/flowpaths around the Site, the proposed drainage from the Site to the downstream existing watercourse and the existing watercourse at about 20 m intervals. The locations of the camera and the direction of each photo should also be indicated on a plan;

(e) to note the following comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- (i) if the existing structures are erected on leased land without approval of the Buildings

Department (BD) (not being a New Territories Exempted House), they are unauthorised under the Buildings Ordinance (BO) and should not be designated for any proposed uses under the captioned application;

- (ii) before any new building works are to be carried out on the Site, the prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System. Otherwise they are unauthorized buildings works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with BD's 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;
 - (iv) if the proposed use under application is subject to issue of a licence, any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licencing authority;
 - (v) any temporary shelters or converted containers for storage or office, canteen or other uses are considered as temporary buildings that are subject to the control of the Building (Planning) Regulations (B(P)R) Pt. VII;
 - (vi) the site shall be provided with means of obtaining access thereto from a street under the BPR 5 and emergency vehicular access shall be provided under BPR 41D;
 - (vii) if the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined by the BA under B(P)R 19(3) at building plan submission stage;
 - (viii) it is noted that portable toilets are to be provided for the proposed development. The applicant's attention is drawn to the provisions of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations;
 - (ix) formal submission under the BO is required for any proposed new works, including any temporary structures and site formation drainage works. Detailed comments under the BO will be provided at the building plan submission stage;
- (f) to note the following comments of the Director of Fire Services:
- (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; and
 - the location of where 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;
- (g) to note the following comments of the Director of Environmental Protection that the applicant is reminded to arrange service contractor to clean the portable toilets regularly, and ensure the sewage be tankered away periodically by adjusting the frequency according to the actual usage, with a view to avoiding any odour impact from the accumulation of sewer and any potential sewerage overflow to the area zoned “Conservation Area (1)” (“CA(1)”). The sewage should not be disposed of at the area zoned “CA (1)”.
- (h) to note the following comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority:
 - (i) according to the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) (“HAGAO”), “hotel” and “guesthouse” mean any premises whose occupier, p[roprietor or tenant holds out that, to the extent of his available accommodation, he will provide sleeping accommodation at a fee for any person presenting himself at the premises, unless all accommodation in the premises is provided for a period of 28 consecutive days or more for each letting which is exempted under the Hotel and Guesthouse Accommodation (Exclusion) Order (Cap. 349C);
 - (ii) if the mode of operation falls within the definition of “hotel” or “guesthouse” under the HAGAO, a licence under the HAGAO must be obtained before operation. Whether the mode of operation of a camping site falls within the ambit of HAGAO depends on the actual circumstances of each case and cannot be generalized;
 - (iii) for any structure which constitutes as “building works” or “building” under the Building Ordinance to be included into the licence, the applicant should submit a copy of either an occupation permit issued by the Building Authority or a Certificate of Compliance issued by the LandsD when making an application under the HAGAO; and
 - (iv) detailed licensing requirements will be formulated upon receipt of application under the HAGAO.

**Appendix V of RNTPC
Paper No. A/NE-MTL/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

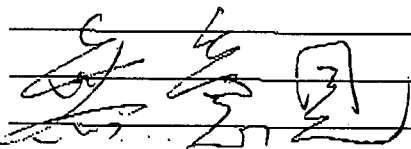
By Fax : 2877 0245 or 2522 8426

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

有關的規劃申請編號 The application no. to which the comment relates
A/NE-MTL/5

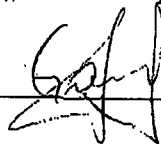
意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)



「提意見人」姓名/名稱 Name of person/company making this comment 侯志強

簽署 Signature



日期 Date

2022.4.4

2

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220421-123121-01438

提交限期

Deadline for submission:

22/04/2022

提交日期及時間

Date and time of submission:

21/04/2022 12:31:21

有關的規劃申請編號

The application no. to which the comment relates:

A/NE-MTL/5

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 黃英就

意見詳情

Details of the Comment :

周邊附近的環境優美，但配套設施不足，贊成可加入營地及小店，讓更多人欣賞美景之餘，也珍惜保育的重要，保護生態環境。

3

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號**

220421-215754-32963

Reference Number:**提交限期**

22/04/2022

Deadline for submission:**提交日期及時間**

21/04/2022 21:57:54

Date and time of submission:**有關的規劃申請編號**

A/NE-MTL/5

The application no. to which the comment relates:**「提意見人」姓名/名稱**

小姐 Miss Lau Lai Ming

Name of person making this comment:**意見詳情****Details of the Comment :**

馬草壟曾經是邊境禁地，現在是世外桃源，周邊有濕地、魚塘、田園風景優美、候鳥棲息地，適合一家大細感受大自然生態的好地點。

城市人更加特別嚮往親近大自然，但缺乏選擇地點。我們一家喜歡大自然，更喜歡度假和露營，支持馬草壟添置露營場地及休閒設施，支持身心健康的戶外活動和場地。

4

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環保觸覺就規劃申請A/NE-MTL/5項目之意見書
20/04/2022 17:27

From: Carter Lau <carter@greensense.org.hk>
To: tpbpd@pland.gov.hk
File Ref:

1 attachment



環保觸覺_有關改劃申請A-NE-MTL5項目之意見書.pdf

Dear Sir/Madam,

Please find the attachment. Thank you.

Regards,

Carter Lau Ka Yeung

--

LAU Ka Yeung, Carter

Research Officer

Green Sense HK Ltd

Office: 8100 4877

Fax: 3011 9577

Website: <http://greensense.org.hk>

Facebook: <http://www.facebook.com/hkgreensense>

Instagram: <http://www.instagram.com/greensensehk>

致 城市規劃委員會

就規劃申請 A/NE-MTL/5 項目之意見書

環保觸覺（本會）就規劃編號為 A/NE-MTL/5，即新界馬草壟丈量約份第 96 約地段第 1321 號餘段、第 1322 號餘段、第 1303 號餘段、第 1304 號餘段及第 1306 號，申請在現時「農業」及「自然保育區(1)」地帶，擬議興建臨時度假營和商店及服務行業，表示強烈反對。

「先破壞、後申請、再建設」

本申請之位置部分原屬漁塘及農地，但有多個傳媒揭¹發，有人在 2020 年開始，以建築廢料擴建分隔魚塘的塘壘，其後更將填泥範圍被擴大，疑有人繼續填塘擴建塘壘，位置相當接近本申請位置。據傳媒報導，有人將保育區內部分土地開闢作收費營地，名為「馬草壟生態園」。

申請人指，「地段內現時只是一塊空地，而加擬議中亦只打算加上可移動貨櫃及流動廁所，所以在擬定用途下僅會導致 GFA 和 PR 的微小變化，所有這些都屬於 AGR 區規劃意圖的概念，可以保留優質土地。」本會對此並不認同。由航拍圖片可見，原是漁塘及農地的位置被人多次填土，部分位置更以混凝土覆蓋，難以復原，可見相關變化並非「微小」，而是難以復原之破壞，對蠔殼圍甚至后海灣

本會強調，本申請實屬「先破壞、後申請、再建設」的典型例子，若成功申請，定必樹立不良先例，希望城規會能反對本規劃申請。

1

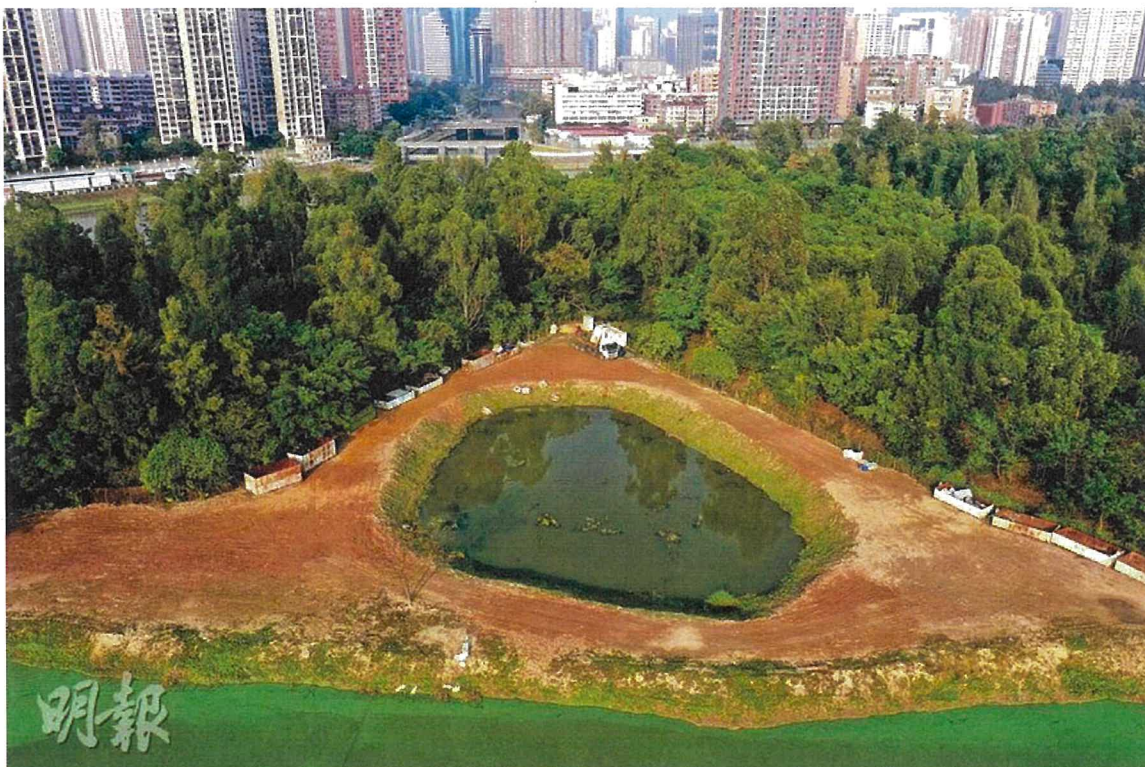
<https://news.mingpao.com/pns/%E6%B8%AF%E8%81%9E/article/20220109/s00002/1641664837291/%E4%BF%9D%E8%82%B2%E5%8D%8020%E9%A0%83%E5%9C%B0%E9%81%AD%E5%80%92%E6%B3%A5-%E5%8C%97%E9%83%BD%E5%85%AC%E5%B8%83%E5%BE%8C%E5%8A%A0%E5%8A%87-5%E5%9C%B0%E9%BB%9E%E5%8F%97%E7%A0%B4%E5%A3%9E-%E8%A8%AD%E6%94%B6%E8%B2%BB%E7%87%9F%E5%9C%B0-%E8%A6%8F%E5%8A%83%E7%BD%B2-%E6%AD%A3%E8%AA%BF%E6%9F%A5>

<https://hk.sports.yahoo.com/news/%E5%90%8E%E6%B5%B7%E7%81%A3%E8%A0%94%E6%AE%BC%E5%9C%8D%E9%9D%9E%E6%B3%95%E5%A1%AB%E5%A3%86%E6%83%A1%E5%8C%96-%E7%B6%93%E7%87%9F%E6%94%B6%E8%B2%BB%E8%A8%AD%E6%96%BD-%E4%BE%9B%E9%9C%B2%E7%87%9F%E9%87%A3%E9%AD%9A-214500987.html>

<https://hk.sports.yahoo.com/news/%E5%90%8E%E6%B5%B7%E7%81%A3%E8%A0%94%E6%AE%BC%E5%9C%8D%E7%96%91%E5%86%8D%E7%8F%BE%E9%9D%9E%E6%B3%95%E5%A1%AB%E5%A3%86-%E5%A2%9E%E8%A8%AD%E7%A7%81%E4%BA%BA%E6%94%B6%E8%B2%BB%E7%87%9F%E5%9C%B0-085912389.html>



傳媒報導，本申請位置鄰近地點被非法填塘



傳媒報導，蠔殼圍被非法填土

未批准規劃許可申請已在非法經營

據申請人的社交媒體顯示，本申請之用地在被城規會批准規劃許可之前，已非法經營而今。由相片可見，申請之土地部分原是漁塘塘壚及沼澤的位置，被人以混凝土覆蓋，更有人駕駛汽車在填土以上。

據「馬草壘生態園」的社交媒體顯示，園內有釣魚、遙控船、露營、燒烤等活動，擁有獨立洗手間及冷熱水沖涼設施，亦有人在園內經營無牌食肆及商店。然而以上活動並非現時土地規劃認可之用途。



馬草壟生態園

自助露營 (需要3天前預約)：

星期一至四入營 \$150 / 每人每晚
星期五至日及公眾假期入營 \$190 / 每人每晚

🚗 **停車場** 每晚收費 \$100 / 車

釣魚樂 (營業時間：1000 – 1700)：

入場費：\$100 (首一斤半免費)
魚竿租用 (可自備魚竿)：\$30 (包飲品一支)
(按金\$200)

遙控船：
\$60 / 15分鐘

燒烤：
\$450起 (2人價錢)

周末親子工作坊：
請留意
FACEBOOK公佈

 mtlcopark
 6575 3739
 馬草壟生態園



違反當區規劃意向

本申請擬議興建帳幕營地及進行挖土工程之地段現時為「自然保育區」，此地帶的規劃意向是保護和保存區內現有的天然景觀、生態系統或地形特色以達到保育目的及作教育和研究用途，並且分隔開易受破壞的天然環境，不宜進行私人發展以免對天然環境造成不良影響。在是次規劃申請中，申請書內並無有力的規劃理據，以支持偏離此規劃意向，本會擔心於此地段進行發展將對周遭的環境造成不良影響，破壞區內現有的天然景觀、生態系統或地形特色。

發展同時亦違反了馬草壟及蠔殼圍分區計劃大綱核准圖（編號 S/NE-MTL/3）中提及該區的整體規劃意向。在分區計劃大綱草圖中政府明確指出，蠔殼圍延綿相連的濕地綜合區具有高的生態價值，不但是依賴濕地的生物(特別是大水鳥和瀕危物種歐亞水獺)的重要覓食和棲息地，亦是蠔殼圍濕地與內后海灣地區之間一個重要的雀鳥飛行路線走廊。因此，應盡量避免在此區進行發展和對此區造成人為干擾。

該說明書亦提及申請的位置，即料壘北面的沼澤，該沼澤是蠔殼圍濕地生態系統與料壘鄉村式發展項目之間的緩衝區。填土／填塘或挖土工程可能會對鄰近地方的排水情況及自然環境造成不良影響，因此必須向城規會取得許可，才可進行該等工程。

欠缺生態、景觀、排污及交通影響等評估

根據「邊境禁區的土地規劃研究」及「蠔殼圍生態實地調查」的結果，蠔殼圍延綿相連的濕地綜合區具有高的生態價值，不但是依賴濕地的生物（特別是大水鳥和瀕危物種歐亞水獺）的重要覓食和棲息地，亦是蠔殼圍濕地與內后海灣地區之間一個重要的雀鳥飛行路線走廊。因此，應盡量避免在此區進行發展和對此區造成人為干擾。本申請位於現時「農業」及「自然保育區(1)」地帶，位於蠔殼圍邊垂，擁有高生態價值。然而申請卻缺乏生態及景觀影響評估報告，難以評估申請對生態之影響。

據「馬草壟生態園」的社交媒體顯示，園內有釣魚、遙控船、露營、燒烤等活動，擁有獨立洗手間及冷熱水沖涼設施。由此可見，項目會產出污水及廢物。然而申請卻欠缺排污影響評估，本會恐怕由項目產生的污水會被直接排出或由土壤下滲到鄰近土地，影響后海灣生態。

申請人指，建議中的使用不會對該用地及周邊環境造成任何重大影響，訪客所產生的車輛流量低。然而在申請人的社交媒體中顯示，營地的預約情況理想，亦容許汽車駛入營地，會產生人流和車流。然而申請亦欠缺交通影響評估報告，無法得知發現對鄰近地點之影響。

不符合「不會有濕地淨減少」原則

這些濕地和魚塘是蠔殼圍及后海灣餘下地方的濕地生態系統不可或缺的部分。對於在此地帶內的任何用途改變，當局採取了「不會有濕地淨減少」的原則。主要的規劃意向是，除非必須進行發展以助保護濕地生態系統完整，或者是絕對基於公眾利益而必須進行的基礎設施項目，否則此地帶內不准進行新發展。

然而本申請之地點早在申請前破壞濕地，難以令人相信本申請會符合「不會有濕地淨減少」原則。若成功申請，定必樹立不良先例，希望城規會能反對本規劃申請。

為減少行政開支及紙張，請勿郵寄確認信予本會。回覆請致電 8100-4877 或電郵至 info@greensense.org.hk 與劉先生聯絡。

環保觸覺

二零二二年四月二十日

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Comments on the Section 16 Application No. A/NE-MTL/5

21/04/2022 12:16

From: Kristy Chow <kristy@cahk.org.hk>
To: Tpbpd <tpbpd@pland.gov.hk>
Cc: Roy Ng <roy@cahk.org.hk>
File Ref:

1 attachment



TPB20220421(MTL5).pdf

Dear Sir/Madam,

Please refer to the attachment for the captioned. Thank you.

Yours faithfully,
Chow Oi Chuen
Campaign Officer
The Conservancy Association



長春社

Since 1968

The Conservancy Association

會址: 香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期十三樓 1305-6 室
Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port
Road, Kwai Chung, New Territories, H.K.
網址 Website: www.cahk.org.hk

電話 Tel.: (852) 2728 6781 傳真 Fax.: (852) 2728 5538

電子郵件 E-mail: cahk@cahk.org.hk

21st April 2022

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-MTL/5

The Conservancy Association OBJECTS to the captioned application.

1. Not in line with the planning intention of Conservation Area (1) (CA)(1) and Agriculture (AGR)

According to the approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan (OZP) No. S/NE-MTL/3, the planning intention of CA(1) zone *“to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem at Hoo Hok Wai and the rest of the Deep Bay area. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest”*. 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”*.

According to the Executive Summary of the application, the proposed “Temporary Holiday Camp and Shop & Services” is *“to provide more opportunity for public to keep in touch with the nature and help to form a slow living lifestyle in the city”*. However, we do not think that there are sufficient details to justify that such plan is either “to



長春社

Since 1968

The Conservancy Association

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support the conservation of the ecological integrity of the wetland ecosystem” or “an essential infrastructure project with overriding public interest”. Meanwhile, NO areas would be proposed for agricultural purpose. Therefore, it is not in line with the planning intention of both CA(1) and AGR zone.

2. Not in line with the Town Planning Board (TPB) PG-No. 12C

According to the TPB PG-No. 12C for Application for Developments within Deep Bay Area, the application site is located within Wetland Buffer Area (WBA). The planning intention of WBA is *“to protect the ecological integrity of the fish ponds and wetland within the WCA and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds”*. The plan should also demonstrate that *“the development will not cause net increase in pollution load to Deep Bay”*.

With reference to the planning statement, no assessments and further information are available to justify that the application causes no adverse ecological impacts on the surrounding areas, especially off-site disturbance on wetlands within WCA. We do not think this is in line with the TPB PG-No. 12C.

3. 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 movable containers for shops & services, portable toilet, 8 holiday camps, and so on, 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.
- Adverse sewage impact: The application mentioned that there will be 8 portable toilets. However, the applicant did not provide any details of the portable toilets, such as design, collection, treatment, disposal of sewage, back-up plans, and so on. Regarding the proposed movable containers shops & services, no details are available to describe their exact uses and activities, and whether additional wastewater would be generated during operation. We worry that if the above issues are not properly addressed, it may lead to serious environmental and hygiene problems within the application site and its surrounding area, especially the drainage channel and fish ponds in CA(1) zone.



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- Light and noise pollution: As the application mentioned that the proposed site will be opened 24 hours daily including public holiday, light and noise pollution generated from various activities would be highly inevitable. However, no attempts have been proposed to tackle such disturbance.
- Other sources of environmental impacts not clearly addressed: There are no site management and operational plans to describe issues such as crowd control, waste management, additional provision of ancillary utilities, 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.

4. Undesirable precedent of “destroy first, build later”

According to our site observation, this site has been subject to land formation and vegetation clearance since May 2021 (Figure 1-3). During our site visit in December 2021, camping tent, reception and portable toilets can be spotted in the application site without any planning approval (Figure 4-5). Warning letter and Enforcement Notice (Case No. E/NE-MTL/0016) have been issued by Planning Department. It is suspected that this is a case of “destroy first, build later”.

Planning Department and members of Town Planning Board (TPB) should alert that TPB has announced approaches to deter “destroy first, build later” activities in 2011. It stated that “the Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned”¹. Therefore, this application should not be given any sympathetic consideration, or it will set an undesirable precedent for similar cases in future.

Yours faithfully,
Chow Oi Chuen
Campaign Officer
The Conservancy Association

¹ TPB Press Release. Available at: <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

Figure 1-3 According to aerial photos (Source: Google Earth) and our site observation, this site (marked in red) has been subject to land formation and vegetation clearance since May 2021. It is suspected that this is a case of “destroy





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The Conservancy Association

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Figure 4-5 During our pervious site visit dated December 2021, camping tent, reception, portable toilets (circled in red) can be spotted on the application site without any planning approval.



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A/NE-MTL/5 DD 96 Ma Tso Lung Conservation Area - Tent City
21/04/2022 02:45

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
File Ref:

A/NE-MTL/5

Lots 1321 RP, 1322 RP, 1303 RP, 1304 RP and 1306 in D.D. 96, Ma Tso Lung

Site area : 1,183sq.m

Zoning : "Agriculture" and "Conservation Area (1)"

Applied use :25 Tent Holiday Camp / 6 Container Shops / 8 block portaloos

Dear TPB Members,

Strongest objections. This is not even a composite site but an effort to exploit three separate lots with one of them well into Conservation Area. Clearly there would be significant impact not only on the lots but also on the adjoining lots.

*And for "Conservation Area (1)", the **"no-net-loss in wetland"** principle is adopted for any change in use within this zone. **The proposed usage will not cause any change and destruction to the ecosystem in the wetland.** It is to promote an eco-friendly lifestyle to the younger generation. For the long term development, it is better to educate citizens to conserve the environment by visiting the area rather than only on text book. Thus all the structures are flexible. The surrounding environment will not be affected.*

*The flow control will be supervised by the security guards. The maximum number of camps in the site is 25 camps. And there will only be **a maximum of 100 people in the holiday camp.** As hikers who look for check point and visitors who only stop by to take pictures are expected, there will also be a maximum number for these kinds of people, which **is 200 people per day.***

So 200 people using the loos. No mention of where the campers would shower, cook, wash dishes No doubt in the nearby water courses.

Members should refer to a recent application for the district, and this was for AG zoning only

A/NE-MTL/3

Lots 861 (Part), 869 RP (Part), 870 (Part), 871 (Part) and 872 (Part) in D.D. 96, Ma Tso Lung, Kwu Tung North

Site area : About 1,378sq.m

Zoning : "Agriculture" and "Other Specified Uses" annotated "Research and Development"

Applied use : Place of Recreation, Sports or Culture / 15 Vehicle Parking / **Land Filling**

665th RNTPC MEETING ON 05.02.2021

After deliberation, the Committee decided to reject the application. The reasons were :

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

(b) the applicant fails to demonstrate in the submission that the proposed development would not cause adverse traffic and landscape impacts on the surrounding areas."

That this application is penetrating into Conservation Area and close to watercourses indicates that your decision must be in line with the above.

Mary Mulvihill

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HKBWS's comments on the planning application for the proposed Temporary Holiday Camp and Shop and Services for a Period of 3 Years at Ma Tso Lung (A/NE-MTL/5)

22/04/2022 17:31

From: "WONG, Suet Mei" <wsuetmei@hkbws.org.hk>
To: tpbpd <tpbpd@pland.gov.hk>
Cc: Chuan Woo <wchuan@hkbws.org.hk>
File Ref:

Dear Sir/Madam,

The Hong Kong Bird Watching Society's comments on the planning application for the proposed Temporary Holiday Camp and Shop and Services for a Period of 3 Years at Ma Tso Lung (A/NE-MTL/5) is attached.

Thank you.

Best Regards,

Wong Suet Mei | 黃雪媚

Conservation Officer | 保育主任

Hong Kong Bird Watching Society | 香港觀鳥會

A: 7C, V Ga Building, 532 Castle Peak Road, Kowloon, Hong Kong

香港九龍荔枝角青山道532號偉基大廈7樓C室

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20220422_MaTsoLung_HolidayCamp_A_NE_MTL_5_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

22 April 2022

Dear Sir/Madam,

Comments on the planning application for the proposed Temporary Holiday Camp and Shop and Services for a Period of 3 Years at Ma Tso Lung (A/NE-MTL/5)

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 “Conservation Area” (CA) and “Agriculture” (AGR) zoning

- 1.1 The western part of the application site is located within the Wetland Conservation Area (WCA), where is *“to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area”* under the Town Planning Board Guideline No. TPB PG-NO. 12C. It is also located within the CA zone under the approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan no. S/NE-MTL/3, which is intended to *“protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Site of Special Scientific Interest or Country Park from the adverse effects of development”*. We consider that the proposed recreational development is neither for conservation, education nor research purposes and would have cause adverse disturbance to the ecological sensitive wetlands. It is not in line with the planning intention to conserve and protect the ecological value of the fish ponds.





1.2 Meanwhile, the eastern part of the site falls within the AGR zone, where the planning intention is *“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”*. It is also within Wetland Buffer Area (WBA), which is *“to protect the ecological integrity of the fish ponds and wetland within the WCA and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds.”* The proposed recreational development would unavoidably associated with site clearance, land filling, and set-up of structures, which would cause direct loss in arable land, and also potentially cause negative human disturbance to the WCA. We consider it is not in line with the intention of AGR zoning and WBA, and therefore we urge the Town Planning Board (Board) to reject this application.

2 The Town Planning Board should not encourage “destroy first, build later”

From Google Earth aerial photographs, street view photograph and our site photo, landscape changes including vegetation clearance, land filling and tent camping use were seen at and around the application site between 2019 and 2021 (Figure 1). An Enforcement Notice (No. E/NE-MTL/0016) was also issued at the site. We consider that this is “destroy first, build later”. We are concerned the approval of the current application would further legitimize the current misuse of the CA and AGR zone, leading to the promotion of “destroy first, develop later” attitudes among landowners in the locality. As the Board has suggested that *“the Board will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned.”*¹ We urge the Board to reject this application.

3 Potential adverse ecological and sewage impacts of the proposed recreational development and the associated increased traffic and parking demand

3.1 From the GeoInfo map, the site is very close to stream and fish ponds (Figure

¹ TPB Press Release. Available at:
<http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>





2). We are concerned the water course and the connected wetland habitats would potentially be adversely affected if the sewage generated from the operation of holiday camping/ accommodation (i.e. cooking, barbecue activities, cleansing, bathing, etc) are not being properly treated or directly released to the stream.

- 3.2 Moreover, from our observation, there are increasing illegal land filling or possession of government land for parking use since the unauthorized restaurant and camping at/near the current application site started to operate. We are concerned the approval of such recreation development would inevitably introduce more parking activities or other recreational uses that are associated with eco-vandalisms in the locality.

4 Set an undesirable precedent to the future development

The approval of this application will set an undesirable precedent to the future similar applications associated with “destroy first, build later” within the WCA, WBA, CA zoning and AGR zoning, and thus nullifying the statutory planning control mechanism. We urge the Board to reject this application in order to protect the ecological sensitive area from any development threats.

5 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 (ii), the Board has the responsibility to, “*restrict uses within conservation zones to those which sustain particular landscapes, ecological and geological attributes and heritage features*”; (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 particular². Given AFCD’s mission to conserve natural environment and safeguard

² AFCD Role of Department. Available at:
http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html



the ecological integrity³ 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 **reject** the current application. Thank you for your kind attention.

Yours faithfully,
Wong Suet Mei
Conservation Officer
The Hong Kong Bird Watching Society

cc.
The Conservancy Association
Designing Hong Kong
Kadoorie Farm and Botanic Garden
WWF – Hong Kong
TrailWatch

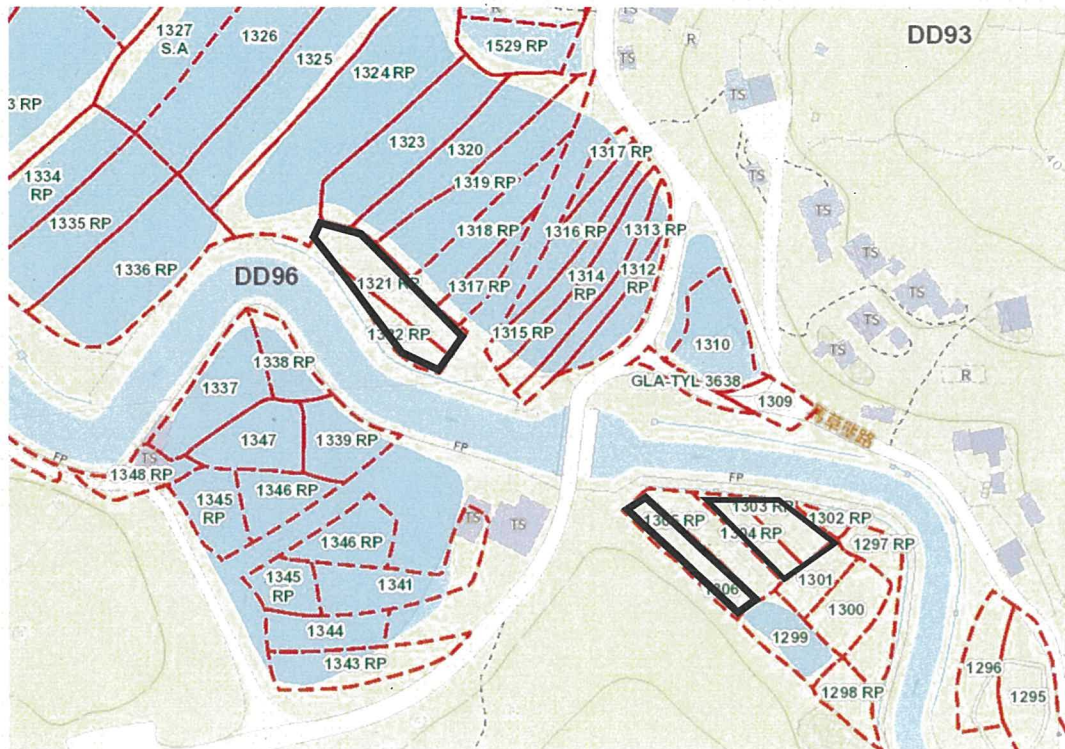
³ AFCD Vision and Mission. Available at:
http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html



Figure 1. The Google Earth aerial photographs, street view photograph and our site photo, landscape changes including vegetation clearance, land filling and tent camping use were seen at and around the application site between 2019 and 2021. We consider that this is “destroy first, build later”.



Figure 2. From the map extracted from GeoInfo map, the site (approximate location is marked with black line) is very close to stream and fish ponds. We are concerned the water course and the connected wetland habitats would potentially be affected if the sewage generated from the operation of holiday camping are not being properly treated or directly released to the stream.



8

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KFBG's comments on two planning applications

22/04/2022 18:51

From: EAP KFBG <eap@kfbg.org>
To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
File Ref:

2 attachments



220422 s16 TMT 75.pdf 220422 s16 MTL 5.pdf

Dear Sir/ Madam,

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

Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



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)

22nd April 2022.

By email only

Dear Sir/ Madam,

Proposed Temporary Holiday Camp and Shop and Services for a Period of 3 Years
(A/NE-MTL/5)

1. We refer to the captioned.
2. According to the information retrieved from the Planning Department in April 2022, there is an Enforcement Case (E/NE-MTL/0016) covering part of the application site which involves '1. Use for place of recreation, sports and culture (including tent camping ground, fishing ground and barbecue site), 2. Use for eating place, 3. Use for shop and services and 4. Storage use (including deposit of containers)', and we could not observe that Compliance/ Cancellation Notice has been issued. We urge the Board to liaise with relevant authorities as to whether the case has been settled.
3. We object to this application as it involves Conservation Area (1) (CA(1)) zone and the proposed use is unlikely to be in line with the planning intention of this zone. We urge the Board to reject this application.
4. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden