

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/801

<u>Applicant</u>	: Hong Kong St. John Ambulance (HKSJ)
<u>Site</u>	: Government Land in D.D. 28, Sam Wo Road, Ting Kok, Tai Po, New Territories
<u>Site Area</u>	: About 44m ²
<u>Land Status</u>	: Government Land
<u>Plan</u>	: Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19
<u>Zoning</u>	: Area shown as ‘Road’
<u>Application</u>	: Temporary First Aid Post (FAP) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for a temporary FAP for a period of three years at the application site (the Site), which falls within an area shown as ‘Road’ on the OZP (**Plan A-1**). According to the covering Notes of the OZP, in any area shown as ‘Road’, all uses or developments require planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use without valid planning permission.
- 1.2 According to the applicant, the applied use is mainly to provide first aid service to injured cyclists. It consists of a single-storey prefabrication structure with a height of 3m and a floor area of about 22m² to accommodate service station area, lockers and storage for custom-made bicycles carrying first aid boxes. The open area of the Site (about 22m²) is used for circulation only, which is not fenced off (**Drawings A-1** and **A-2**). The operation hours are from 2:30 p.m. to 6:30 p.m. on Saturdays and from 10:30 a.m. to 6:30 p.m on Sundays and public holidays.
- 1.3 The Site is the subject of two previous applications (No. A/NE-TK/638 and A/NE-TK/694) submitted by the same applicant for the same temporary FAP use for a period of three years (**Plans A-1** and **A-2**), which were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2018 and 2021. Details of the previous applications are set out in paragraph 4.1 below. Compared with the last approved application No.

A/NE-TK/694, the current application involves the same site area with a slightly larger floor area of the single-storey structure and a slightly smaller open area to reflect the as-built condition as detailed in paragraph 4.2 below. All approval conditions under this previous application have been complied with.

- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on (Appendix I) 7.8.2024; and
 - (b) Further Information (FI) received on 13.9.2024*. (Appendix Ia)

**accepted and exempted from publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Application Form and FI at **Appendices I and Ia**, as summarized below:

- (a) the applicant intends to continue providing first aid service to injured cyclists at the Site;
- (b) the applicant overlooked the need to apply for the renewal application; and
- (c) the approval conditions under the last approved application have been complied with.

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

As the Site involves Government land only, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) are not applicable to the application.

4. Previous Applications

- 4.1 The Site is the subject of two previous applications (No. A/NE-TK/638 and A/NE-TK/694) submitted by the same applicant for the same temporary FAP use for a period of three years (**Plans A-1 and A-2**). These two applications were approved with conditions by the Committee on 1.6.2018 and 8.1.2021 respectively, mainly on the considerations that the FAP use would facilitate delivery of better and more responsive first aid service to the public and it will unlikely cause any adverse impacts on the surrounding areas.
- 4.2 The previous application (No. A/NE-TK/638) was revoked on 1.11.2020 due to non-compliance with the approval condition regarding the implementation of fire service installations (FSIs) proposal. All the approval conditions under the last previous application (No. A/NE-TK/694) in relation to submission and

implementation of FSIs proposal have been complied with, and the planning permission lapsed on 9.1.2024. Compared to the last previous application (No. A/NE-TK/694), the current application involves the same site area (about 44m²) with a slightly larger floor area of the single-storey structure (from about 21.33m² to 22m²) and a slightly smaller open area (from about 22.35m² to 22m²) to reflect the as-built condition.

- 4.3 Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plans A-1** and **A-2**.

5. **Similar Application**

There is no similar application for FAP use within areas shown as 'Road' on the OZP.

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

- 6.1 The Site is :

- (a) hard-paved and currently occupied by prefabrication units for the applied use without valid planning permission;
- (b) situated to the immediate west of several bicycle rental shops (**Plan A-2**); and
- (c) bounded by the cycling track to the north and Ting Kok Road to the south (**Plans A-2** and **A-3**).

- 6.2 The surrounding areas are predominantly rural in character with clusters of village houses and scattered tree groups (**Plans A-2** to **A-4**). To the southeast on the opposite side of Ting Kok Road are Ting Kok Road Sewage Pumping Station, public carpark and barbecue area (**Plan A-3**).

7. **Planning Intention**

The Site falls within an area shown as 'Road' on the OZP and forms part of the area reserved for future road use.

8. **Comments from Relevant Government Departments**

- 8.1 Apart from the government bureau as set out in paragraph 8.2 below, other government departments consulted have no objection to or no comment on the application. Their general comments on the application and recommended advisory clauses are provided at **Appendices III** and **IV** respectively.

- 8.2 The following government bureau supports the application:

Policy Aspect

8.2.1 Comments of the Secretary for Health (SH):

his in-principle policy support has been granted to the application given that (i) the applicant should follow proper procedures as required by relevant government departments regarding the application and the use of Government land; and (ii) no additional financial resources will be provided by Department of Health for the setting up and recurrent operation or maintenance of the FAP.

9. Public Comment Received During Statutory Publication Period

On 16.8.2024, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

10. Planning Considerations and Assessment

- 10.1 The applicant seeks planning permission for temporary FAP use for a period of three year on the Site which falls within an area shown as 'Road' on the OZP. The Commissioner for Transport and Chief Highway Engineer/New Territories East of Highways Department have no objection to/no comment on the application. According to the applicant, the applied use is mainly to provide first aid service to injured cyclists. The SH has given in-principle policy support to the application.
- 10.2 The Site is situated to the southern side of the cycling track near Sam Wo Road, which is a popular cycling attraction. It is hard-paved and currently occupied by prefabrication units for the applied use. The applied use consists of a single-storey structure with a floor area of about 22m² to accommodate service station area, lockers and storage for custom-made bicycles carrying first aid boxes. It is considered not incompatible with its surrounding areas which mainly comprises clusters of village houses, scattered tree groups and recreational facilities (**Plans A-2 to A-4**).
- 10.3 The Site is the subject of two previous applications (No. A/NE-TK/638 and A/NE-TK/694) submitted by the same applicant for the same temporary FAP use for a period of three years (**Plans A-1 and A-2**), which were approved with conditions by the Committee between 2018 and 2021 mainly on the considerations as detailed in paragraph 4.1 above. All the approval conditions under the last approved application (No. A/NE-TK/694) in relation to submission and implementation of FSIs proposal have been complied with, and the planning permission lapsed on 9.1.2024. Compared to the last approved application (No. A/NE-TK/694), the current application has no change to the major development parameters.
- 10.4 In view of the small scale of the applied use and its temporary nature, it is not anticipated to cause significant adverse impacts on the surrounding areas. Relevant government departments consulted including the Director of Environmental Protection, Chief Engineer/Mainland North of Drainage

Services Department, Chief Engineer/Construction of Water Supplies Department and Director of Fire Services (D of FS) have no objection to or no adverse comment on the application. Since the current application is considered as a fresh application, approval conditions advised by D of FS requiring submission and implementation of FSIs proposal under the current application are also recommended in paragraph 11.2 below.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 4.10.2027. The following approval conditions and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a proposal for water supplies for fire-fighting and fire service installations within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 4.4.2025;
- (b) in relation to (a) above, the provision of water supplies for fire-fighting and fire service installations within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 4.7.2025; and
- (c) if any of the above planning condition (a) and (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory Clauses

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

- 11.3 There is no strong reason to recommend rejection of the application.

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s) to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

- 12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

13. Attachments

Appendix I	Application Form with attachments on 7.8.2024
Appendix Ia	FI received on 13.9.2024
Appendix II	Previous applications
Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Appendix IVa	Drainage record plan from the Chief Engineer/Mainland North, Drainage Services Department
Drawing A-1	Site plan submitted by the applicant
Drawing A-2	Layout plan submitted by the applicant
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
OCTOBER 2024**