

Form No. S16-III  
表格第 S16-III 號

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

2021年 8月 4日  
此文件在 2021年 8月 4日 收到。城市規劃委員會  
只會在收到所有必要的資料及文件後才正式確認收到  
申請的日期。

- 4 AUG 2021  
This document is received on  
The Town Planning Board will formally acknowledge  
the date of receipt of the application only upon receipt  
of all the required information and documents.

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](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](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/SK-PL/2
	Date Received 收到日期	- 4 AUG 2021

- 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 )

Master Mind Development 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 )

Townland Consultants 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 255, 256, 257, 271S.A., 271S.B., 271RP, 272, 273, 274, 275S.A., 275S.B., 275RP, 276S.A., 276RP, 277, 279S.A., 279S.B., 279S.C., 279RP, 280S.A., 280RP, 281 S.A., 281RP in D.D. 368, Pak Lap, Sai Kung
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 ..... 3,723 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 ..... 55 ..... sq.m 平方米 <input checked="" type="checkbox"/> 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 <input type="checkbox"/> About 約



(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Plan No. S/SK-PL/3 Plan No. R/S/SK-PL/3-A2
(e) Land use zone(s) involved 涉及的土地用途地帶	"Agriculture"
(f) Current use(s) 現時用途	Paved land with some lawn areas  (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"<sup>#&</sup> (please proceed to Part 6 and attach documentary proof of ownership).  
是唯一的「現行土地擁有人」<sup>#&</sup> (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"<sup>#&</sup> (please attach documentary proof of ownership).  
是其中一名「現行土地擁有人」<sup>#&</sup> (請夾附業權證明文件)。
- ☐ is not a "current land owner"<sup>#</sup>.  
並不是「現行土地擁有人」<sup>#</sup>。
- ☐ 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 ..... (DD/MM/YYYY), this application involves a total of ..... "current land owner(s)"<sup>#</sup>.  
根據土地註冊處截至 ..... 年 ..... 月 ..... 日的記錄，這宗申請共牽涉 ..... 名「現行土地擁有人」<sup>#</sup>。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of ..... "current land owner(s)"<sup>#</sup>.  
已取得 ..... 名「現行土地擁有人」<sup>#</sup>的同意。

Details of consent of "current land owner(s)" <sup>#</sup> obtained 取得「現行土地擁有人」 <sup>#</sup> 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)

(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)”<sup>#</sup>  
已通知 ..... 名「現行土地擁有人」<sup>#</sup>。

Details of the “current land owner(s)”<sup>#</sup> notified 已獲通知「現行土地擁有人」<sup>#</sup>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)<sup>#&</sup>  
於 \_\_\_\_\_ (日/月/年)向每一名「現行土地擁有人」<sup>#</sup>郵遞要求同意書<sup>&</sup>

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)<sup>&</sup>  
於 \_\_\_\_\_ (日/月/年)在指定報章就申請刊登一次通知<sup>&</sup>
- ☐ posted notice in a prominent position on or near application site/premises on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
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<sup>&</sup>
- ☐ sent notice to relevant owners’ corporation(s)/owners’ committee(s)/mutual aid committee(s)/management office(s) or rural committee on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
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，或有關的鄉事委員會<sup>&</sup>

Others 其他

- ☐ others (please specify)  
其他（請指明）

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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



<b>6. Type(s) of Application 申請類別</b>	
<b>(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas</b> 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 Place of Recreation, Sports or Culture and Tent Camping Ground with Ancillary Storage on a Temporary Basis 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	3,434 .....sq.m <input checked="" type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	289 .....sq.m <input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	6 .....
Proposed domestic floor area 擬議住用樓面面積	.....sq.m <input type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	55 .....sq.m <input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	55 .....sq.m <input checked="" 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，請另頁說明)	
Proposed Structures:	No. of Structure No. of Storey Building Height
Activity Tents (Area: 234 sqm approx.)	2 1 3.1 m
Storage Blocks (Area: 55 sqm approx.)	4 1 2.6 m
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	.....
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)	.....
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目	
Taxi Spaces 的士車位	.....
Coach Spaces 旅遊巴士車位	.....
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)	.....



Proposed operating hours 擬議營運時間																																	
Events will be held approx few times a year, mainly during weekends (afternoons to early evening). .....																																	
(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 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))																														
		No 否	<input checked="" 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)																														
(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，請另頁表示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？	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table>			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"/>
On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															
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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>Please refer to the Supplementary Planning Statement</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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<b>(B) Renewal of Permission for Temporary Use or Development in Rural Areas</b> 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	<div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> The permission does not have any approval condition          許可並沒有任何附帶條件   <input type="checkbox"/> Applicant has complied with all the approval conditions          申請人已履行全部附帶條件   <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：          _____          _____          _____          Reason(s) for non-compliance:          仍未履行的原因：          _____          _____          _____          (Please use separate sheets if the space above is insufficient)          (如以上空間不足，請另頁說明)       </div>
(f) Renewal period sought 要求的續期期間	<input type="checkbox"/> year(s) 年 ..... <input type="checkbox"/> month(s) 個月 .....



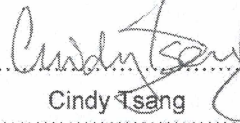


**8. Declaration 聲明**

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 an application to the Board 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所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature  
簽署

  
Cindy Tsang

☐ 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

Townland Consultants Limited

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

Date 日期

5/7/2021

(DD/MM/YYYY 日/月/年)

**Remark 備註**

The materials submitted in an application to the Board 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。

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

**PROPOSED PLACE OF RECREATION, SPORTS OR CULTURE AND TENT CAMPING  
GROUND WITH ANCILLARY STORAGE ON A TEMPORARY BASIS  
FOR A PERIOD OF 3 YEARS  
AT VARIOUS LOTS IN DD368, PAK LAP, SAI KUNG  
- Supplementary Planning Statement -**

**TOWNLAND CONSULTANTS LIMITED**



**PROPOSED PLACE OF RECREATION, SPORTS OR CULTURE  
AND TENT CAMPING GROUND WITH ANCILLARY STORAGE  
ON A TEMPORARY BASIS FOR A PERIOD OF 3 YEARS  
AT VARIOUS LOTS IN DD368, PAK LAP, SAI KUNG**

**SECTION 16 PLANNING APPLICATION**

**Supplementary Planning Statement**

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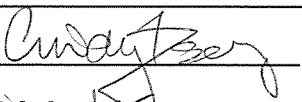
Applicant

Master Mind Development Limited

Planning Consultant, Submitting Agent

Townland Consultants Limited

File Reference: PLSK/4

Approved by : 

Position : 

Date : 5 July 2021

5 July 2021

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## EXECUTIVE SUMMARY

This Section 16 Planning Application is submitted on behalf of Master Mind Development Limited (the “**Applicant**”) to seek permission from the TOWN PLANNING BOARD (“**TPB**”/“the **BOARD**”) for the temporary use of land not exceeding a period of 3 years for a Proposed Place of Recreation, Sports or Culture and Tent Camping Ground with Ancillary Storage (“**Proposed Temporary Development**”) at various lots in D.D. 368, Pak Lap, Sai Kung (the “**Application Site**”). The Proposed Temporary Development is an initiative to capitalize on the historic and natural scenic resources of Pak Lap to promote local tourism in the short term.

The Application Site falls within the Confirmed Amendment to Draft Pak Lap Outline Zoning Plan No. S/SK-PL/3 (“**Draft OZP**”) Plan No. R/S/SK-PL/3-A1 in which the Site is zoned “Agriculture” (“**AGR**”). According to the Covering Notes of the Draft OZP, notwithstanding that the use or development is not provided for in terms of the Plan, the TPB may grant permission, with or without conditions, for a maximum period of three years. The temporary nature of the Proposed Temporary Development will not undermine the long term Planning Intention of the Application Site.

The Applicant intends to use the Site for outdoor recreation and leisure activities including barbecue and tent camping. Only registered participants are allowed to participate in the activities with access provided by pre-arranged shuttle buses for the participants. The Proposed Temporary Development includes a tent camping area, outdoor activities area and BBQ area, tents with weather protection and ancillary storage. All structures can be easily assembled and disassembled with minimal impact to the environment. The total number of visitors will not exceed 60 and shall be carried by shuttle bus service when a tour is in place.

The Proposed Temporary Development is justified on the following grounds:

- Is in line with Government’s Policy to revitalize tourism industry amid the COVID-19 epidemic.
- Is highly suitable for the Application Site as an initiative to capitalize on the historic and natural scenic resources of Pak Lap to promote local tourism;
- Can utilize the Site in the short term for the benefit of the public and local community;
- Is temporary in nature and will not undermine the long term Planning Intention of the Site;
- Is fully compatible with the surrounding uses including the Pak Lap village and can bring about benefit to reinvigorate the village and to enable education of the local heritage and culture to the general public.
- Recycling/waste collection bins and waste management implemented by the Applicant can support the tours in the Proposed Temporary Development and also benefit the public and improve local hygiene in the short term which is a major Public Planning Gain
- Will not induce adverse traffic impact onto the adjacent road network for its small-scale nature with shuttle bus provision;
- respects the natural setting and ecology of the surrounding that no adverse ecological or environmental impact is anticipated.
- Will deploy sufficient portable toilets that no adverse sewerage impact is anticipated.

Based on the above justifications and as detailed in this Supplementary Planning Statement (“**SPS**”), we respectfully request the BOARD to give favourable consideration to this Application.

## 行政摘要

(內文如有差異，以英文版本為準)

根據《城市規劃條例》第十六條，我司代表智生發展有限公司（下稱「申請人」）向城市規劃委員會（下稱「城規會」）呈交規劃申請書，徵求批准於西貢白腊丈量約份第 368 約多個地段（下稱「申請地點」）作用不超過 3 年的臨時康體文娛場所、帳幕營地及附屬倉庫（下稱「擬議臨時發展」）。擬議臨時發展希望借助白腊的歷史及自然資源在短期推廣本地旅遊。

申請地點座落於〈白腊分區計劃大綱草圖編號 S/SK-PL/3〉修訂圖則編號 R/S/SK-PL/3-A1（下稱「大綱草圖」）中的「農業」地帶。根據大綱草圖的註釋，即使圖則沒有對有關用途或發展作出規定，城市規劃委員會仍可附加或不附加條件，批給為期不超過三年的臨時用途或發展。擬議臨時發展屬臨時性質，不會影響大綱圖上有關地帶的長遠規劃意向。

申請人擬議將申請地點用作戶外康樂及休憩用途，包括燒烤及帳幕營地，所有參加者需預先登記，並會乘坐申請人提供的穿梭巴士來往申請地點。擬議臨時發展包括帳幕營地、戶外活動及燒烤區、帳篷作活動空間及附屬倉庫。所有構築物均可輕易地組裝及拆除，以減低對環境的影響。參加者的總人數不會超過 60 人，舉辦活動時，參加者將乘坐申請人提供的穿梭巴士來往申請地點。

擬議臨時發展具備以下充分理據的支持：

- 擬議臨時發展符合政府當前的政策，在新冠疫情下振興旅遊業；
- 擬議臨時發展的選址合適，能借助白腊的歷史及自然景色資源推廣本地旅遊；
- 擬議臨時發展能在短期內有效利用申請地點作有利公眾及當地社區的用途；
- 擬議臨時發展屬臨時性質，不會影響大綱圖上有關地帶的長遠規劃意向；
- 擬議臨時發展與周邊土地用途包括白腊村兼容，能為鄉村帶來活力，並向公眾教育當地的歷史文化；
- 申請人增設了回收箱/垃圾收集箱及定期清理廢物，不但能支持擬議的活動，亦能在短期內改善當地的衛生狀況，提供公眾規劃增益；
- 擬議臨時發展的活動規模小，加上申請人將提供的穿梭巴士服務，因此並不會對附近道路網絡構成不良影響；
- 擬議臨時發展重視周邊的自然環境及生態，不會對環境及生態造成不良影響。
- 擬議臨時發展會配備充足的流動廁所，不會對排污造成不良影響。

鑒於上述原因及這份補充規劃文件中詳述的理由，我司懇請城規會考慮批准是次規劃申請。



Reference: PLSK/4/KELVINC/03  
Date: 5 July 2021

**TO THE TOWN PLANNING BOARD:**

**SECTION 16 PLANNING APPLICATION  
TOWN PLANNING ORDINANCE (CHAPTER 131)  
SUPPLEMENTARY PLANNING STATEMENT**

-----

**PROPOSED PLACE OF RECREATION, SPORTS OR CULTURE AND TENT CAMPING  
GROUND WITH ANCILLARY STORAGE ON A TEMPORARY BASIS  
FOR A PERIOD OF 3 YEARS  
AT VARIOUS LOTS IN DD368, PAK LAP, SAI KUNG**

**1 INTRODUCTION**

- 1.1 We are instructed by Master Mind Development Limited (the “**Applicant**”), to submit this Section 16 (“**S16**”) Planning Application to seek permission from the Town Planning Board (“**TPB**”/ the “**BOARD**”) for the temporary use of land not exceeding a period of 3 years for a Proposed Place of Recreation, Sports or Culture and Tent Camping Ground with Ancillary Storage (“**Proposed Temporary Development**”) at various lots in D.D. 368, Pak Lap, Sai Kung (the “**Application Site**” / the “**Site**”).
- 1.2 The Applicant, as one of the land owner of various lots in Pak Lap, Sai Kung, is committed to revitalising this historic village and ensuring its sustainable survival. To ensure the village does not fall into disrepair as seen in so many other villages in remote areas, the Applicant understands the need to inject growth and economic activity in a sensitive manner. Recognising Pak Lap is also a popular destination for hikers and camping, the Applicant is also aware of the need to ensure that human activities and impacts from these visitors will not adversely affect the village environment and existing ecology.
- 1.3 The Application Site falls within an “Agriculture” (“**AGR**”) zone on the Draft OZP with confirmed Amendment. The temporary nature of the Proposed Temporary Development will not undermine the long term Planning Intention of the Application Site.
- 1.4 This Supplementary Planning Statement (“**SPS**”) provides relevant information on the Application to facilitate the BOARD’s consideration. The following Sections will provide a description of the Application Site and its surroundings, the planning context, details of the Proposed Temporary Development with the justifications in support of the Application.

## 2 SITE CONTEXT

### 2.1 Site Location

- 2.1.1 The Application Site is located in Pak Lap, Sai Kung, which is a recognised village and Country Park Enclave (“**CPE**”), fully enclosed by the Sai Kung East Country Park (“**SKECP**”). Existing houses within Pak Lap Village are located to the west of the Site and the scenic Pak Lap Wan beach is located to its south (**Figure 2.1 and 2.2** refers). The Application Site is hard-paved with some lawn areas.

### 2.2 Land Status

- 2.2.1 The total area of the Application Site is approx. 3,723 m<sup>2</sup>. The Application Site comprises only Private Lots owned by the Applicant. No Government Land is involved. (**Figure 2.3** refers)

	D.D. 368
Private Lots within the Application Site	255, 256, 257, 271S.A., 271S.B., 271RP, 272, 273, 274, 275S.A., 275S.B., 275RP, 276S.A., 276RP, 277, 279S.A., 279S.B., 279S.C., 279RP, 280S.A., 280RP, 281 S.A, 281RP

### 2.3 Surrounding Land Uses

- 2.3.1 The Application Site is predominantly surrounded by natural mountain landscape within the Sai Kung East Country Park.
- To the Immediate Northwest of the Site are existing houses of Pak Lap Village within the same “**V**” zone. The village office is located to the immediate west of the Site.
  - To the Northeast of the Site is the Applicant’s temporary farm and grass field within the (“**AGR**”) zone. Several small houses are under construction to the further north of the Site. There is a natural stream along the eastern edge of the site.
  - To the southwest is a natural slope under the “Conservation Area” (“**CA**”) zone and the SKECP.
  - To the southeast, there is a footpath leading to a natural beach, Pak Lap Wan. There is an existing kiosk, temple and a jetty on the beach;

### 2.4 Accessibility

- 2.4.1 The Site is accessible by a footpath of about 600m walking distance leading from Sai Kung Man Yee Road.
- 2.4.2 Sai Kung Man Yee Road is a feeder road connecting to Tai Mong Tsai Road. Tai Mong Tsai Road is classified as a Rural Road, with single-2 lane standards, connecting Pak Tam Chung with Sai Kung Town and with Wu Kai Sha District via Sai Sha Road. The section of Tai Mong Tsai Road within the SKECP is a restricted road and a barrier gate is present near Pak Tam Chung Country Park Management Centre for which only taxi or private vehicles with permits are allowed to enter. Green minibus (“**GMB**”) service (route no. 9A) is available during Sundays and Public Holidays afternoon only, from Pak Tam Chung Bus Terminus to High Island Reservoir (East Dam). The possibility of introducing a bus service along in Sai Kung Man Yee Road to High Island Reservoir (East Dam) is also under study by Government.
- 2.4.3 In addition, there are several public piers / landing steps near the Site in Pak Lap Wan and Leung Shuen Wan with some Kaito routes / private vessels / speed boats services available.

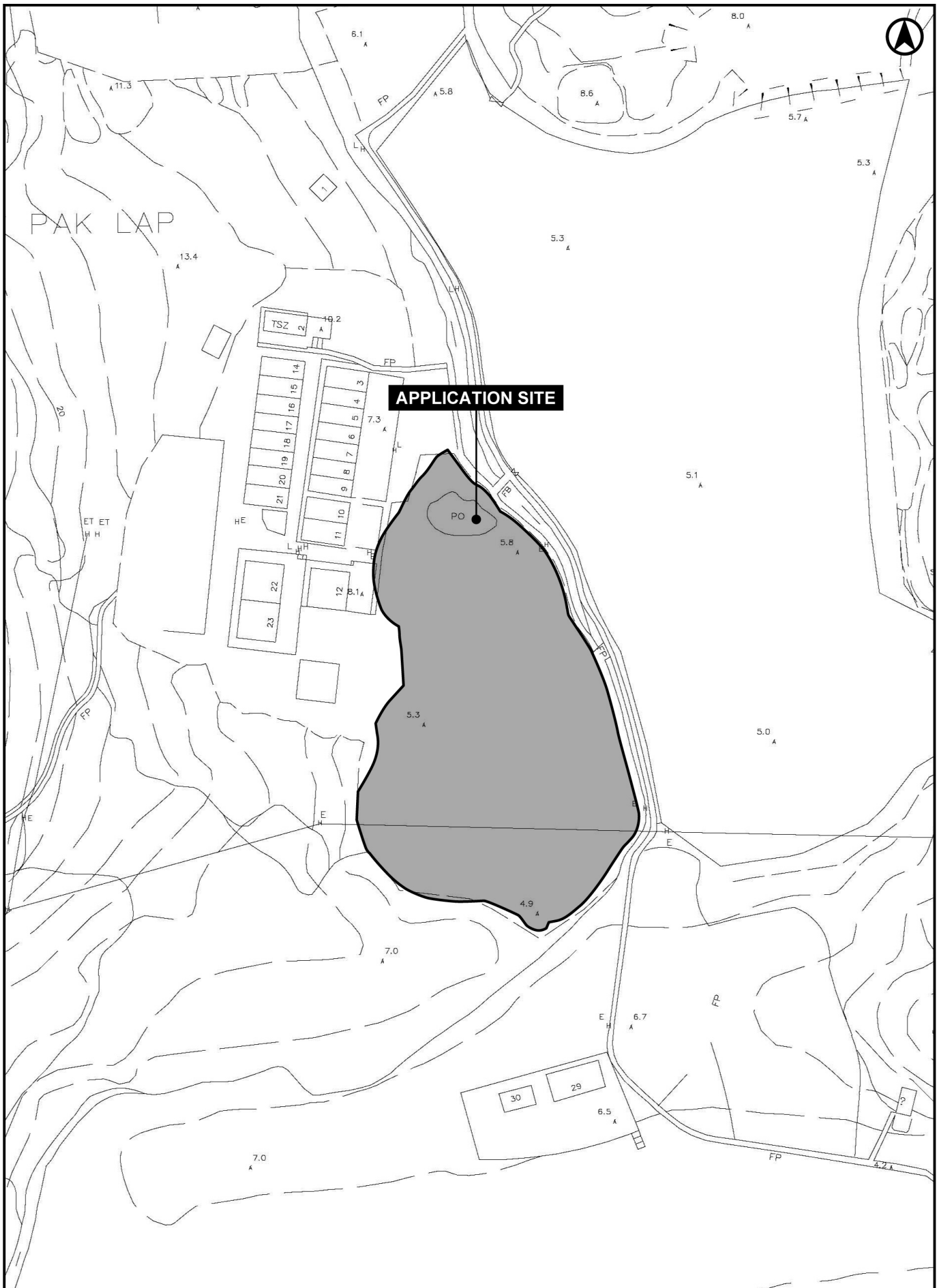
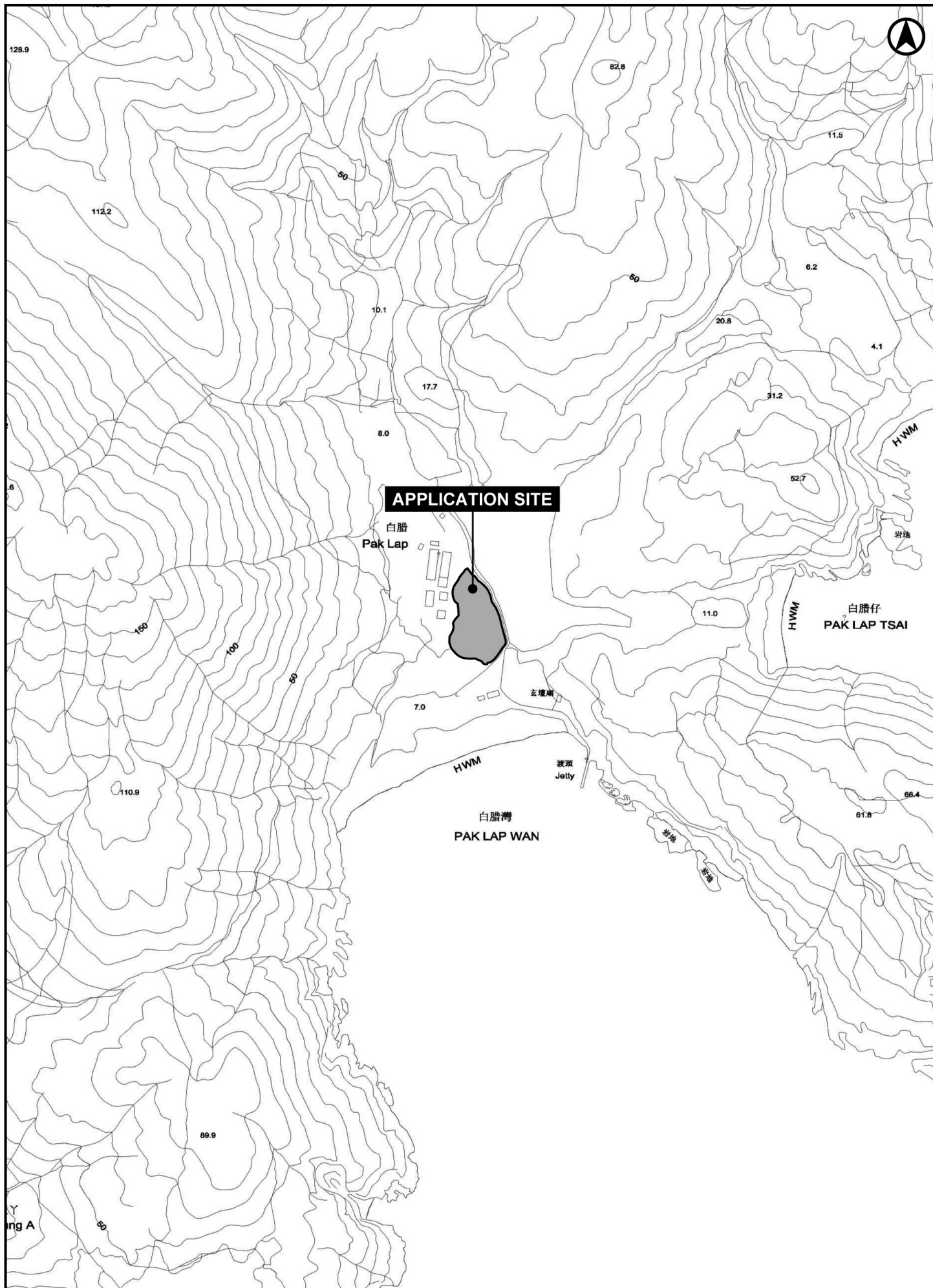


FIGURE 2.1 SITE LOCATION PLAN  
SCALE 1 : 1,000





PLSK/4

FIGURE 2.2 SITE LOCATION PLAN  
SCALE 1 : 5,000



FIGURE 2.3 LOT INDEX PLAN  
SCALE 1 : 1,000

### 3 PLANNING CONTEXT

#### 3.1 Statutory Planning Context

*Draft Pak Lap Outline Zoning Plan No. S/SK-PL/3*

- 3.1.1 The Application Site falls within the Confirmed Amendment to Draft Pak Lap Outline Zoning Plan No. S/SK-PL/3 (**"Draft OZP"**) Plan No. R/S/SK-PL/3-A1 in which the Site is zoned "Agriculture" (**"AGR"**) (**Figure 3.1 and Figure 3.2** refers). According to the Statutory Notes of the Draft OZP, the planning intention of this zone *"is primarily to retain and safeguard good quality agricultural and/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."*
- 3.1.2 The Covering Notes of the Draft OZP also state that notwithstanding that the use or development is not provided for in terms of the Plan, the TPB may grant permission, with or without conditions, for a maximum period of three years. In this regard, the Applicant seeks temporary use of the Application Site for "Place of Recreation, Sports or Culture".

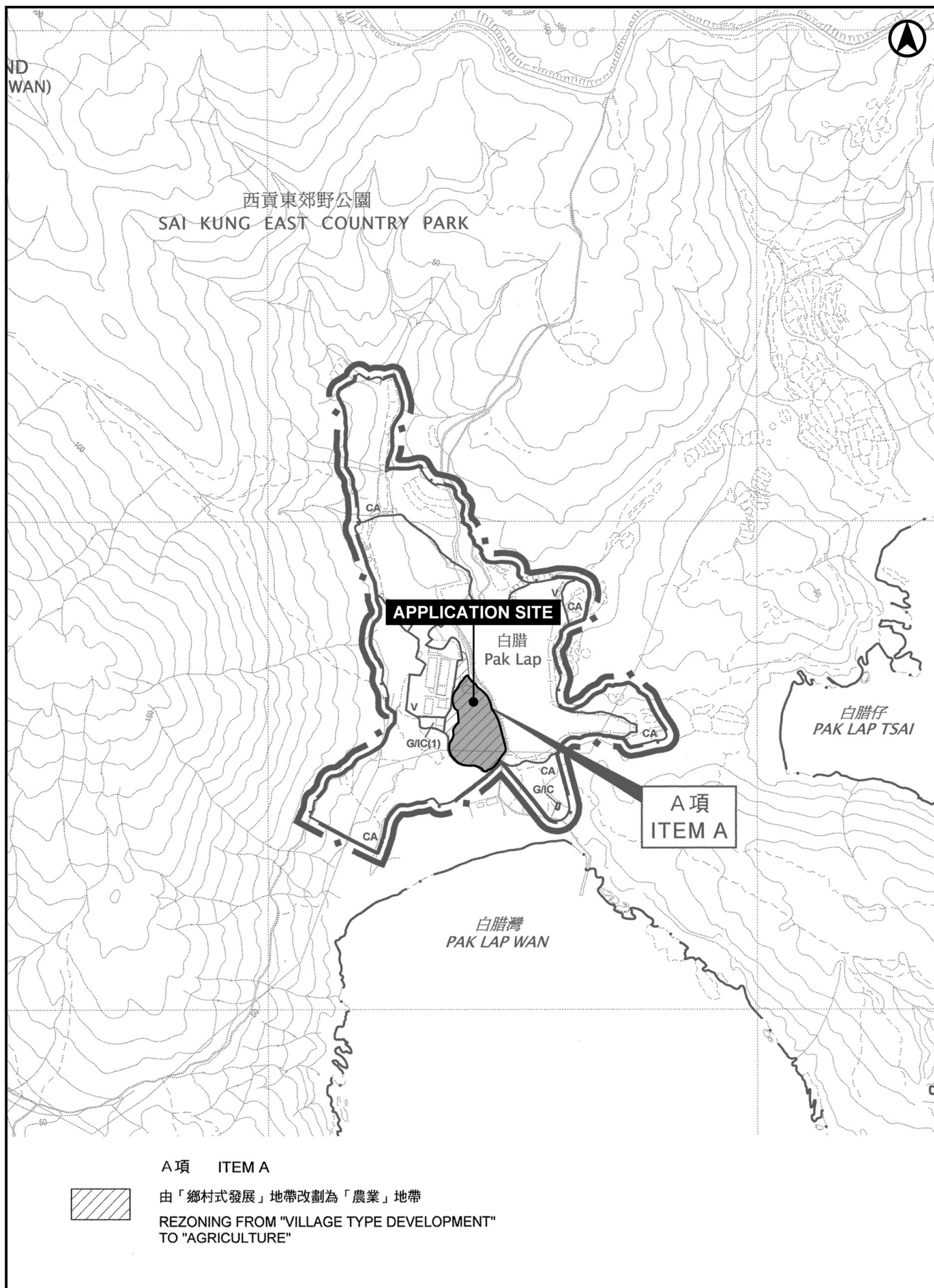
#### 3.2 Planning History

- 3.2.1 There is no previous Planning Application in respect of the Application Site. Previous facilities erected on the Site have been removed following the Notices received from the Planning Department and Lands Department.
- 3.2.2 On 13 November 2020, the Town Planning Board considered the representations and comments on the Draft Pak Lap OZP No. S/SK-PL/3. The Designation of the "V" zone was raised in the representations. After deliberation, the BOARD considered that the draft Pak Lap OZP would be amended to partially meet the representations by further reviewing the "V" zone.
- 3.2.3 On 11 December 2020, the amended Draft OZP was submitted to the Board for consideration in which a portion of the "V" zone was proposed to be rezoned to "AGR". The BOARD agreed the proposed amendment was suitable for publication for further representation, and Amendment Plan No. R/S/SK-PL/3-A1 was gazetted on 22 January 2021.
- 3.2.4 On 23 April 2021, consideration of the Further Representations by the BOARD was held. The BOARD agreed that the Draft OZP (amended by the proposed amendment to rezone the Application from "V" zone to "AGR" zone), was suitable for submission under section 8 of the Ordinance to the Chief Executive in Council (**"CE in C"**).
- 3.2.5 Nonetheless, it should be recognised that the Proposed Temporary Development at the Application Site will not affect the Long Term Planning Intention.





FIGURE 3.1 DRAFT PAK LAP OUTLINE ZONING PLAN NO. S/SK-PL/3  
SCALE 1 : 5,000



PLSK/4

FIGURE 3.3 CONFIRMED AMENDMENT TO DRAFT PAK LAP OUTLINE  
ZONING PLAN NO. S/SK-PL/3 PLAN NO. R/S/SK-PL/3-A1  
SCALE 1 : 5,000

AGRICULTURE

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 Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	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

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.



## 4 PROPOSED TEMPORARY DEVELOPMENT

### 4.1 Development Proposal

- 4.1.1 The Applicant is seeking Permission for the use of the Application Site on a temporary basis for outdoor recreation and leisure activities including barbecue and tent camping. The Proposed Temporary Development is an initiative by the Applicant, in conjunction with local villagers, to promote and revitalise the historic and natural scenic resources of Pak Lap in the short term. The Proposed Temporary Development includes an outdoor tent camping area, an outdoor activity zone and barbecue area, temporary tents for activities with weather protection and ancillary storage.
- 4.1.2 The Proposed Temporary Development will mainly be used during weekends and limited to participants with prior registration. At full capacity, it is anticipated approx. 60 participants with 30 staffs will attend. Catering and/or barbeque may be provided. Participants will be transported via Shuttle Bus operated by the Applicant from Sai Kung Town Centre to the Site.
- 4.1.3 The Applicant is aware of the latest COVID-19 pandemic situation. The Applicant will monitor the latest policy of the Authority and shall adopt corresponding disease prevention measures and limit maximum visitor population as appropriate.

### 4.2 Technical and Accommodation Schedule

- 4.2.1 A Layout Plan of the Proposed Temporary Development is provided in **Figure 4.1** The Development Parameters and Technical Schedule of the Proposed Temporary Development is outlined in **Table 1 and 2** below:

**Table 1: Development Parameters**

<b>Site Area</b>	Approx. 3,723 m <sup>2</sup>
<b>Plot Ratio</b>	0.015
<b>Maximum Height of Structures</b>	3.1m
<b>Total GFA (for storage only)</b>	55m <sup>2</sup>
<b>Covered Area</b>	Approx. 289 m <sup>2</sup>
<b>Site Coverage</b>	Approx 7.8%
<b>Uncovered Areas</b> (Open Areas including landscaped area)	Approx. 3,434 m <sup>2</sup>
<b>Number of Buildings/Structures</b>	6 (including 4 storage structures, 2 tents for activities, but excluding camping tents)
<b>Others</b>	
Maximum visitor/camper population	60
Maximum staff population	30

- 4.2.2 The outdoor tent area will accommodate a maximum of 60 overnight visitors camping in 2-4-person tents. Portable grill stands will be deployed for barbecue activities. Temporary Tents are proposed for activities with weather protection. All structures can be easily assembled and disassembled upon cessation of use with minimal impact to the environment. Additional Portable Tents may be provided within the paved Activity Zone for weather protected activities.

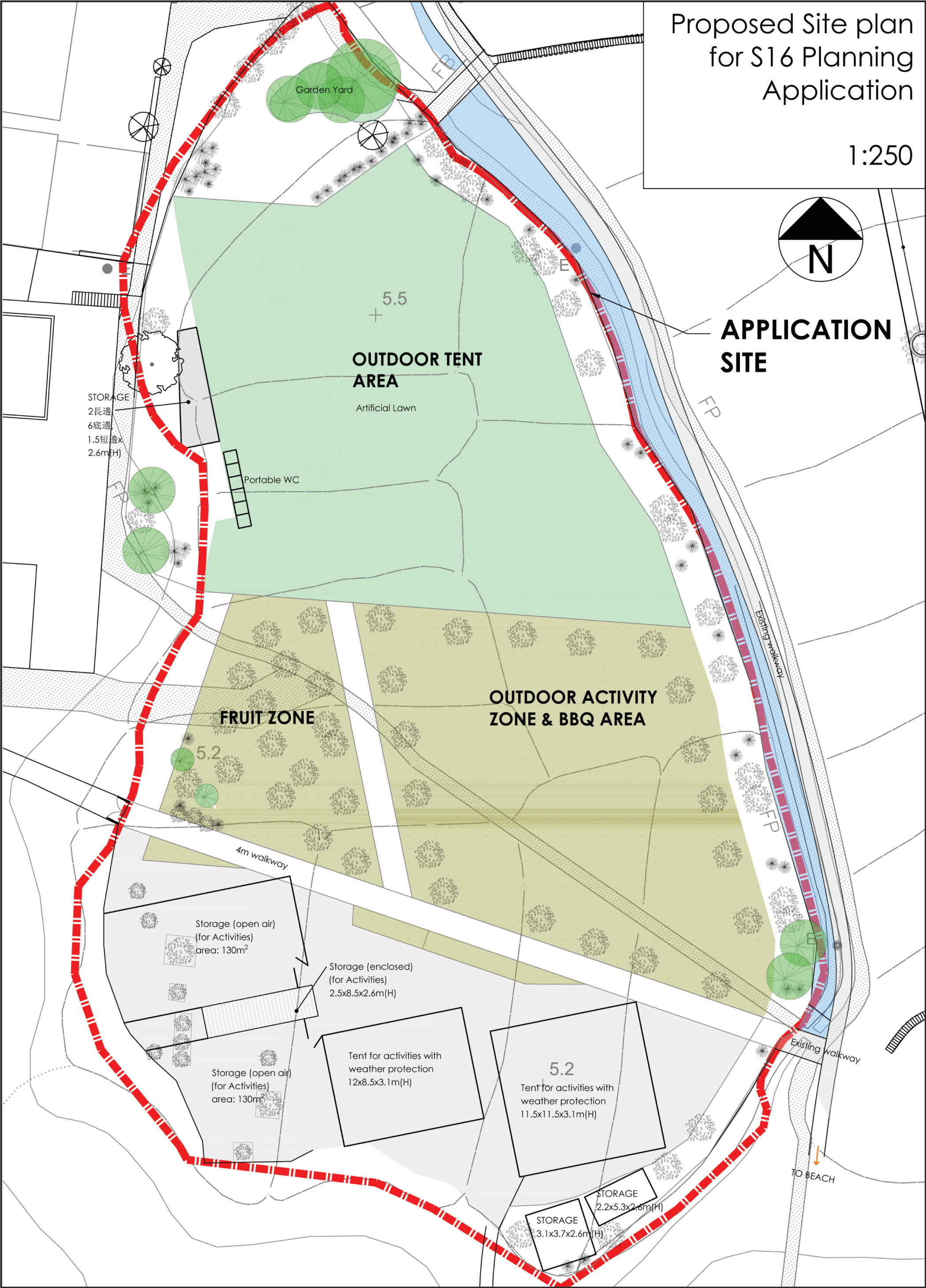
- 4.2.3 To promote sustainability, participants are encouraged to be waste-free, by bringing reusable materials (containers/water bottles) or recyclable materials. Adequate recycling/waste collection bins will be provided, and removed off site by the Applicant to avoid adverse environmental impacts.

#### **4.3 Access Arrangement**

- 4.3.1 To minimize vehicular traffic, the Applicant proposes to provide shuttle bus service for pre-registered participants of organised tours and activities. In consideration of the existing road condition of Sai Kung Man Yee Road, 28-seat shuttle buses are proposed for participants between Sai Kung Town Centre to Pak Lap along Sai Kung Man Yee Road at preset times. Shuttle buses will be provided at set frequencies to avoid over queuing. The participants will then walk down the footpath to access the Site (approx. 12 minutes walk). Details of the Shuttle Bus Service is as follows:

- Destination:  
Sai Kung Tang Shui Kin Sports Ground– Footpath leading to Pak Lap at Sai Kung Man Yee Road (Two-way)
- Routing:  
Sai Kung Tang Shui Kin Sports Ground (Pick-up/drop-off Point) > Wai Man Road > Tai Mong Tsai Road > Sai Kung Man Yee Road > Footpath leading to Pak Lap t Sai Kung Man Yee Road (Pick-up/drop-off Point)
- Stopping Places for Pick Up/Set Down:
  1. Sai Kung Tang Shui Kin Sports Ground
  2. Lay-by at footpath leading to Pak Lap along Sai Kung Man Yee Road (Pick-up/drop-off Point)
- Departure times / Service Frequency  
Exact date and time will depend on the tour details. Shuttle buses will be provided at set frequency to avoid over queuing.
- Fares:  
Free of charge (only for registered participants only)







## **5 PLANNING JUSTIFICATIONS**

### **5.1 Site Suitability for Proposed Use**

- 5.1.1 The Application Site at Pak Lap is surrounded by the natural mountainous backdrop within the SKECP. It is also in close proximity to Pak Lap Wan, a popular destination for various recreational activities e.g. hiking, camping and canoeing. Pak Lap Village is a historic Hakka village with a 300-year history. The Application Site is vacant land in close proximity to both Pak Lap Wan and Pak Lap Village with high potential to capitalise on both the natural and cultural resources of the area.
- 5.1.2 Pak Lap is surrounded by various natural attractions within a 600m walking distance (12 minutes) from the infamous hiking route of MacLehose Trail (Stage 1), and close to High Island Reservoir East Dam of the Hong Kong UNESCO Global Geopark, Po Pin Chau, Tung A and Leung Shuen Wan. The Proposed Temporary Development at the Application Site can create synergy with the surrounding tourist attractions, providing recreational activities complementary to the natural scenic attractions.
- 5.1.3 The 2017 Policy Address established the Countryside Conservation Office (“CCO”) to encourage the utilization of the rich natural and cultural resources in remote countryside for planning “in-depth” travel focusing on the ecological conservation, geological exploration and cultural experience (*LC Paper No. CB(1)349/17-18(03)* on Setting up the Countryside Conservation Office refers). Pak Lap has great potential to host leisure and recreational activities and provide sustainable economic growth for the village. The Proposed Temporary Development is suitable at the Application Site as an initiative to capitalize on the historic and natural scenic resources of Pak Lap to promote local tourism.

### **5.2 Village Revitalization Initiatives in Pak Lap**

- 5.2.1 The Applicant has been cooperating with the villagers in Pak Lap to revitalize the Village for a period of time. In recent months, the Applicant has created a temporary farm adjacent to the Application Site as a scenic spot for the general public to visit and re-immense back to nature and marvel at the local natural attractions of Hong Kong. Guided tours are organized by the Applicant to introduce to the visitors to the historic and natural resources in Pak Lap and the surroundings. The initiatives were well received by the Public.
- 5.2.2 The Proposed Temporary Development will continue to enable village revitalization initiatives, including providing a suitable location for various leisure and recreational activities, tent camping and to host seasonal gatherings which can keep the visitor experience to Pak Lap refreshing.

### **5.3 No Long Term Implications on the Planning Intention of the Site**

- 5.3.1 The Proposed Temporary Development consists of only structures that are removable and can be easily disassembled with no impact to the environment. The Proposed Temporary Development will not undermine the long term Planning Intention of the Application Site. The Proposed Temporary Development will enable short term benefits for the public and local community by promoting local tourism in Pak Lap.

### **5.4 Compatible with Surrounding Developments**

- 5.4.1 The Application is fully compatible with the surrounding uses including the Pak Lap Village and Pak Lap Wan. The villagers of Pak Lap are in support of the Proposed Temporary Development as it is a well managed and organised initiative to reinvigorate the village, and enable education of the local heritage and culture to the general public.

- 5.4.2 The Proposed Temporary Development will also enable beautification of the village environment vis landscaping along the stream and near the village entrance. A music festival was previously held at the Application Site with 70 visitors and staffs. No complaint was received from the villagers. All activities will comply with the Noise Control Ordinance Cap.400.
- 5.4.3 The Proposed Temporary Development also respects the interfaces with the natural environment, providing adequate Landscape buffer along the Site boundary. The Proposed Temporary Structures will only be located on existing paved areas. The Proposed Temporary Development, given the temporary and small-scale nature, is considered compatible with the surrounding developments.

## 5.5 Public Planning Gains

- 5.5.1 The Proposed Temporary Development is in line with Government's Policy to revitalize local tourism amid the COVID-19 epidemic. The Policy Address 2020 states that the government will *"tap into more local cultural and green tourism resources to revive our tourism industry...offering leisure and travel experience with rich historical and cultural elements to locals and visitors"*. According to The Secretary for Commerce and Economic Development replied to Legislative Council on 8 July 2020, one of the focus is to promote local tourism aiming to energize the local community. The Hong Kong Tourism Board ("**HKT**") has launched the *"Holiday at Home"* campaign to encourage Hong Kong people to take initiatives and be tourists in our own city. The Proposed Temporary Development can attract local visitors to visit the countryside which can at the same time provide recreation for the general public amidst the pandemic, at the same time energizing the local economy through promoting local tourism. It is a direct response to revitalize the tourism industry in the short term.
- 5.5.2 The Applicant also notes the current hygienic issue i.e. waste brought by the increasing number of public visitors including people camping and hiking within public areas. Recycling/waste collection bins and waste management implemented by the Applicant can support the activities in the Proposed Temporary Development and also benefit the Public vis improvements to local health and hygiene which is a major Public Planning Gain ("**PPG**"). The Applicant has also organised beach clean-up activities which shows genuine effort and progress to improve the environment and ecology in the area.

## 5.6 No Adverse Traffic Impact

- 5.6.1 The Application Site is accessible via pedestrian path (about 12 minutes walk) from Sai Kung Man Yee Road, which is only accessible by taxi, private vehicles with a permit from AFCD, and green minibus services during Sunday/public holidays. Hence, participants are not anticipated to access the Site by private cars. Participants may also use Kaito services from Sai Kung to Leung Shuen Wan Pier to access the Site
- 5.6.2 During Sundays and Public Holidays afternoon, one (1) green minibus ("**GMB**") route no. 9A would runs from Pak Tam Chung Bus Terminus to High Island Reservoir (East Dam) which passes through the access to the footpath leading to Pak Lap. The route is popular among visitors during peak hours.

**Table 2 Public Transport Service in the Vicinity**

Mode	Route	Origin-Destination	Frequency (min)	Operation Period
Minibus	9A	Pak Tam Chung Bus Terminus – High Island Reservoir (East Dam)	20	Sunday and Public Holiday 15:00-19:00

5.6.4 To reduce the demand for taxi or minibus by the participants of activities held at the Application Site, shuttle bus services operating 28-seat shuttle buses are proposed for participants between Sai Kung Town Centre to Pak Lap along Sai Kung Man Yee Road at preset times (see **Section 4.4**). The Applicant will be responsible for the management of the Shuttle bus service. Shuttle buses will be provided at set frequency to avoid over queuing. The participants will then walk down the footpath to access the Site (approx. 12 minutes walk). Due to the limited number of attendees expected at the tours (around 60), the number of shuttle bus trips will not be high. It is anticipated that the traffic induced by the shuttle bus services will not result in adverse traffic impact on the existing road network.

5.6.5 As the Application Site is not accessible by vehicular traffic, no internal parking provision is provided. Staff will access the Site via existing private cars already registered with permit from AFCD. Also, the preparation works for the activities are mainly to be done during weekdays and off-peak hours.

## **5.7 No Adverse Ecological and Environmental Impact**

5.7.1 The Proposed Temporary Development is located on existing paved vacant land. No existing trees will be affected by the Proposed Temporary Development. As such, no adverse impacts to existing ecological resources are anticipated.

5.7.2 There will not be construction works involving dusts as the structures are only erected by assembling. No air quality impact is anticipated to the village nearby.

5.7.3 The activities will comply with the Noise Control Ordinance Cap.400. No complaint was received from the villagers during the previous music festival. No noise quality impact is anticipated to the village nearby.

## **5.8 No Adverse Sewerage Impact**

5.8.1 Due to the limited population size, Portable toilets will be deployed as necessary for activity participants and campers. No adverse sewerage impact is anticipated.

## 6 CONCLUSION

- 6.1.1 This Section 16 Planning Application is submitted to seek permission from the BOARD for the temporary use of land for a Proposed Place of Recreation, Sports or Culture and Tent Camping Ground with Ancillary Storage not exceeding a period of 3 years. It has been demonstrated in this Supplementary Planning Statement that the Proposed Temporary Development has significant merit and is fully justified:

The Proposed Temporary Development:

- Is in line with Government's Policy to revitalize tourism industry amid the COVID-19 epidemic.
- Is highly suitable in the Application Site as an initiative to capitalize on the historic and natural scenic resources of Pak Lap to promote local tourism;
- can utilize the Site in the short term for the benefit of the public and local community;
- Is temporary in nature that will not undermine the long term Planning Intention of the Site;
- Is fully compatible with the surrounding uses including the Pak Lap village and can bring about benefit to reinvigorate the village and to enable education of the local heritage and culture to the general public.
- Recycling/waste collection bins and waste management implemented by the Applicant can support the activities in the Proposed Temporary Development and also benefit the public and improve local hygiene in the short term which is a major Public Planning Gain
- Will not induce adverse traffic impact onto the adjacent road network for its small-scale nature with shuttle bus provision;
- respects the natural setting and ecology of the surrounding that no adverse ecological or environmental impact is anticipated.
- Will deploy sufficient portable toilets that no adverse sewerage impact is anticipated.

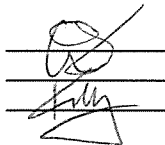
- 6.1 In light of the justifications and planning merits put forth in this SPS, we sincerely request the BOARD to give favourable consideration to this Application.

Edited &

Approved by: Cindy Tsang

Prepared by: Vincent Lau

Kelvin Chui



Date: 5 July 2021

File Ref: PLSK/4





Our Ref PLSK/4/KELVINC/09  
Date 6 August 2021

By EMAIL and FAX

Secretary, Town Planning Board  
c/o Planning Department  
15/F North Point Government Offices  
333 Java Road, North Point, HONG KONG

Dear Sirs

**SECTION 16 PLANNING APPLICATION  
THE TOWN PLANNING ORDINANCE (CHAPTER 131)**

**PROPOSED PLACE OF RECREATION, SPORTS OR CULTURE AND TENT CAMPING  
GROUND WITH ANCILLARY STORAGE ON A TEMPORARY BASIS  
FOR A PERIOD OF 3 YEARS AT VARIOUS LOTS IN DD368, PAK LAP, SAI KUNG  
(TPB No. A/SK-PL/2)**

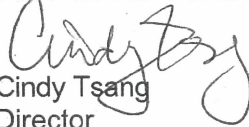
We refer to the captioned Application submitted to the Town Planning Board on 05 July 2021.

Please be clarified that Portable toilets will be deployed in support of the Proposed Temporary Development as necessary for activity participants and campers. As indicated on Plan, approx. 6 portable toilets (Approx. 1.2m X Approx. 1.2m resulting in a covered area of approx. 8.64sqm) are currently proposed. In this regard, please be clarified that the Total Site Coverage of the Proposed Temporary Development, including said Portable toilets, is approx. 8%. Please note that the Portable Toilets are proposed to be non-GFA accountable due to the temporary/movable nature. Depending on need, additional Portable toilet can be deployed as required.

Please also be clarified that all Proposed Storage (Storage and Storage (open air or enclosed) (for activities)) are ancillary to the Proposed Temporary Development in providing storage for outdoor recreation and leisure activities.

Should there be any queries, please do not hesitate to contact the undersigned or Mr. Vincent Lau and Mr. Kelvin Chui.

Yours faithfully  
FOR AND ON BEHALF OF  
TOWNLAND CONSULTANTS LIMITED

  
Cindy Tsang  
Director

CT/VIN/KELVINC

cc Client / Team

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HOWARD & SEDDON PARTNERSHIP (United Kingdom)



ISO 9001: 2015  
Certificate No.: CC844

**Detailed comments of the Chief Building Surveyor/New Territories East 2 and Rail, BD (CBS/NTE2 & Rail, BD) and the Director of Food and Environmental Hygiene (DFEH)**

**Detailed comments of CBS/NTE2 & Rail, BD:**

1. Before any new building works are carried out on leased land, prior approval and consent from the Building Authority (BA) should be obtained, otherwise they are unauthorized building works (UBW). Authorized Person (AP) must be appointed to coordinate all new building works in accordance with the BO.
2. The applicant should provide documentary proof of ownership or realistic prospect of control of the land forming the site when submitting new general building plans of any proposed new building.
3. Unless the proposed site abuts on a specified street complying with the requirements under Building (Planning) Regulations (B(P)R) 18A(3) and not less than 4.5m wide, the development intensity of the site, where applicable, should be determined by the BA under B(P)R 19(3).
4. The means of obtaining access to the proposed building from a street including the land status of the existing access road should be clarified to demonstrate compliance of B(P)R 5.
5. Emergency vehicular access, where applicable, should be provided to the proposed building in compliance with the B(P)R 41D.
6. All UBW/ structures, if any, should be removed according to the provisions of the BO.
7. The granting of the planning approval should not be construed as an acceptance of the unauthorized structures on site under the BO. Enforcement action may be taken to effect the removal of all unauthorized works in the future.
8. Detailed comments will be given during general building plans submission stage.

**Detailed comments of DFEH:**

1. Proper licence / permit issued by her Department is required if there is any food business / catering service / activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public:
  - (a) Under the Food Business Regulation, Cap. 132X, a food business licence is required for the operation of the relevant type of food business listed in the Regulation. For any premises intended to be used for food business (e.g. a restaurant, a food factory, a fresh provision shop), a food business licence from the FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) shall be obtained. The application for licence, if acceptable by her Department, will be referred to relevant government departments such as BD, Fire Services Department and Planning Department for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements.
  - (b) Depending on the mode of operation, generally there are three types of food business licence that the operator of an outdoor barbecue site may apply for under the Food Business Regulation (the Regulation):

- (i) if food is sold to customers for consumption on the premises, a *restaurant* licence should be obtained;
- (ii) if food is only prepared for sale for consumption off the premises, a *food factory* licence should be obtained; and
- (iii) if fresh, chilled or frozen meat is sold, a *fresh provision shop* licence should be obtained.

(c) The operation of the eating place must not cause any environmental nuisance to the surrounding. The refuse generated by the proposed eating place are regarded as trade refuse. The management or owner of the site is responsible for its removal and disposal at their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity.

2. Proper licence issued by her Department is required if related place of entertainment is involved. Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement, a Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from her Department whatever the general public is admitted with or without payment.



### **Conditions for the Use of Waterworks Access Road**

1. The applicant shall limit the gross weight of each vehicle imposed on the waterworks access road to 5 tonnes or the axle load to 3 tonnes, except for ready mixed concrete trucks which shall not carry more than 5 m<sup>3</sup> of concrete while on the access road.
2. The applicant shall ensure that only one construction vehicle shall be allowed to use the waterworks access road at any time.
3. The applicant shall not cause obstructions on the road, and shall make use of the passing bays to maintain free access for other road users.
4. The applicant shall ensure the safety of his vehicles in using the road.
5. The applicant shall carry out repair or instatement works to the satisfaction of WSD or pay to Government on demand the cost of repair and reinstatement to any WSD installations that shall or may be necessary at any time as a result of damage caused by any works or other activities carried out by the applicant or others under his charge.
6. The applicant shall indemnify Government against any claim, action or demand arising from his use of the access road.
7. The applicant is required to comply with the Public Cleansing and Prevention of Nuisance (New Territories) Regulation 1972 in respect of his vehicles while using the access road.
8. The recommended maximum speed on waterworks access road is 10 km/h.



## Good Practice Guidelines for open storage sites

Appendix IIb of RNTPC  
Paper No. A/SK-PL/2

		Internal access for fire appliances	Lot boundaries (Clear width)	Distance between storage cluster and temporary structure	Cluster size	Storage height
1.	Open Storage of Containers		2m	4.5m		
2.	Open Storage of non-combustibles or limited combustibles	4.5m	2m	4.5m		
3.	Open Storage of combustibles	4.5m	2m	4.5m	40m x 40m	3m

Remarks : Smoking and naked flame activities shall not be allowed within the open storage /recycling site.

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups



ASK-PL/2 DD 368, Pak Lap, Sai Kung Tent City / BBQ  
01/09/2021 03:13

5-1

From:

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

A/SK-PL/2

Various Lots in D.D. 368, Pak Lap, Sai Kung

Site area : About 3,723sq.m

Zoning : "Agriculture"

Applied use : BBQ / ??? Tent Camping (for 90)

Dear TPB Members,

At the OZP hearings Green Groups warned that the Agriculture zoning would encourage inappropriate applications for uses of fallow land at Pak Lap, and sure enough. This application must be examined in tandem with A/SK-PL/1 as the applicant is the same and the intention is clearly for significant development at Pak Lap.

Many anomalies in the spiel include but not limited to the following:

*The Proposed Temporary Development is an initiative **to capitalize** on the historic and natural scenic resources of Pak Lap to promote local tourism in the short term*

CAPITALIZE IS THE ONLY GENUINE WORD IN THIS STATEMENT

Number of Buildings/Structures 6 (including 4 storage structures, 2 tents for activities, but excluding camping tents) 60 participants / 30 staff so around 40 tents

*In recent months, the Applicant has **created a temporary farm** adjacent to the Application Site as a scenic spot for the general public to visit and re-immense back to nature and marvel at the local natural attractions of Hong Kong*

INDEED AND THAT IS THE INTENTION FOR THE COMBINED SITES OF APPLICATION 1 and 2

*Portable toilets will be deployed as necessary for activity participants and*

campers. No adverse sewerage impact is anticipated.

## How Do You Dispose of Porta Potty Waste

If you're hosting an event that will require renting some porta potties, you're going to have to have a **plan to get the portable toilets emptied. Especially if you are hosting a multi-day event** where visitors will be expecting access to clean and comfortable toilets each day.

Most porta potties operate in the same way. The waste falls from the toilet into a large bin that can hold gallons of waste. While these bins can hold quite a lot of waste before overflowing, you never want the porta potty to reach that point. **An overflowing porta potty will make an extremely unpleasant mess.** Each porta potty has a output hole on the side of the emptying bin. Many porta potties will have sensors on them that will indicate whether the bin needs to be emptied, saving you the trouble and disgust of having to pop your head in there to see firsthand.

**How you get the waste out of the bins requires contacting a sanitation company.** The sanitation company will arrive on site with **large trucks that have massive storing tanks.** Then, they will connect large hoses into the output holes of the porta potty. The hoses suck out the waste using vacuum technology and empty the remains into their trucks large tanks. Depending on the type of truck, these hoses can extract the waste from the porta potties pretty quickly. Once they've extracted all of the waste, the crews will restock the porta potties with fresh toilet paper and fill the empty waste bins with a blue chemical substance that fights bacteria and keeps the bathroom smelling fresh. Some crews will leave a deodorizing substance or fragrance as well.

AS THERE IS NO ROAD ACCESS TO THE SITE THEN IT IS OBVIOUS THAT THE ONLY WAY TO EMPTY THE LOOS IS INTO THE STREAM. IN ADDITION THERE IS NO MENTION OF GRAY WATER FROM SHOWERS AND COOKING CONTAINING DOZENS OF TOXINS THAT WOULD BE DISCHARGED INTO THE STREAMS AND BAY.

*Artificial lawn* SERIOUSLY, IN THE MIDDLE OF A COUNTRY PARK??? ASTRO TURF IS BEING REMOVED FROM MANY SPORTS GROUND BECAUSE ITS NEGATIVE IMPACT ON HEALTH AND THE ENVIRONMENT ARE COMING UNDER INCREASING SCRUTINY

<https://www.jackwallington.com/17-reasons-to-avoid-fake-lawns-how-bad-is-artificial-grass-for-the-environment/>

*Recycling/waste collection bins and waste management implemented by the Applicant*

WE ARE TALKING ABOUT WASTE PRODUCED BY HUNDREDS OF PEOPLE VISITING THE TWO SITES. THIS IS NOT A FEW BLACK BAGS. IT WOULD



REQUIRE NUMEROUS INTERVENTIONS WITH LARGE GARBAGE TRUCKS.  
WOOPS, I FORGOT, NO ROAD.....

Some extracts from OZP Minutes 23 April:

*natural streams adjacent to village house developments **were susceptible to various threats due to illegal discharges**. As mentioned by the EPD previously, illegal discharges could be completed in a few minutes. It was very difficult to collect evidence on spot, which caused difficulties in undertaking prosecution action*

*the said unauthorized recreational development stood a good chance of regularization judging from the **high approval rate of recreational uses in "AGR" zones** in other parts of the New Territories even when 'destroy first, build later' activities were involved. By rezoning the FR Site to "AGR", the Board could be encouraging 'destroy first, build later' activities rather than deterring them as announced in its press release in 2011; SOME MEMBERS SHARED THE SENTIMENTS OF GREEN GROUPS*

*after consulting relevant government departments, the proposed "AGR" zone was considered to be a suitable buffer for the stream. Under the "AGR" zone, other than agriculture use that was always permitted, other developments including recreational uses would require the Board's planning permission and the applicants had to demonstrate to the Board that the applied use(s) would not generate adverse impact to the environment in the area, including the stream*

*AFCD would not normally require any buffer or conservation zoning for the riparian zone of non-EIS, as in the case of Pak Lap, though there were exceptions for other ecological reasons. Nevertheless, after considering the representations and comments, the Board decided that it was necessary to provide a buffer to protect the stream on the FR Site as it **discharged into Pak Lap Wan which had very good water quality and the high ecological value of the surrounding Country Park**. Considering also that there were only four outstanding SH applications, the Board decided to reduce the "V" zone and proposed to rezone the riparian area as "AGR";*

SO THE REZONING FROM V TO AG WAS TO LIMIT POTENTIAL IMPACT ON THE AREA NOT TO ENCOURAGE MASS INCURSION THAT WOULD CAUSE FAR GREATER DAMAGE TO THE ENVIRONMENT THAN A FEW VILLAGE HOUSES

*(b) noting that the "AGR" zones were located within a CPE and adjoining the "CA" zones, whether AFCD had any concern on activities in or discharges from the "AGR" zones to prevent adverse impacts on the "CA" zones.*

*(b) farming activities would unlikely affect the "CA" zones which were currently woodland.*

INDICATING THAT ACTIVITY ON THE LOTS SHOULD BE LIMITED TO GENUINE FARMING



5-1

Members are looking at a combined 18,000sq.m of Agriculture zoning with a country park. Development on the scale indicated would be disastrous to the local ecosystem.

Both applications must be rejected. The developer pops Covid into every second sentence, And what is the main lesson we should take from this word? That humans can no longer continue to encroach on nature and not face the consequences.

Mary Mulvihill

**From:**

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

**Sent:** Tuesday, July 20, 2021 11:45:16 PM

**Subject:** A/SK-PL/1 DD 368, Pak Lap, Sai Kung "Nature Education Park"

A/SK-PL/1

Various Lots in D.D. 368, Pak Lap, Sai Kung "Nature Education Park"

Site area : About 13,986sq.m

Zoning : "Agriculture"

Applied development : Field Study/Education/Visitor Centre / 4 Blocks – 300 beds / 40 Rooms – 160 beds

Dear TPB Members,

It would appear that the ultimate goal of the developer is to establish an international school within the country park. The proposal to house "300 students and staff, and the attached student dormitory will reserve 40 rooms for no more than 160 people" within a country park is totally unacceptable.

We are talking here about an enclave where only a few weeks ago TPB agreed to limit the size of the "V" zone as local conditions such as access, sewerage, etc are not capable of coping with a residential population much larger than what can be accommodated within the existing built village.

*Reduction in the "Village Type Development" ("V") Zone (b) the designation of the "V" zones is considered appropriate and a host of planning factors, including but not limited to the 'village environs', local topography, existing settlement pattern, number of approved and outstanding Small House applications, Small House demand forecast, availability of road access and infrastructure, areas of ecological and landscape importance, site specific characteristics, as well as the representations and comments on the draft OZP, have been taken into account. An incremental approach has been adopted for designating the "V" zone with an aim to confining Small House development to the existing village cluster to*

*minimise adverse impact on the natural environment.*

5-1

So if the village cannot accommodate more than a few dozen inhabitants, how could it be fit for an influx of almost 500 temporary residents at one time?

Our CE has stressed that building public housing on the fringes of country parks is fraught with challenges so the idea of establishing an educational institution within one is certainly out of the question.

The developer is involved in a number of so called 'educational' initiatives. Details can be found on the related websites. They include two international schools on the mainland and various programmes being promoted here in Hong Kong.

Does it have the support and approval of the Education Bureau? Anyone can set up a website with some pretty images and vague descriptions of nature preservation. Where is the true expertise and credentials?

<https://www.facebook.com/groups/120488197266/permalink/10154870033757267/>

<https://www.stream-edu.org/#>

<http://www.utahloy.com/uef/board-profiles.html>

<http://www.chinanewhorizons.org/en/enquiry/contact-info.html>

The developer has a long history of 'Destroy to Build' intentions. The "Grassland" within the application zone was actually a large seasonal freshwater wetland, which was destroyed more than a decade ago.

The Conservancy Association has drawn up a detailed outline of its destructive activities over the last decade.

*An Enforcement Notice has been served against the unauthorised use for the said toilets, changing rooms and bathing facilities at the FR Site on 4.1.2021. Investigation into unauthorised storage use and the alleged recreational facilities at the FR Site and **the adjacent area** is being undertaken by the Planning Authority. Should there be sufficient evidence that there is unauthorised development (UD) under the Ordinance, appropriate planning enforcement action would be taken by the Planning Authority.*

*As a related issue, the illegal drainage outfalls found on the banks of the stream had been referred to EPD for follow-up action. Sewage treatment capacity was the limiting factor in Pak Lap because there was **no** public sewer.*

Access to the village was the subject of Country and Marine Parks Board meeting Oct 2012 after it was found that a section of the pedestrian path connecting to the village has been illegally widened causing significant ecological damage to the wetland. Members agreed that it was not appropriate to open up the enclave to vehicles.

The proposed almost 500 capacity facility would require the transportation of tonnes of equipment in the construction stage and any sizeable even temporary residence would require the importation of considerable quantities of daily necessities.

The site owner has been organizing recreational events on the site but there is no record that it applied for or received the requisite approvals. When the shopping mall near my home hosts similar events it has to display copies of the approvals. When such events are held at locations with no sewerage and water supply for hygiene, hand washing etc, the conditions should be more stringent.

The planning intention of "AGR" is 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. The site certainly ticks this box.

'Education' has been grossly abused in recent times as a route to easy revenue, particularly as the authorities fall for the 'Not for Profit' angle. However the crisis in our education sector should be a wake up call that focus should be on the process of genuine and quality education that benefits students from all sectors. I would remind members how the saga of Mount Kelly has played out.

While the developer has expectations of high returns on its investment in the land, purchasing lots within a country park comes with restrictions and uncertainties. In view of the lengthy discourse during the OZP on the need to preserve the ecosystems and integrity of our country parks, members must strongly reject this application as totally inappropriate and remind the authorities of the need to carefully monitor activities within the parks.

Mary Mulvihill



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

By email only

1 September 2021

Dear Sir/Madam,

**Comments on the planning application for the proposed Temporary Place of  
Recreation, Sports or Culture and Tent Camping Ground with Ancillary Storage for a  
Period of 3 Years at Pak Lap (A/SK-PL/2)**

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

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

- 1.1 The application site is located within the AGR zone, where the planning intention is *"to 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"*.
- 1.2 Moreover, referring to the minutes of the 1244th Meeting of the Town Planning Board held on 23rd April 2021, after considering the representations and comments, the Town Planning Board (Board) decided that *"it was necessary to provide a buffer to protect the stream on the FR Site as it discharged into Pak Lap Wan which had very good water quality and the high ecological value of the surrounding Country Park" and 'it is considered appropriate to rezone the FR Site from "V" to "AGR" for provision of a buffer to the stream'.* It clearly suggests that the intention of the AGR zone in Pak Lap is to buffer the stream.
- 1.3 However, according to the Supplementary Planning Statement submitted by



the applicant, the proposed recreational development would include "*a tent camping area, outdoor activities area and barbecue area*". This recreation-intensive development is not in line with the above intention to retain land for agricultural purposes, and it would also undermine the intended buffering functions of AGR zoning to protect the stream and Pak Lap Wan against adverse environmental impacts from undesirable developments. Therefore, we urge the Board to reject this application.

## **2 Adverse environmental impacts from the proposed recreational development**

- 2.1 Pak Lap, which is encircled by Sai Kung East Country Park on three sides and connecting to the Pak Lap Wan, is of ecological importance. According to the planning statement submitted by the applicant, there are '*scattered colonies of water fern are found at the wetland habitat of the "AGR" zone to the south of the northeastern "V" zone area*'. Water Fern *Ceratopteris thalictroides* is of conservation significance and is under Class II national protection.
- 2.2 However, the applicant anticipated that "*approx. 60 participants with 30 staffs will attend*" while "*catering and/or barbeque may be provided*". We are concerned the maximum of 90 population/visitors at once, especially with catering and overnight camping, would significantly increase the disturbance and potential pollution (i.e. noise, light pollution, water pollution, domestic waste and sewerage) to the nearby stream which flows into Pak Lap Wan.
- 2.3 Given the ecological sensitivity of Pak Lap and the incompatibility of the proposed intensive recreational development, we consider the applicant should conduct corresponding comprehensive assessments on the environmental and ecological impacts and adopt "precautionary approach", to ensure that the proposed land use would not have adverse impacts on the ecology of Pak Lap, the connecting country park and Pak Lap Wan.

## **3 The Town Planning Board should not encourage "destroy first, build later"**

- 3.1 The application site was previously wet agricultural land of conservation value, but then affected by eco-vandalism including unauthorized land excavation/filling activities and drainage works in the past ten years. The

application site was also issued with enforcement notices (Case No. E/SK-PL/0001 and E/SK-PL/000) for the unauthorized development of land excavation and storage uses in 2011 and 2021. We consider that this is "destroy first, develop later".

- 3.2 In the 1244th Meeting of the Town Planning Board held on 23rd April 2021, the Board's members suggested that *"allowing more intensive levels of development after extensive devastation of an area was fundamentally wrong"*. Besides, the Board has also 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."*
- 3.3 The approval of the current application would further legitimize the current misuse of the AGR zone within Country Park Enclave, leading to the promotion of "destroy first, develop later" attitudes among landowners in the locality. We urge the Board to reject this application.

#### **4 Set an undesirable precedent to the future development**

The approval of this application will set an undesirable precedent to the future similar applications within the AGR zone in Pak Lap, and thus nullifying the statutory planning control mechanism to buffer the stream from adverse environmental impacts. More importantly, this would also set a bad precedent to the applications associated with "Destroy First, Build Later" within AGR zone in other Country Park Enclaves. We urge the Board to reject this application in order to protect AGR zone and the connecting ecological sensitive stream and beach 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"*, and (iii), the Board has the responsibility to *"control adjoining uses to minimise adverse impacts on*

5-2

conservation zones and optimise their conservation value". We note that all other Government bureaux/departments are also bound to the HKPSG, and the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department (PlanD) have the responsibility to advise the Board on the ecological<sup>1</sup> and planning aspects in particular. Given AFCD's mission to conserve natural environment and safeguard the ecological integrity<sup>2</sup>, 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 to this application. Should AFCD, PlanD or the Board feels otherwise, we urge that the appropriate justifications are provided.

HKBWS trusts that the Board "would carefully scrutinize the impact of planning applications on the "AGR" zones of Pak Lap considering its CPE background"<sup>3</sup>, and we respectfully requests the Board to take our comments into consideration and reject the current application for intensive recreational development. Thank you for your kind attention.

Yours faithfully,



Wong Suet Mei  
Conservation Officer  
The Hong Kong Bird Watching Society

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<sup>1</sup> AFCD Role of Department. Available at:  
[http://www.afcd.gov.hk/english/aboutus/abt\\_role/abt\\_role.html](http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html)

<sup>2</sup> AFCD Vision and Mission. Available at:  
[http://www.afcd.gov.hk/english/aboutus/vision\\_mission/abt\\_vision\\_mission.html](http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html)

<sup>3</sup> [https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb\\_e.pdf](https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf)

5-2

cc.

The Conservancy Association

Designing Hong Kong

Kadoorie Farm and Botanic Garden

WWF – Hong Kong

TrailWatch



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

參考編號

**Reference Number:**

210902-220509-11013

提交限期

**Deadline for submission:**

03/09/2021

頁數 53

提交日期及時間

**Date and time of submission:**

02/09/2021 22:05:09

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-PL/2

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss Lui Yuen Ching

意見詳情

**Details of the Comment :**

反對破壞白腊附近環境

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

參考編號

**Reference Number:**

210903-182800-04301

提交限期

**Deadline for submission:**

03/09/2021

054

提交日期及時間

**Date and time of submission:**

03/09/2021 18:28:00

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-PL/2

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss 陳嘉琳

意見詳情

**Details of the Comment :**

1. 是次申請地點為不包括土地，必須考慮到申請帶來的長遠影響。如地點未有接駁排污渠，申請人未有提供證明臨時申請用途不會為地點帶來永久的影響。時有臨時用途的申請不斷續期，無形中成了永久的使用。

2. 現時的申請地點原為棄耕農地，自早幾年起就不斷被破壞、鋪上水泥；天然河道被破壞、人工化。若批准是次申請將為郊野公園不包括土地立下不良先例。

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

參考編號

**Reference Number:**

210903-225424-55451

提交限期

**Deadline for submission:**

03/09/2021

058

提交日期及時間

**Date and time of submission:**

03/09/2021 22:54:24

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-PL/2

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss Connie Koo

意見詳情

**Details of the Comment :**

反對破壞自然生態，反對興建任何建築物於白腊

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

參考編號

Reference Number:

210903-230111-28432

提交限期

Deadline for submission:

03/09/2021

060

提交日期及時間

Date and time of submission:

03/09/2021 23:01:11

有關的規劃申請編號

The application no. to which the comment relates: A/SK-PL/2

「提意見人」姓名/名稱

Name of person making this comment:

女士 Ms. li ching

意見詳情

Details of the Comment :

白腊擁有「香港版馬爾代夫」的美譽，該地擁有多樣化的生態環境，包括淡水濕地、河流、沙灘和風水林等，孕育着各式各樣的生物，包括屬「國家二級保護植物」和被列入「香港稀有及珍貴植物」的水蕨。由二〇〇九年起，白腊已開始出現挖土和斬樹等環境破壞，至二〇一一年，工程並未有停止的跡象，有環保團體甚至發現有躉船停在白腊灣接載挖泥車。

支持生態保育，不應先破壞後建設，更何況不是建設。生態破壞了難以修復，希望持續保育。



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

參考編號

**Reference Number:**

210903-232622-54347

提交限期

**Deadline for submission:**

03/09/2021

062

提交日期及時間

**Date and time of submission:**

03/09/2021 23:26:22

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-PL/2

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss Martha Chan

意見詳情

**Details of the Comment :**

我返對

破壞生態環境，破壞自然環境，不可逆轉。因此絕對反對

063

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups



**HKFC's comments on Application A/SK-PL/2**

02/09/2021 18:04

From:

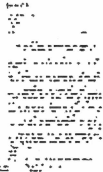
To:

tpbpd <tpbpd@pland.gov.hk>

Cc:

FileRef:

1 attachment



TPB- Pak Lap.jpeg

Dear Sir/Madam,

Please find attached our Objections and comments on this application.

Kindly confirm receipt.

Regards,

Roger Nissim

Chairman, HKCF



Town Planning Board  
15/f, North Point Govt. Offices,  
333, Java Road,  
North Point,  
Hong Kong.

Email:

3<sup>rd</sup> September 2021

Dear Sirs,

Application A/SK-PL/2 – Pak Lap OZP No. S/SK-PL/3

Objection to Application for Permission for proposed Temporary Place of Recreation,  
Sports or Cultural and Tent Camping Ground with Ancillary storage facilities.

1. This application is contrary to the general planning intention of the Country Park Enclave and includes multiple uses which will undermine the planning intention for the Area which has been identified as having good potential for rehabilitation for cultivation and other agricultural purposes.
2. This zoning of Pak Lap was achieved recently after much public debate and Judicial Review such that it would be wrong in principle to immediately overturn the final consensus. The Hong Kong Countryside Foundation was part of the planning process and feel that it is totally inappropriate for such an incompatible Application to be considered so soon after the 'agricultural' zoning was confirmed.
3. In the absence of any EIA, TIA, Landscape Impact, drainage and sewage impact assessments it is completely unprofessional and irresponsible for the applicant to claim that there will be no adverse impacts on any of these elements as a result of their proposals which could result in additional daily figures of up to 60 visitor/camper population plus a staff of 30. It is not hard to imagine the impact these numbers would have on the existing drainage, sewage and transport arrangements. It is simply not good enough to say that portable toilets will be provided!
4. The proposed location of the 'Tent City' is immediately adjacent to the existing village and it is not difficult to imagine the impact on the quiet enjoyment of the residents the bbq activities will have with all the noise, smell and rubbish that will, inevitably, be generated.
5. Importantly what the applicant has failed to demonstrate is a genuine need for these proposed facilities. There is no mention made of the perfectly adequate and suitable camping area which has been available for very many years immediately at the rear of the beach of Pak Lap Wan, just around the corner from this site. There has been no suggestion that these existing facilities are in any way inadequate.
6. Accordingly as there is no proven need for the additional camping site this defective application should be rejected and the owners advised to follow the recently articulated planning intention for the site to be rehabilitated for cultivation and other agricultural purposes.

  
Roger Nissim  
Chairman

Registered office:  
Correspondence office:

Unit D, 13/F Skyline Tower, 18 Tong Mi Road, Mongkok, Kowloon, Hong Kong  
Unit A, 17/F Nathan Commercial Building, 430-436 Nathan Road, Yaumatei,  
Kowloon, Hong Kong

T: 2698 0467  
F: 2698 0364

F: 2698 0364  
E: enquiry@hkcountryside.org  
www.hkcountryside.org

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

參考編號

**Reference Number:**

210903-233810-41520

提交限期

**Deadline for submission:**

03/09/2021

064

提交日期及時間

**Date and time of submission:**

03/09/2021 23:38:10

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-PL/2

「提意見人」姓名/名稱

**Name of person making this comment:**

夫人 Mrs. sandra lai

意見詳情

**Details of the Comment :**

我反對此項目



66

☐ Urgent ☒ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups



**Re: Comments on Application A/SK-PL/2, DD 368 - Pak Lap, Sai Kung, NT - Tent City/BBQ**

03/09/2021 16:08

From: |  
To: tpbpd <tpbpd@pland.gov.hk>  
FileRef:

|m>

Dear Sirs,

Good afternoon.

Please see the attached letter from Mr. Ruy Barretto S.C. in relation to the subject matter for your kind attention.

Thank you for taking the time in respect of perusing this message.

Best regards.

Yours faithfully,  
Francisco das Caldas  
Clerk to Mr. Ruy Barretto S.C.

**TEMPLE CHAMBERS**

T: (+852) 2523 2003 (General)  
F: (+852) 2810 0302

[www.templechambers.com](http://www.templechambers.com)

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Letter to TPB (03.09.21).pdf



066

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

Email: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)

3<sup>rd</sup> September 2021

By Post and Email

Dear Sirs,

Re: Application A/SK-PL/2, DD 368 – Pak Lap,  
Sai Kung, New Territories – Tent City/BBQ

1. This Application is **contrary to the general planning intention** of the Country Park Enclave and **wholly incompatible with the planning intention of the area which is to safeguard good Agricultural Land for agricultural purposes**. The Application covers multiple uses which are totally contrary to the Planning Intention of the Agricultural Land which is owned by a development company the Applicant.
2. This zoning of Pak Lap was achieved recently after much public debate and Judicial Review and it would be **wrong in principle to overturn the final consensus**.
3. The Application **does not comply with the claimed Use** applied for, ie Temporary Recreation, Sports or Culture and Tent Camping. The Application is a cover for Multiple Uses which are not compatible. In particular,
  - (a) This Application is **not to be used for the purpose of Sports or Culture**.
  - (b) It is **not primarily** for Tent Camping, and it is not genuine camping.
  - (c) It is not for real recreation, but for **commercialized accommodation and entertainment**, comprising music festivals, BBQ, plus food catering, food storage, refrigeration, cooking, gas and fuel storage and some food production but probably designed to avoid the Guest Houses rules and perhaps other rules relating to food and hygiene among others.
  - (d) **Nor is it temporary use**, but part of an ongoing **long term project** with continuing commercial activities. More and more may be applied for once the environment has been degraded to such an extent it can be argued that more intense commercial uses can be developed.
  - (e) This is likely to be the thin end of the wedge to achieve degradation and **cement the conversion of AGR to development land**, thus enabling the long term and **permanent change of use** of the AGR.

- (f) The Application **prevents or thwarts the planning intention** decided by the Town Planning Board after much public concern.
  - (g) This will create a precedent that trashing AGR land is profitable.
  - (h) **Long term implications will be caused**, contra to the claim in the Application.
  - (i) What happens after 3 years? There is **NOTHING** about reinstatement to AGR because this will become long term.
4. It is not suitable for a Country Park setting in a Marsh Valley Landscape. The Application shows it is for **multiple incompatible uses**. High numbers of users, 90 persons per day will cause major impacts with minimal facilities which will **fail to safely handle sewage, drainage and basic hygiene. No washing or showering facilities are included.**
  5. The Multiple Use Project Application adjacent for a resort/accommodation and leisure development in A/SK-PL/1 which was objected to in July 2021 will cause **cumulative impacts** with this Application. Any educational element claimed by the so called Study Centre will be **negated** by the overtly entertainment and BBQ uses which **conflict with** that claim. **Please refer to objections by myself and others to that Application to see the cumulative impacts and conflicts between the 2 Applications.**
  6. This Application appears primarily for use as a **resort/entertainment development** with a population of 90 indulging in uses causing continuing impact and disturbance to the Country Park setting. The admission that a Music Festival for 70 people took place confirms that the business model is unsuitable and incompatible with Country Park Enclave. There is no information that any permission/licence was obtained from the authorities for this entertainment. Constant noise from multiple machines, refrigerators, air-conditioners, gas stoves, fans and food preparation etc will disturb the locality, and the **noise from music/entertainment in the open** will destroy the tranquility of the adjacent countryside.
  7. **The name misrepresents the multiple incompatible uses planned.** No planning gains will be achieved, it will **prevent or reverse the AGL planning intention established recently.**
  8. The Project does **not meet the criteria and spirit of Revitalizing** a village under the Government policies. **This is a strategy** to provide accommodation. It does **not promote traditional NT heritage, architecture or way of life.** It does nothing to restore traditional the **water based agriculture** systems. **Traditional agriculture is mostly abolished.**
  9. This Application takes advantage of the method for **destroy first and develop later.** The previous Application A/SK-PL/1 describes the historic flooding of the valley. However the previous Marsh Valley Landscape and wetland with valuable species



was mostly destroyed and converted to the current state. There is no ecological compensation. **Local amenity is reduced, not enhanced.**

10. Previous Planning Department Explanatory Statements in the OZP process described this as a **“large piece”** of unauthorized **“excavation works”** which has resulted in land **“cleared and ready for development”**. Members at previous Board Meetings will recall photos of mechanical excavators on site for May 2020 works. I am informed that unauthorized uses persist with a **current Enforcement Notice** concerning camping etc. **This critical background is omitted from the Application papers.**
11. **No objective evidence that it is suitable. Conflict and impact is certain.** These plans will cause impact and conflict whereby light pollution will attract and harm nocturnal insect populations and mosquito/insect complaints will cause the **usual indiscriminate insecticidal fogging** of the surroundings to kill most water borne insects using the natural habitats. The toxic runoff of the usual pesticides will also accumulate here.
12. **Being close** to the old village, impact is certain. Surrounded by ample **natural** attractions for Country Park users, there is **no need** for harmful activities dressed up as local green tourism for a minority seeking entertainment, BBQ and **incompatible** activities in sensitive areas. This does not comply with the 2020 Policy as claimed. There is **no green ecological** restoration element, and **no claim for historical or cultural** element under the Policy.
13. There is **no Ecological Impact Assessment**. Polluted Run off from the hard and soft surface areas will lead into the natural water system as there is no Drainage Assessment. There is **no specific objective or conservation activity to restore the marsh/wetland which was a key value of Pak Lap** before it was partly destroyed. There is no Conservation Management Plan whereby **the seasonal flooding is best used to restore the marsh landscape**. This shows there is no genuine habitat conservation to be implemented.
14. **There is no commitment to basic protection and enhancement of known valuable resources at Pak Lap.** The “Beautification” landscaping claimed is meaningless. **NO mitigation will be implemented.**
  - (a) No commitment to protect the marsh landscape, to restore the wetland.
  - (b) No commitment to protect and enhance the stream course and its habitats and species, the insect life associated with marsh, and finally
  - (c) No commitment to protect and enhance the Marine life which is so special in Pak Lap Wan.
15. **No recognition of the special Pak Lap Marine life**, its identity, values and the impacts caused by the Application are shown. **There is no drainage plan, no hygiene, so showers and gray water pollution is ignored.** Toxic run off will add to the other pollution of the sensitive marine life close to the shore. General assertions downplaying the threats are provided.



16. There is **no need** for this commercialized entertainment accommodation **venture in this special location**. Such ordinary leisure activity can be done in a less sensitive and more appropriate place elsewhere in the NT. It does not have to be in this special Country Park Enclave. Government policies make this clear, but this Application does **not comply**. The type and scale of the multiple uses, the accommodation and waste generated and impact are **not needed**.
17. **There is no need for this accommodation for local tourism. This is primarily a entertainment/accommodation idea** for 60-90 people. It does not claim to enhance conservation of heritage or nature in any specific proposed way so as to justify the continuing damage to be caused.
18. The Application is **food catering and entertainment and accommodation** based, which **add to the disturbance** and add to the disruption to the lives of nocturnal creatures from night activities and light pollution. There is no need for these activities in this special location, such food, catering, entertainment activities can be done with less harm in less special places in the NT. In Lung Mei near the Artificial Beach the noise and smell and fumes from BBQ is overpowering and a nuisance.
19. **This is not primarily for Camping, but for multiple uses and impacts**, such as development, entertainment, music festival performances, and accommodation for high numbers.
20. **There is no public interest gain or benefit to the Country Park**. The Proponent must prove some specific public gains consistent with Country Park Ordinance objectives in order to be considered. This does not exist here.
21. It could be the **precursor for a luxury housing resort** in due course. More applications will happen once the current multiple use ideas fail to provide a viable business plan. This Application will test the waters for an unsuitable precedent. The Application is based on assertion and opinion, and contrary to existing policies and principles. **Temporary is probably part of a business plan to become long term**.
22. The Real Impacts on the Country Parks and the Marine ecosystems are not assessed. An 'ordinary Country Park user' will feel betrayed by the Authorities who have permitted inadequate Portaloos. **The smell and sight of these and the food storage works areas will ruin the nature experience of the nearby sensitive area**.
23. **The Sewage Plan is not feasible**, inadequate and causes risk. There is **no Drainage plan and nothing for washing, showering, and gray water pollution**. Based on the so called Study Centre/Resort applied for by the same Applicant, 90 persons would generate 17 cubic metres of waste water per day. Each Portaloo only holds about 200 litres of waste. 6 Portaloos marked on the Plan for 90 persons for more than 24 hours of eating and drinking but without washing will be inadequate and cause pollution and

hygiene risks. The Application **claims that it will improve local hygiene, when it will probably make nuisance and hygiene problems for the public and village.**

24. **No plan is provided for emptying the Portaloos.** If tankers come daily by sea with pipes across Government land and beaches to pump out the tanks this will be a serious nuisance to Country Park users and marine users. It will be unacceptable, unreliable and cause a high risk of accidents and pollution to shore and marine life.
25. **Waste collection** will cause more nuisance for Country Park users, especially if via boat. The remote location makes the site impractical and very expensive to operate.
26. **Overloading of the Road system at Week ends**, the target time, is not acceptable and will prejudice ordinary Country Park users at the peak times at week ends.
27. **This Application is mostly wrong uses.** However the **remote location** is perfect for special Country Park activities appropriate to the special ecological values of Pak Lap. This remote and special place deserves a special and genuine use and restores its Marsh Valley Landscape.
28. This Application is **NOT appropriate planning** in any way. The alleged gains are in fact losses and impacts. **It conflicts with the natural setting and ecology in most respects.** This Application is fundamentally wrong in too many ways and must be rejected in **total**. Responding to the Executive Summary/Conclusion, and the **Planning Statement** which is in subjective and promotional terms, some objective objections are **summarized** as follows.
29. **The Application is not supported by the Government policies etc that are referenced.** It does **not revitalize** Pak Lap as properly defined under the Policy. There is no cultural, traditional agricultural, and heritage gain to the old village.
30. However, the Application is **unsuitable** for the use and developments applied for. The place being so remote, such degree of use, such numbers are not compatible with the Country Park setting. It is not green tourism and is contrary to Policy. There is **no relevant public benefit**. There is serious detriment and impact, not assessed.
31. Being **totally incompatible** with the surroundings, The Application **imposes on the high quality landscape a contrived multiple use multiple impact development, with high impact on all levels.** It increases human impact and disturbance to destroy the Country Park environs and the remaining ecology. It will enable **participants to contribute to the disturbance and destruction** begun by others. **The Board knows of the folly of this Application now.**
32. Everything needs to be brought in and out **at great expense and with high carbon footprint and high risk of pollution** from waste, sewage, and barges. There is **nothing genuinely sustainable**. Contrary to the claims, the Non Existent Sewage

and Drainage and Washing and Hygiene arrangements will probably **cause a risk of health and hygiene problems** from pollution of the area and the marine environment.

33. The Application shows **no planning gain**. This is mostly an entertainment and accommodation project. What happens after 3 years? It is not genuinely temporary but probably part of a long term business plan. The Application will **deprive the public of the planning intention** decided by the Board indefinitely and **prevent that intention** from being implemented and enforced.
34. Traffic impacts will be targeted **at week ends** to the increased detriment of Country Park users.
35. There being no ecological assessment, and no restoration or protection of the environment, **severe and long term ecological impacts** and loss of function are probable.
36. **The Application fails to meet basic criteria** and has so many defects, that it is not possible at this stage to compile the long list of Conditions to be attached to the Application. **No suggested conditions** are provided by the Applicant, showing the lack of reality of the Application.
37. **It is contrary to the Hong Kong BSAP Policy 2016**. It is contrary to BSAP Action 2 to pollute habitats which are to be conserved. Awareness raising to achieve conservation under Action 20 is prevented and not achieved. This Application omits awareness of the ecological damage already caused and makes that damage permanent by continuing incompatible uses and makes new sources of pollution and impacts on the Country Park and sea. The so called temporary uses are NOT AGL uses and is probably part of some incompatible **long term business plan with long term impacts**.
38. This Application is not in the public interest in Country Park Enclave and overwhelm Pak Lap. **In conclusion the Planning Statement assertions are not supported by the actual facts**. The Application should be rejected.
39. Please let me know the progress of this case.

Yours faithfully,

*Francisco des Coides*

p.p. Ruy Barretto S.C.

[9681.rb]





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## The Conservancy Association

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3<sup>rd</sup> September 2021

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,

RE: Comments on the Section 16 Application No. A/SK-PL/2

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

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

According to The Approved Pak Lap Outline Zoning Plan (OZP) No. S/SK-PL/3, 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 cultivation and other agricultural purposes"*. However, all the proposed uses are largely not for cultivation or farming-associated ancillary use. We do not think such plan is in line with the planning intention.

### 2. Adverse environmental impact

Limited details are available to justify how the proposed outdoor tent area, outdoor activity zone & BBQ area, fruit zone would pose no adverse environmental impacts during both construction and operation phase. For example, all potential sources of water pollution (either from visitors or operators) during daily operation of the outdoor tent area, outdoor activity zone & BBQ area, have not been fully identified.

The site was rezoned to AGR zone after 1244<sup>th</sup> TPB meeting. During the discussion and deliberation session of the meeting, It is agreed that the site should be kept as a





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buffer for the adjacent stream.

*“after consulting relevant government departments, the proposed “AGR” zone was considered to be a suitable buffer for the stream. Under the “AGR” zone, other than agriculture use that was always permitted, other developments including recreational uses would require the Board’s planning permission and the applicants had to demonstrate to the Board that the applied use(s) would not generate adverse impact to the environment in the area, including the stream. Conditions requiring the applicant to comply with certain technical requirements might also be imposed upon granting planning approval”<sup>1</sup>*

*“...Nevertheless, after considering the representations and comments, the Board decided that it was necessary to provide a buffer to protect the stream on the FR Site as it discharged into Pak Lap Wan which had very good water quality and the high ecological value of the surrounding Country Park”<sup>2</sup>*

*“Any future planning applications in Pak Lap should be assessed with caution taking account of the stream and the CPE background. The stream was in a very good condition with high value for conservation back in 2014, and the “AGR” buffer should be implemented without further delay”<sup>3</sup>*

We worry that polluted water arises from the proposed activities and works in this planning application would end up in entering the stream, and then the famous Pak Lap Wan where most of the outdoor and water activities are currently concentrated in.

<sup>1</sup> Section 52(d), Minutes of 1244th Meeting of the Town Planning Board held on 23.4.2021  
[https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb\\_e.pdf](https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf)

<sup>2</sup> Section 52(e), Minutes of 1244th Meeting of the Town Planning Board held on 23.4.2021  
[https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb\\_e.pdf](https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf)

<sup>3</sup> Section 82, Minutes of 1244th Meeting of the Town Planning Board held on 23.4.2021  
[https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb\\_e.pdf](https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf)



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### 3. Undesirable precedent of “destroy first, build later”

This site has been subject to land formation including land filling and vegetation clearance since 2010 (Figure 1-6). Enforcement Notices have once been served against the unauthorized use within the site on 2021.

From our previous observation in late-February 2021, the site was paved and covered by artificial lawn. A few tent-like and stage-like structures were put on the site. Suspected illegal discharge can be spotted connecting to the natural stream, while the stream bank next to the site has been largely modified (Figure 7-9). It was suspected that this was 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”*<sup>4</sup>. Therefore, this application should not be given any sympathetic consideration or it will set an undesirable precedent for similar cases in future.

Yours faithfully,

Ng Hei Man

Campaign Manager

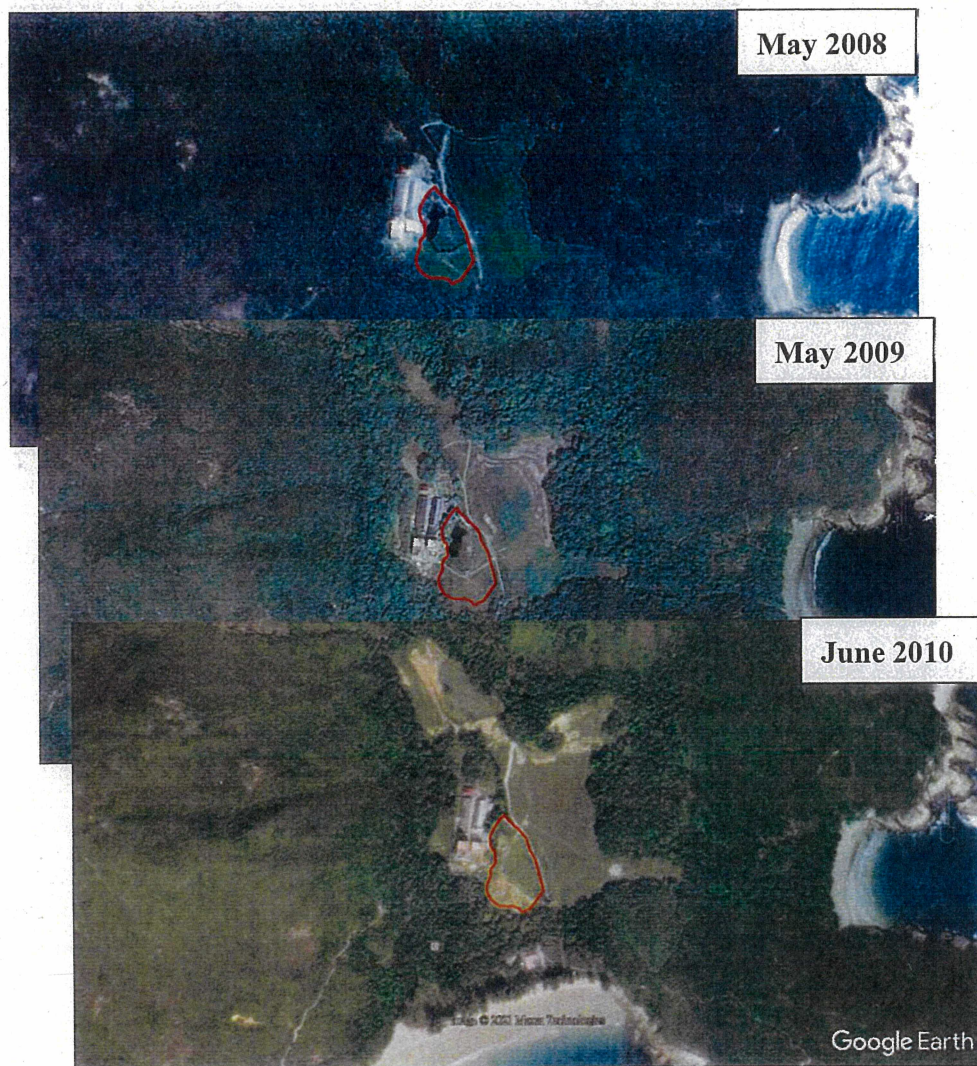
The Conservancy Association

<sup>4</sup> TPB Press Release. Available at:

<http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>



**Figure 1-6** According to aerial photos, the site (marked in red) was subject to land formation and vegetation clearance in the past (Source: Google Earth)







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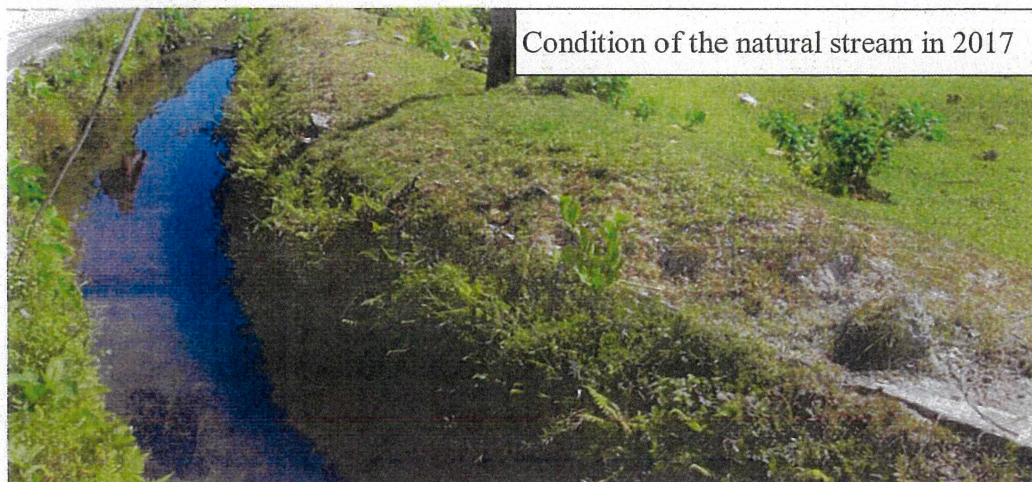
Figure 7-9

Site condition observed in mid-February 2021





Figure 10-11 From our observation, suspected illegal discharge can be spotted connecting to the natural stream, while the river bank has been largely modified (circled in red)



Condition of the natural stream in 2017



Condition of the natural stream in 2020





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3 September 2021

**Chairman and members**

**Town Planning Board**

15/F North Point Government Offices,  
333 Java Road, North Point, Hong Kong  
(E-mail: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk))

**By E-mail ONLY**

Dear Sir/Madam,

**Re: Proposed Temporary Place of Recreation, Sports or Culture and Tent  
Camping Ground with Ancillary Storage for a Period of 3 Years in "Agriculture"  
zone at Pak Lap, Sai Kung (A/SK-PL/2)**

WWF would like to lodge our objection to the captioned application.

**Not in line with the planning intention of "AGR" zone**

The captioned development is located within the "Agriculture" ("AGR") zone of the draft Pak Lap Outline Zoning Plan No. S/SK-PL/3. According to the Schedule of Uses of this OZP, the planning intention of the "AGR" zone is *"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"*. Since the captioned development is neither for rehabilitation for cultivation or other agricultural purposes, we consider that it is not in line with the planning intention of the "AGR" zone and therefore should be rejected.

**Suspected "destroy first, apply later" case**

As per the aerial photos (Fig. 1a & 1b), sign of site formation and structures can be found within the application site in 2019 and 2021 respectively. As such, we suspect that the captioned applicant is a "destroy first, apply later" case. We urge the members of the Town Planning Board to investigate if the captioned development involved any "destroy



**together possible™**

贊助人：香港特別行政區行政長官  
林鄭月娥女士、大紫荊勳賢、GBS  
主席：白丹尼先生  
行政總裁：黃碧蓮女士

義務核數師：香港立信德豪會計師事務所有限公司  
義務公司秘書：嘉信秘書服務有限公司  
義務司庫：匯豐銀行  
註冊慈善機構

GBS  
The Chief Executive of the HKSAR  
Chairman: Mr Daniel R Bradshaw  
CEO: Ms Nicole Wong

Honorary Company Secretary:  
McCabe Secretarial Services Limited  
Honorary Treasurer: HSBC  
Registered Charity  
(Incorporated With Limited Liability)

註冊名稱 Registered Name: 世界自然基金會 World Wide Fund For Nature Hong Kong  
(於香港註冊成立的擔保有限公司 Incorporated in Hong Kong with limited liability by guarantee)



first, apply later" activities. If yes, we consider that the application should be rejected so as to in line with the statement made by the Board on 4<sup>th</sup> July 2011, which "*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*"<sup>1</sup>. Otherwise, we worry that the approval of the captioned application will set an undesirable precedent for other applicants to adopt similar "destroy first, apply later" tactic and cause further damage to the ecology and rural landscape of Pak Lap.

We would be grateful if our comments could be considered by the Town Planning Board.

Yours faithfully,



Andrew Chan  
Senior Conservation Officer, Policy

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<sup>1</sup> <https://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

**Fig 1a. Sign of site formation work in the application site in 2019 (Application site boundary marked with red polygon approximately) (Image source: Google Earth)**





**Fig 1b. Several structures found erected on the application site in 2021**  
**(Application site boundary marked with red polygon approximately) (Image**  
**source: Google Earth)**





02 September 2021  
Chairman and Members  
Town Planning Board  
15/F, North Point Government Offices  
333 Java Road, North Point, Hong Kong  
Fax: 2877 0245;  
Email: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)

**Proposed Temporary Place of Recreation, Sports or Culture and Tent Camping Ground with  
Ancillary Storage for a Period of 3 Years  
(Application No.A/SK-PL/2)**

Dear Chairman and Members,

Designing Hong Kong Limited **objects** the captioned for the following reasons:

- The proposed area is zoned as "**Agriculture (AGR)**". The planning intention of this zone is primarily for retaining and safeguarding 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.
- From the Google Earth's aerial image, artificial lawn, stage, activity tents were already set up at the proposed site back in February 2021.



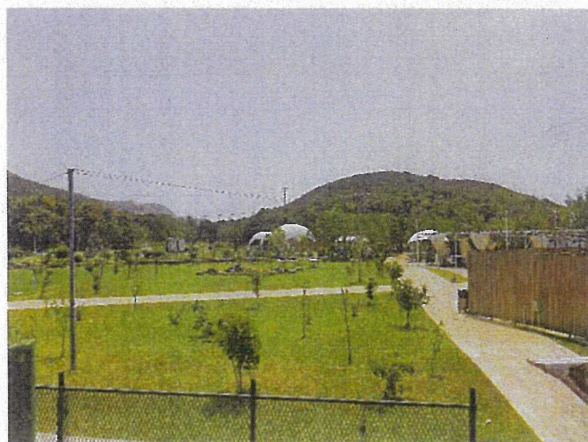
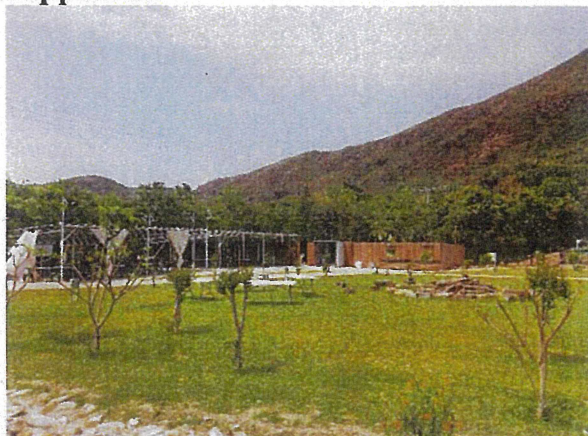
February 2021





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- From our site visit in April, the proposed site has already been set up as the current proposal, including hand washing basins, barbeque stoves, camp fire setups, storage facilities and tree plantation, **without any planning application and approval.**



April 2021

- It is noted that an **enforcement notice** (Case No. E/SK-PL/0007) has been issued for use of toilets, changing rooms and bathing facilities and storage use on 04 January 2021. The approval of the application will further legitimize unauthorized use of land set an undesirable precedent to regularize unlawful activities through a planning application.
- There are also lots of advertisements, photographs and videos on the internet and social media promoting the recreational development in Pak Lap. It is believed that these activities have been operating in Pak Lap for years, without any planning approval.
- The Town Planning Board made a clear statement<sup>1</sup> back in 2011 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"***.

<sup>1</sup> <https://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>



- In the 1244<sup>th</sup> Town Planning Board Meetings on 23 April 2021<sup>2</sup>, a Board Member opined that *“the Government should step up planning enforcement and **send out a clear message to deter ‘destroy first, build later’ activities.** Allowing more intensive levels of development after extensive devastation of an area was **fundamentally wrong.**”*
- We concern the Town Planning Board may be rewarding a **“Destroy First, Development Later” practice** and **unauthorized development** here through the approval of the captioned application. The Board should reject the application to send out a clear message to stop all these illegal activities.
- Moreover, the applicant fails to provide sufficient data on waste management for the application. As a popular hiking and camping spot in Hong Kong, tons of waste and rubbish has been generated during the weekend and it is common to see the rubbish is laying on the ground as it has exceeded the capacity of the waste collection bin at the entrance of the village.
- It is believed that more waste will be generated after the approval of the application and it is doubtful whether there is enough capacity to accommodate the extra waste from the development. Currently, the workers have to carry the waste all the way uphill to the nearest Sai Kung Man Yee Road. More waste would mean more burden for the workers on their duties.
- Besides, the applicant fails to show in the sewerage impact assessment that the proposed development would not bring any adverse environmental impact to the surrounding areas. As the applicant claims *“portable toilet will be deployed as necessary for activity participants and campers.”*, there is no further explanation on how the sewage would be treated.
- It is expected there is a tank to store the sewage temporary before a sanitation company arrives with a truck to empty the tank. However, there is an operation difficulty that the large truck is unable to access the site as there is no vehicular road in Pak Lap. The applicant fails to illustrate how the sewage would be treated and removed from the site and we worry **the environment would be polluted and damaged due to improper sewerage treatment and management.**
- In the same meeting in April, the Board decided to rezone the proposed site from “Village House Development (V)” to “AGR”. The Board believes *“it was necessary to **provide a buffer to protect the stream on the FR Site as it discharged into Pak Lap Wan** which had very good water quality and the high ecological value of the surrounding Country Park.”* And therefore, approved the amendment for the rezoning.
- The existing planning application will bring active human activities near the river. We worry these such intensive human activities would bring adverse impacts to the environment and the stream. As there is insufficient evidence that the applicant can ensure the sewerage and waste can be managed properly, **we worry the approval of this application would be a threat to the environment and stream in Pak Lap.**

<sup>2</sup> [https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb\\_e.pdf](https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf)



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- Pak Lap is a Country Park Enclave (CPE) and is surrounded by the Sai Kung East Country Park. All development within the CPE would unavoidably affect the adjacent Country Park. **The proposed application will bring environmental and ecological disturbance to Pak Lap and the Country Park.** All the development within the CPE should be considered the possible damages to the vulnerable asset in the city.
- The approval of the application would set an undesirable precedent for other applications within the CPE and "Agriculture (AGR)" zone, and lead to a general degradation of the natural environment and value of the Country Park in Hong Kong.

Here we submit our concerns for your consideration.

Yours,  
**Designing Hong Kong Limited**





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](mailto:tpbpd@pland.gov.hk))

2nd September, 2021.

By email only

Dear Sir/ Madam,

**Proposed Temporary Place of Recreation, Sports or Culture and Tent Camping**  
**Ground with Ancillary Storage for a Period of 3 Years**  
**(A/SK-PL/2)**

1. We refer to the captioned.
2. We would like to remind the Board that Pak Lap is a Country Park Enclave (CPE) and the current application site covers nearly entirely the area under the further amendment (e.g., from Village Type Development (V) zone to Agriculture (AGR) zone) discussed, considered and confirmed by the Board not long ago (e.g., in the TPB hearing for consideration of further representations regarding Pak Lap OZP held on 23 April 2021); this area (and also the application site) is located to the southeast of the existing village cluster at Pak Lap and to the west of a section of a watercourse which drains into Sai Kung East Country Park and Pak Lap Wan, and the current application site nearly bounds the western margin of this watercourse section.
3. Regarding the aforementioned amendment, we would like to refresh the memory of the Board and thus some key points extracted from the minutes of the relevant meetings/hearings<sup>1,2</sup> are shown below for your reference:

<sup>1</sup> [https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1234tpb\\_e.pdf](https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1234tpb_e.pdf)

<sup>2</sup> [https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb\\_e.pdf](https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf)



Minutes of 1234th Meeting of the Town Planning Board held on 13.11.2020<sup>1</sup>

Section 72:

*'A Member said that the interface between the "V" zone and the adjacent sensitive areas should be carefully handled. There was a potential risk of pollution caused by SH development to the nearby stream, the beach and the country park areas as the "V" zone was close to these areas without a buffer. Another Member pointed out that even if the stream was not an EIS, a non-polluted stream was already worth of conservation and the surface runoff could also be a threat to the water quality of the stream and the beach. Some Members considered that human activities in Pak Lap should be kept to the minimum so as to avoid disturbances to the natural environment.'*

Section 73:

*'Members generally agreed that the size of the "V" zone in Pak Lap should be reduced and consideration should be given to providing a buffer area between the "V" zone and the stream. In considering how the boundary of the "V" zone should be adjusted, Mr Raymond K.W. Lee, the Director of Planning, advised that PlanD should be requested to conduct a review on the "V" zone boundary taking account of Members' comments for the Board's further consideration.'*

Minutes of 1244th Meeting of the Town Planning Board held on 23.4.2021<sup>2</sup>

Section 52(d):

*'.....after consulting relevant government departments, the proposed "AGR" zone was considered to be a suitable buffer for the stream. Under the "AGR" zone, other than agriculture use that was always permitted, other developments including recreational uses would require the Board's planning permission and the applicants had to demonstrate to the Board that the applied use(s) would not generate adverse impact to the environment in the area, including the stream. Conditions requiring the applicant to comply with certain technical requirements might also be imposed upon granting planning approval.....'*

Section 52(e):

*'.....PlanD would consult AFCD on the ecological conditions of an area and the existence of any plant, animal or habitat that required protection under conservation zonings when drawing up land use zones in statutory plans. Where there were streams, PlanD would also ask AFCD to advise whether they were EIS and the protection required for the riparian zone. AFCD would not normally require any buffer or*



conservation zoning for the riparian zone of non-EIS, as in the case of Pak Lap, though there were exceptions for other ecological reasons. Nevertheless, after considering the representations and comments, the Board decided that it was necessary to provide a buffer to protect the stream on the FR Site<sup>3</sup> as it discharged into Pak Lap Wan which had very good water quality and the high ecological value of the surrounding Country Park. Considering also that there were only four outstanding SH applications, the Board decided to reduce the “V” zone and proposed to rezone the riparian area as “AGR”.....’

Section 82:

‘A Member expressed resentment over the ‘destroy first, build later’ approach, particularly in the case of Pak Lap which was originally of high ecological value. The Member opined that the Government should step up planning enforcement and send out a clear message to deter ‘destroy first, build later’ activities. Allowing more intensive levels of development after extensive devastation of an area was fundamentally wrong. Any future planning applications in Pak Lap should be assessed with caution taking account of the stream and the CPE background. The stream was in a very good condition with high value for conservation back in 2014, and the “AGR” buffer should be implemented without further delay. The Member also remarked that the “AGR” zoning for Old Schedule Lots demised for agricultural use was proper.’

Section 83:

‘A Member cautioned against adopting a confrontational approach to conservation and said that more communication with the land owners might lead to a win-win situation. The Chairperson responded that the further hearing demonstrated that the Board had struck a balance between development and conservation. She also agreed that planning enforcement in Pak Lap should be stepped up, and the Board would carefully scrutinize the impact of planning applications on the “AGR” zones of Pak Lap considering its CPE background.’

Section 87:

‘In response, Mr Ivan M.K. Chung, the Director of Planning, advised that there were remarks under the “AGR” zone which stipulated that any diversion of streams would require the Board’s planning permission. When commenting on future planning

<sup>3</sup> Remarks: the present application site is located within the ‘FR’ (further representation) site aforementioned.

*applications in the “AGR” zone, concerned departments would also consider any impacts on the stream that might arise from the applied use. Therefore, Members’ concern on the stream could be adequately addressed through the planning application mechanism.*

4. In view of the uses proposed in the current application, its location, the general settings of the Pak Lap enclave and its surroundings as well as the planning intention of the zoning of concern, we urge the Board to consider and/ or to consult relevant parties/ authorities regarding the following:

- Are the proposed uses in line with the planning intention of the AGR zone?
- Would the proposed uses affect the ‘buffering function’ provided by the concerned AGR zone (as mentioned in the minutes as shown above)?
- Has sufficient information been provided by the applicant to demonstrate to the Board that the applied uses would not generate adverse impact to the environment in the area, including the stream? Is there a detailed sewage impact assessment, water quality impact assessment and ecological impact assessment provided for this application?
- According to the supplementary planning statement<sup>4</sup> (Section 4.1.2) for this application, the following is mentioned: ‘*The Proposed Temporary Development will mainly be used during weekends and limited to participants with prior registration. At full capacity, it is anticipated approx. 60 participants with 30 staffs will attend. Catering and/or barbeque may be provided. Participants will be transported via Shuttle Bus operated by the Applicant from Sai Kung Town Centre to the Site.*’ And Section 5.8.1 of the same document mentions: ‘*Due to the limited population size, Portable toilets will be deployed as necessary for activity participants and campers. No adverse sewerage impact is anticipated.*’ Would the Board please clarify with the applicant as to how the sewage and waste collected by the proposed portable toilets is to be treated? We would like to remind the Board that at present there is no suitable vehicle road connected to the Pak Lap enclave, and this enclave is completely surrounded by Sai Kung East Country Park. There is also no communal sewer serving this enclave. Also, besides (portable) toilets, would there be bathing facilities? Would the potential catering and/ or barbeque activities

<sup>4</sup> [https://www.info.gov.hk/tpb/en/application\\_collection/A\\_SK-PL\\_2/Planning\\_Statement\\_1.pdf](https://www.info.gov.hk/tpb/en/application_collection/A_SK-PL_2/Planning_Statement_1.pdf)



(i.e., ‘Catering and/or barbeque may be provided’) generate sewage/ pollutants?

- Would the approval of this application encourage more similar applications/ approaches within the Pak Lap enclave or other CPEs? We believe the Board is already aware that there is another ongoing application within Pak Lap (A/SK-PL/1). Based on the information retrieved from the Planning Department on 2 September 2021, there is an Enforcement Case (E/SK-PL/0003) covering both the current application site (A/SK-PL/2) and the application site of A/SK-PL/1, and the problems involved include ‘use for place of recreation, sports and culture (including hobby farm and playground), use for tent camping ground, storage use and use for barbecue area’. The Enforcement Notice was issued on 7 June 2021. We urge the Board to liaise with relevant authorities as to whether this case has been settled (according to our observation at Planning Department on 2 September 2021, no Compliance Notice for this case has been issued yet). **We would like to remind the Board that the statutory planning application system is NOT a ‘Develop First, Apply Planning Permission Later’ regime.**

5. The reasons to proactively cover CPEs with OZPs (or incorporate them into Country Park) by the authorities after the Tai Long Sai Wan incident should have been elaborated in detail in our submission for A/SK-PK/1 (attached for your reference in **Appendix 1**). In this regard, we strongly urge that the Board also need to be fully aware the unique CPE background of Pak Lap when considering this application; indeed, as repeatedly reflected by the commenter/ representer’s representative during the hearing on 23 April 2021, **Pak Lap, as a CPE, is different from many other rural places, such as Yuen Long Pat Heung, in the New Territories.** Furthermore, the Board is also reminded to seriously take note of the supreme water quality of Pak Lap Wan and the amphioxus community, which is a Class II Protected Species in China and considered to be a living fossil<sup>5</sup>, known to flourish in this bay<sup>5</sup>.

6. The Board should also seriously consider the potential cumulative effects of approving this application as the approval will set a precedent for other similar applications.

7. Finally, we urge the Board to reject this application as the proposed uses are unlikely to be in line with the planning intention of the AGR zone, and we also cannot see from the

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<sup>5</sup>[https://www.afcd.gov.hk/english/conservation/Con\\_hkbsap/bsap\\_links\\_to\\_resources/files/Appendix\\_10\\_Marine\\_Living\\_Fossils\\_Subgroup\\_Report\\_Red\\_List\\_FG.pdf](https://www.afcd.gov.hk/english/conservation/Con_hkbsap/bsap_links_to_resources/files/Appendix_10_Marine_Living_Fossils_Subgroup_Report_Red_List_FG.pdf)



supporting documents that the potential environmental issues have been appropriately addressed in detail by any comprehensive and adequate assessments.

8. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden

cc. The Conservancy Association  
Designing Hong Kong  
Hong Kong Bird Watching Society  
The Hong Kong Countryside Foundation  
WWF-HK

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

20th July, 2021.

By email only

Dear Sir/ Madam,

**Proposed Field Study/Education/Visitor Centre**  
**(A/SK-PL/1)**

1. We refer to the captioned. The Outline Zoning Plan (OZP) for Pak Lap, which is a Country Park Enclave (CPE), has been discussed for several years, and its zonings, which help to regulate the land use in the area, were formulated after a lot of thought and considerations. The ultimate result of the discussions is that there is a vast reduction in the development pressure facing this enclave. In addition, as reflected from subsequent OZPs for CPEs of similar nature (e.g., remote, limited infrastructures, largely natural and/ or rural), a consensus seems to have been generally accepted by the Town Planning Board (hereafter called 'TPB', or 'the Board') – these enclaves are not intended to support any new large-scale development incompatible with their own settings as well as the surrounding CPs. Thus, we have found the present proposal to be completely incomprehensible and inconceivable, in view of its nature, outlook and scale. We strongly object to the captioned application, and our views (and relevant information) are presented below.

**The formulation of the land use planning regime in Pak Lap and the general planning intention of the area**

2. We believe the Board are aware that Pak Lap is entirely surrounded by Sai Kung East CP and its land use zoning plan/ development permission area plan was only prepared not long ago, mainly due to the Tai Long Sai Wan incident that happened in 2010. Under the 'Nature Conservation' Section of the 2010/2011 Policy Address, the following was indicated:

*'Hong Kong boasts over 40 000 hectares of land of scenic beauty. However, the recent*



*Tai Long Sai Wan incident has **highlighted the need to take prompt action to regulate land use in the vicinity of country parks to forestall human damage.***

*We have prepared draft Development Permission Area plans for Sai Wan, Hoi Ha, Pak Lap and So Lo Pun. There remains 50 sites adjacent to country parks but not yet covered by statutory plans. **To meet conservation and social development needs**, we will either include them into country parks, or determine their proper uses through statutory planning. We will start work as soon as possible.....’<sup>1</sup>*

3. In a reply to a member of the Legislative Council by the Secretary for the Environment in 2013, the following was also mentioned:

*‘.....In June 2010, unauthorised excavation works were detected on both private land and government land of the country park enclave of Sai Wan, **which triggered significant public concerns on the protection of country park enclaves in Hong Kong**.....’<sup>2</sup>*

4. During the development of the OZP for Pak Lap, several hearings (as there were numerous representers and commenters) were organised for the public to present their views to the TPB. Representations by environmental NGOs (eNGOs, including Kadoorie Farm and Botanic Garden (KFBG)) were partially upheld by the Board and the Village Type Development (V) zone at Pak Lap was greatly reduced (almost the whole of the current Application Site had been proposed to be zoned V but was eventually zoned Agriculture (AGR) (i.e., after the TPB hearing in 2014)).

5. In 2017, the Hoi Ha, Pak Lap and So Lo Pun OZPs made by the authorities were successfully challenged by a Juridical Review (JR); amendments to these three plans were then proposed and the hearing for these changes was carried out in 2020; after this hearing, the V zone at Pak Lap was further reduced (eNGOs’ views were partially upheld by the Board again) and now the proposed V zone almost only covers the existing village cluster and approved Small House sites. In 2021, another round of hearing was held for Pak Lap (for the proposed reduction in the V zone following the hearing in 2020), but the size of the reduced V zone was not changed (i.e., not to be resumed).

<sup>1</sup> <https://www.policyaddress.gov.hk/10-11/eng/p122.html>

<sup>2</sup> <https://www.info.gov.hk/gia/general/201310/09/P201310090471.htm>



6. KFBG participated in nearly all TPB hearings relating to the plans of Hoi Ha, Pak Lap and/ or So Lo Pun, as well as many other CPEs. From the above and from our collective understanding over the years, we would like to remind the Board the following:

- The formulation of the recent OZPs for CPEs (including Pak Lap) was mainly triggered by public concerns on their protection, which was initiated by the development and/ or unauthorised works at Tai Long Sai Wan.
- As reflected from the nature of the representations, a large number of citizens urged for the better protection of Pak Lap (completely outweighing the outcry for increasing the development zone).
- The zonings (V, AGR, Conservation Area (CA), Government, Institute and Community (G/IC)) under the Pak Lap OZP, and their respective size, are the outcomes of numerous hearings (and meetings) over the years (the latest hearing was just completed in April 2021); we believe the Board are well aware of the justifications presented by various parties (including the Planning Department, eNGOs and other stakeholders) and thoroughly deliberated and considered all these justifications. Simply speaking, this OZP was not haphazardly formulated; it was developed after due consideration of various factors including the settings and characters as well as the land status and history of Pak Lap and its surroundings (e.g., CP).
- The development pressure at Pak Lap was reduced gradually through the decisions made by the TPB (i.e., reduction in V zone).
- As aforementioned, a large part of the Application Site had once been proposed to be zoned V by the Planning Department, but the Board decided to replace this V zone by AGR zone, not long ago (i.e., in 2014).
- Based on our memory (i.e., the discussion in the hearings) and the relevant meeting minutes (over the years), it would seem that not much discussion relating to promoting recreational activities/ building large-scale recreational/ education facilities at Pak Lap took place; the discussions mainly focused on nature conservation (e.g., ecological and conservation value of Pak Lap and its surroundings), potential environmental pollution concern caused by human

activities/ development, ‘Destroy First, Build Later’ approach and the need of Small House development (e.g., the size of V zone). Only during the latest hearing held in April 2021 were some views relating to the recreational potential of this enclave exchanged<sup>3</sup>.

- Recreation (REC) zone has never been formally proposed (i.e., as shown in the plans exhibited for public review) by the Planning Department or the Board to be designated at Pak Lap. There is also NO REC zone in other CPEs in which the first drafts of the OZPs were prepared and gazetted after the Tai Long Sai Wan event (as at 19 July 2021); certain land use zonings that seem to be related to passive/ active recreation (e.g., Open Space) can be found in some of these CPEs but they mainly reflect existing features/ uses (e.g., sandy beaches and associated facilities (e.g., public toilet) in Tung A<sup>4</sup>, water sports recreation centre run for more than 30 years in Hoi Ha<sup>5</sup>), and Government, Institute and Community (G/IC) zones in these CPEs mainly reflect public/ community facilities/ structures (most are existing uses/ structures). No zonings intended primarily to encourage the development of new (and large-scale) short-term overnight accommodation facilities can be found in these CPEs (i.e., those OZPs made after the Tai Long Sai Wan incident; as at 19 July 2021).

7. We urge the Board to thoroughly review/ recall all relevant discussions in the TPB hearings/ meetings, and consider whether there was any thought/ intention/ attempt to facilitate the setup of large-scale recreational/ educational facilities (with overnight accommodation) within Pak Lap during the formulation of the Pak Lap OZP.

8. According to the latest Explanatory Statement (ES) of the Pak Lap OZP<sup>6</sup>, the general planning intention of the area is as follows:

*‘The general planning intention for the Area is to protect its high natural landscape value, to protect its natural and rural character which complements the overall naturalness and the landscape beauty of the surrounding Sai Kung East Country*

<sup>3</sup> [https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb\\_e.pdf](https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf)

<sup>4</sup> [https://www2.ozp.tpb.gov.hk/plan/ozp\\_plan\\_notes/en/S\\_SK-TA\\_2\\_e.pdf](https://www2.ozp.tpb.gov.hk/plan/ozp_plan_notes/en/S_SK-TA_2_e.pdf)

<sup>5</sup> [https://www2.ozp.tpb.gov.hk/plan/ozp\\_plan\\_notes/en/S\\_NE-HH\\_4\\_e.pdf#nameddest=OU](https://www2.ozp.tpb.gov.hk/plan/ozp_plan_notes/en/S_NE-HH_4_e.pdf#nameddest=OU)

<sup>6</sup> [https://www2.ozp.tpb.gov.hk/plan/ozp\\_plan\\_notes/en/S\\_SK-PL\\_3\\_e.pdf](https://www2.ozp.tpb.gov.hk/plan/ozp_plan_notes/en/S_SK-PL_3_e.pdf)



*Park and to make provision for future Small House development for the indigenous villagers of Pak Lap.*

*In the designation of various zones in the Area, consideration has been given to protect the natural habitats of high ecological significance in the Area such as the wooded areas at the periphery of the Area which form a continuous stretch of well-established vegetation with those located in the adjoining Sai Kung East Country Park. Fallow agricultural land is retained in view of the good potential for agricultural use.*

9. In the ES<sup>6</sup>, there is no detailed description/ expectation/ recommendation on the potential (or ‘opportunities’) to develop large-scale recreational/ educational facilities (with overnight accommodation) in the area, and all existing zonings are definitely NOT primarily intended to develop such facilities. Simply speaking, we cannot understand how the proposed ‘field study/ education/ visitor centre’ (in such scale and nature) can be in line with the general planning intention of the area as well as the intention of the AGR zone of concern.

**Discussion on ‘Destroy First, Build Later’ approach, and existing enforcement cases in Pak Lap**

10. As mentioned in our representations in various TPB hearings relating to Pak Lap and many news reports, there have been many environmental destruction/ suspected unauthorised activities in Pak Lap in recent years. Some discussion took place regarding the ‘Destroy First, Build Later’ approach in the 2014 TPB hearing<sup>7</sup> relating to Pak Lap, and the following was mentioned:

*‘...Some representers alleged that illegal tree felling and suspected unauthorised site formation and drainage works were previously found in So Lo Pun and Pak Lap respectively. The “destroy first, build later” approach should not be rewarded with development zoning.*

*A Member said that in response to the arguments put forward by the representers and commenters, the “V” zoning of land previously subject to suspected unauthorised site formation works in Pak Lap should be reviewed. Members noted that the concerned area in Pak Lap was fallow agricultural land overgrown with grass and shrubs. The zoning of the land would be considered upon deliberation on individual OZPs.*

<sup>7</sup> [https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1057tpb\\_e5.pdf](https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1057tpb_e5.pdf)



*After further discussion, the Chairman concluded and Members agreed that the Board was determined to conserve the rural and natural environment and would 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. To ensure that activities within the “AGR”, “GB” and “CA” zones would not result in adverse environmental impact, the Notes of the OZPs had stipulated that any diversion of stream, and filling of land/pond were subject to the approval by the Board.....’*

11. As aforementioned, part of the V zone in Pak Lap originally proposed by the Planning Department (the flat land to the east of the main watercourse within the Pak Lap enclave) was rezoned to AGR, after the hearing in 2014; the current Application Site is mainly located in this area (i.e., which was once proposed to be zoned V but later amended to AGR).

12. As mentioned above and in the meeting minutes (e.g., 7), there were some suspected unauthorised activities within Pak Lap; but even today in 2021 unauthorised activities still appear in Pak Lap. According to the information retrieved from the Planning Department in mid-July 2021, a total of six enforcement cases have appeared within the Pak Lap enclave (i.e., E/SK-PL/0001, E/SK-PL/0002, E/SK-PL/0003, E/SK-PL/0005, E/SK-PL/0007 and E/SK-PL/0008), and based on our observation, no Compliance/ Cancellation Notices have been issued for E/SK-PL/0003 and E/SK-PL/0008; a Compliance Notice has been issued for E/SK-PL/0005 but a Reinstatement Notice has then been issued afterwards (that means the case has not been settled yet). The case E/SK-PL/0008 mainly involves excavation and filling of land. **The case E/SK-PL/0003 (Enforcement Notice issued on 7/6/2021; expiry date: 7/8/2021) almost entirely covers the current Application Site, and the predominant unauthorised uses are: ‘use for place of recreation, sports and culture (including hobby farm and playground), use for tent camping ground, storage use, use for barbecue area’.**

13. We urge the Board to liaise with relevant authorities as to whether the enforcement case E/SK-PL/0003 which largely covers the current Application Site has been settled. We also urge the Board to seriously consider whether the approval of this application would be considered by some members of the public to be rewarding ‘Destroy First, Build Later’/ ‘Operate First, Apply Later’ approach.



**Recent observations at Pak Lap**

14. As aforementioned, the Pak Lap enclave is completely surrounded by Sai Kung East CP (the beach to the south of the Pak Lap enclave is also within CP). During our visits to Pak Lap over several years (the latest visit was carried out in mid-July 2021), we observed vehicles, tracked crawler carriers and/ or excavators within the enclave and/ or its immediate surroundings (**Figure 1**). We would like the Board to discuss with relevant authorities/ parties as to whether or not these vehicles/ machineries were driven to the locality through the CP; if not, how these vehicles/ machineries were brought to the area? Please note that without the consent from the Country and Marine Parks Authority no vehicle is allowed to be brought into CP.

15. Besides the presence of vehicles/ machineries, we could also observe stockpiling of construction materials at many locations in the area (also observed during the visit in mid-July 2021), and these stockpiling sites were usually haphazardly distributed (**Figure 2**). In the area abutting the recently built houses (which is located to the north of the Application Site), in addition to construction materials, we could also observe other materials (e.g., barrels, suspected portable toilets), a lot of garbage and even signs of burning (**Figure 3**).

16. Furthermore, many warning signs by Government departments (i.e., Agriculture, Fisheries and Conservation Department (AFCD) and Lands Department) could be seen in the Pak Lap area (including the footpath leading to Pak Lap from Man Yee Road), reminding people not to conduct unauthorised activities (e.g., uprooting plant/ disturbing soil in CP without authorisation, bringing vehicles into CP without authorisation, excavation/ dumping/ occupation of Government land; **Figure 4**). **We urge the Board to liaise with relevant authorities and determine the incidence of unauthorised activities that have already been detected in Pak Lap; and that are suggested by the number of warning signs present.**

17. **We urge the Board to contemplate whether the approval of this application would degrade (or help to improve?) the environment of Pak Lap and its surroundings (i.e., CP).**

**Is the proposal just a 'Field Study/ Education/ Visitor Centre'?**

18. The proposed use is entitled as 'Field Study/ Education/ Visitor Centre'. According to the 'Definition of Terms' under the TPB website, 'Field Study/ Education/ Visitor Centre' is grouped with some recreational uses (e.g., Golf Course, Holiday Camp) under 'Category V –

Recreation and Leisure’<sup>8</sup>, and the definition of ‘Field Study/ Education/ Visitor Centre’ is as follows:

*‘Means any place or premises exclusively or primarily used for displaying information or conducting field study and educational programmes on the environment and related subjects.’<sup>9</sup>*

19. We would like the Board to note that there is no mention of accommodation in the above definition. However, under the definition of ‘Holiday Camp’ or ‘Holiday House’, we can see the word ‘accommodation’; for instance, the definition of Holiday Camp means *‘any place where huts, cabins or other structures are put up as short-term accommodation for leisure for people on outings or on vacation.’*

20. We would like the Board to seriously consider whether the proposed development (a so-called ‘Nature Education Park’ which can accommodate 300 persons including a **maximum of 240 overnight visitors** (figures from the sewerage impact assessment) can be simply considered as a ‘Field Study/ Education/ Visitor Centre’. **Or should the title include ‘Holiday Camp’ as well?**

#### Compatibility

21. As mentioned in the documents submitted for this application, there would be ‘three’ main blocks to be built at the Site. But in fact there are four connected tower-like structures at ‘Block 2’ (‘Wind and Rain Bridge’); Block 1 resembles a ‘Hakka Tulou’ (Hakka earthen house) and Block 3 is a building with a performance stage. All are massive structures compared to the old and new houses in Pak Lap (e.g., Blocks 1 and 2 of the proposed development: four-storey vs. houses within existing village cluster: usually two to three-storey (**Figure 5**)).

22. We would like the Board to discuss with relevant authorities/ experts as to whether ‘Hakka Tulou’ and ‘Wind and Rain Bridge’ are structures that could normally/ generally be seen in Hong Kong’s traditional Hakka-style/ rural villages. Based on our understanding, Fujian’s Hakka Tulou is very famous and this type of structure also appears in Guangdong, but we would like the Board to seriously consider, after consulting relevant authorities/

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<sup>8</sup> [https://www.info.gov.hk/tpb/en/forms/dot\\_revised\\_broad.html](https://www.info.gov.hk/tpb/en/forms/dot_revised_broad.html)

<sup>9</sup> [https://www.info.gov.hk/tpb/en/forms/dot\\_revised\\_index\\_ftoo.html#field](https://www.info.gov.hk/tpb/en/forms/dot_revised_index_ftoo.html#field)



experts, whether ‘Hakka Tulou’ exists/ has ever existed in any of Hong Kong’s traditional rural villages. The same query can also apply to the proposed ‘Wind and Rain Bridge’ (Block 2).

23. During our numerous visits to various CPEs all over Hong Kong, we have never seen any ‘Hakka Tulou’ or ‘Wind and Rain Bridge’ structures like those illustrated in the document for this application. Indeed, we would like the Board to recall the Hakka-style village and buildings in Pak Sha O (another CPE in Sai Kung), and then seriously consider what kind of structures (and on what scale) can be considered as compatible with the traditional rural villages within CPEs. Based on the height, location, style and/ or scale of the proposed buildings, we do not consider they are compatible with the existing settings of Pak Lap and the surrounding CP.

#### **Ecological Impact Assessment**

24. Section 7.2.1 of the ES of the latest Pak Lap OZP mentions the ecological significance of the area; this section is reproduced below:

*‘Most of the flora and fauna in the Area are common and widespread species. Many native species such as Cinnamomum camphora (樟) and Ficus variegata var. chlorocarpa (青果榕) are found in the wooded areas forming a continuous stretch of well-established vegetation with those located at the adjacent Sai Kung East Country Park and are ecologically linked to the natural habitats therein. One of the species of conservation interest found is Pavetta hongkongensis (香港大沙葉), which is recorded in the woodland near the village. It is a protected plant under the Forests and Countryside Ordinance (Cap. 96). A small colony of Ceratopteris thalictroides (水蕨) was recorded in the wet abandoned fields and its occasional occurrence is subject to site conditions. Developments that may adversely affect the general rural character and the adjacent ecologically sensitive areas should be avoided.’<sup>6</sup>*

25. Indeed, the current Application Site covers the area where *Ceratopteris thalictroides* (Water Fern, 水蕨) has been recorded.

26. Moreover, in the ‘Marine Living Fossils Report’ prepared by local professors/ experts under the Biodiversity Strategy and Action Plan exercise led by the AFCD, Pak Lap Wan (the bay outside Pak Lap) is considered to be an important habitat for a living fossil – the

amphioxus. This report can be downloaded from the AFCD's website<sup>10</sup> and some of the text of this report is extracted and reproduced below:

*'In 2014, the Town Planning Board gave approval for village house development in Pak Lap (Draft Pak Lap Outline Zoning Plan No. S/SK-PL/1), which poses threats to the amphioxus communities in Pak Lap Wan on a number of fronts. Development in the area will include the diversion of streams, which could affect the deposition of sediments in Pak Lap Wan. The use of on-site septic tanks and soakaway (STS) systems to disperse untreated wastewater into the surrounding soil and the direct discharge of greywater into storm drains could lead to increased pollution in Pak Lap Wan, and development in Pak Lap will require excavation and exposure of the topsoil and underlying sediments, posing the risk of sediment discharge into Pak Lap Wan, which could smother the amphioxus communities (Laurie, 2014).'*

27. Pak Lap Wan is even recommended to be designated as a Marine Protection Area in this report.

28. During our recent visit to Pak Lap, we observed a trench full of muddy water (the approximate location of this trench is shown in **Figure 6**). This trench connected with the main watercourse to the west of the Application Site (**Figure 6**), and this watercourse drains into Pak Lap Wan. We urge the Board to investigate with relevant authorities as to whether this trench is within the Application Site and whether this trench is natural or man-made.

29. In view of the ecological significance and sensitivity of the Pak Lap enclave and its surroundings mentioned above as well as the scale of the proposed development, we would like the Board to seriously consider whether Terrestrial and Marine Ecological Impact Assessments should be carried out for the captioned application. According to the gist and the TPB website<sup>11</sup>, it appears that no ecological impact assessment was submitted for this application.

#### Population in the area and sewage calculation

30. According to the Sewerage Impact Assessment submitted for this application, the

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<sup>10</sup>[https://www.afcd.gov.hk/tc\\_chi/conservation/Con\\_hkbsap/bsap\\_links\\_to\\_resources/files/Appendix\\_10\\_Marine\\_Living\\_Fossils\\_Subgroup\\_Report\\_Red\\_List\\_FG.pdf](https://www.afcd.gov.hk/tc_chi/conservation/Con_hkbsap/bsap_links_to_resources/files/Appendix_10_Marine_Living_Fossils_Subgroup_Report_Red_List_FG.pdf)

<sup>11</sup> [https://www.info.gov.hk/tpb/en/application\\_collection/A\\_SK-PL\\_1/A\\_SK-PL\\_1.html](https://www.info.gov.hk/tpb/en/application_collection/A_SK-PL_1/A_SK-PL_1.html)



proposed 'Nature Education Park' would accommodate a total of 300 persons (including a maximum of 240 overnight visitors). But Section 6 ('Population') of the ES of the latest Pak Lap OZP indicates the following:

*'According to the 2016 By-census, the population of the Area estimated by the Planning Department was less than 50 persons. It is expected that the total planned population of the Area would be about 230 persons.'*<sup>6</sup>

31. We suggest that the Board liaise with relevant authorities and determine if during the formulation of the Pak Lap OZP there was ever an expectation that there would be a 'Park' providing overnight accommodation for 240 visitors (which is even more than the total planned population of the Area). Based on this context, we would also like the Board, with input from the relevant authorities, to estimate the maximum population that might appear in Pak Lap (e.g., the population that is expected/ estimated to appear in the existing V zone plus the number of visitors staying in the so-called 'Park'), and then to seriously consider whether the environments of Pak Lap and its surroundings (i.e., Sai Kung East CP, Pak Lap Wan and Man Yee Road) are likely to be under strain (e.g., increased disturbance to the surroundings), if this application is to be approved.

32. Regarding the Sewerage Impact Assessment submitted for this application, we would also suggest that the Board liaise with relevant authorities and determine whether the Unit Flow Factors (UFFs) adopted for the calculation are acceptable; for instance, the adopted UFF of overnight visitor is 0.15, and the sewage flow of the 240 overnight visitors is estimated to be 36 m<sup>3</sup>/day only.

#### Precedent effect

33. We urge the Board to seriously consider whether the approval of this application would set a precedent for other similar proposals in other CPEs. Would the approval of this application encourage more 'Hakka Tulou' and 'Wind and Rain Bridge' (or similar structures) to be proposed/ built in various CPEs (say Tai Long Wan which is also surrounded by Sai Kung East CP)? Would the approval encourage more applications for visitor facilities with overnight accommodation in other CPEs?

34. Overall, we strongly object to the application as it is not in line with the planning intention of the Area and the AGR zone of concern; furthermore, we do not consider it to be compatible with the enclave and the surrounding Sai Kung East CP.



35. We urge the Board to unequivocally reject this application.

36. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden

cc. The Conservancy Association  
Designing Hong Kong  
Hong Kong Bird Watching Society  
Hong Kong Countryside Foundation  
WWF-HK



**Figure 1.** Vehicles, tracked crawler carriers and/ or excavators within the Pak Lap enclave and/ or its immediate surroundings observed during our visits over several years.





Figure 1. Cont'd.





Figure 1. Cont'd.





Figure 1. Cont'd.





**Figure 2.** Stockpiling of construction materials.





Figure 2. Cont'd.





Figure 2. Cont'd.



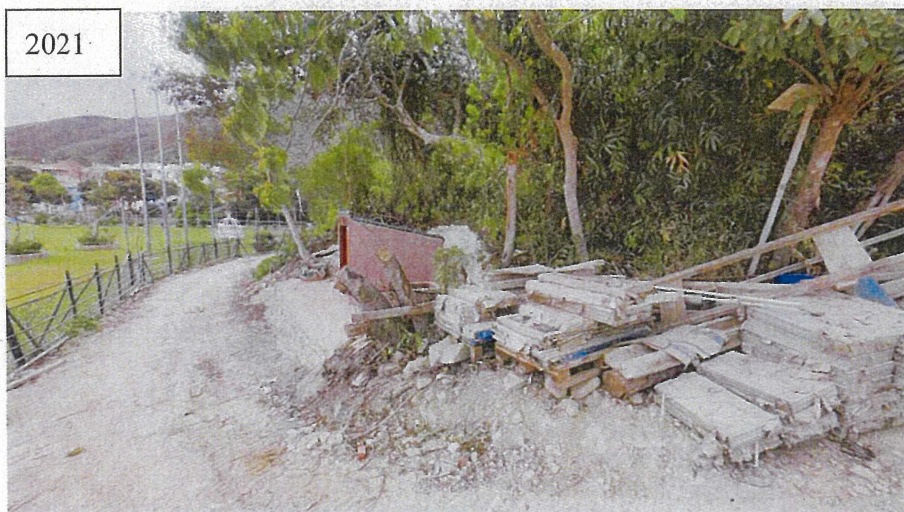


Figure 2. Cont'd.





Figure 2. Cont'd.



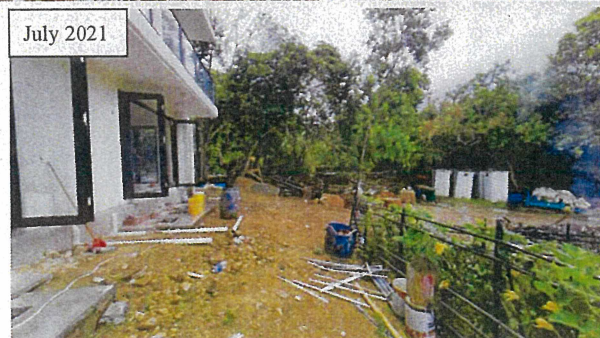


**Figure 3.** Barrels, suspected portable toilets, garbage and sign of burning.





Figure 3. Cont'd.



香港新界大埔林錦公路  
 Lam Kam Road, Tai Po, New Territories, Hong Kong  
 Email: eap@kfbg.org



Figure 3. Cont'd.







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

Figure 3. Cont'd.

July 2021



香港新界大埔林錦公路  
Lam Kam Road, Tai Po, New Territories, Hong Kong  
Email: eap@kfbg.org



Figure 4. Various warning signs by Government departments.



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Figure 5. Existing village cluster and houses in Pak Lap.

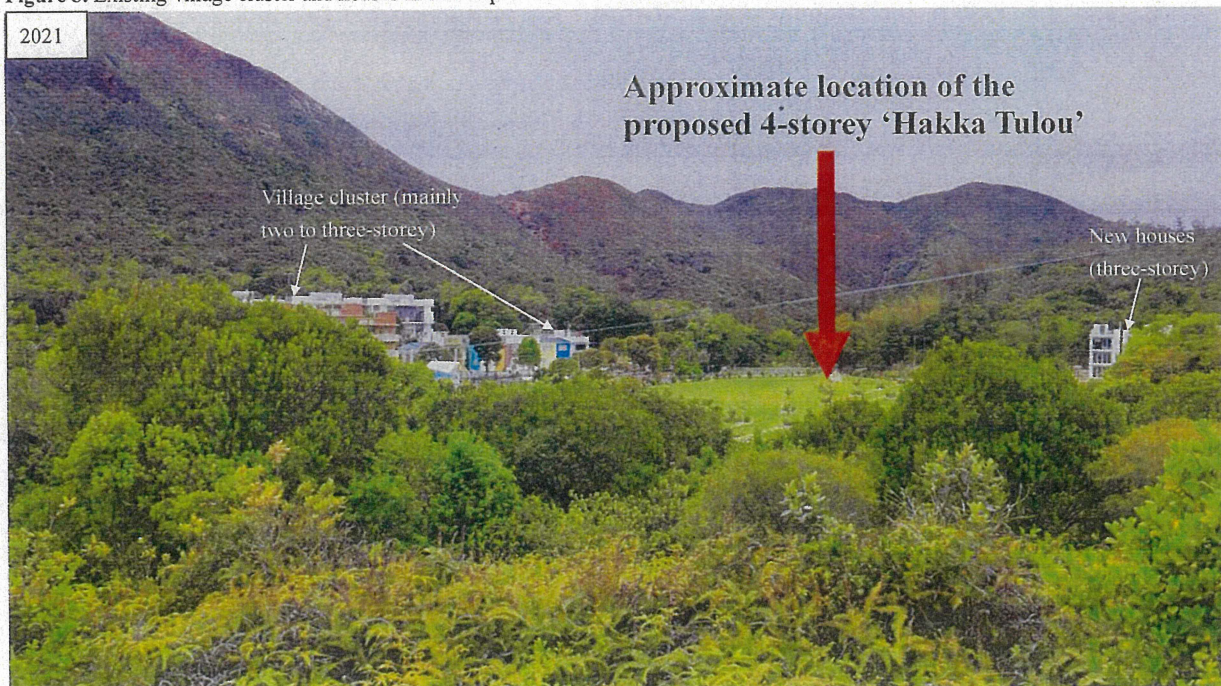




Figure 5. Cont'd.

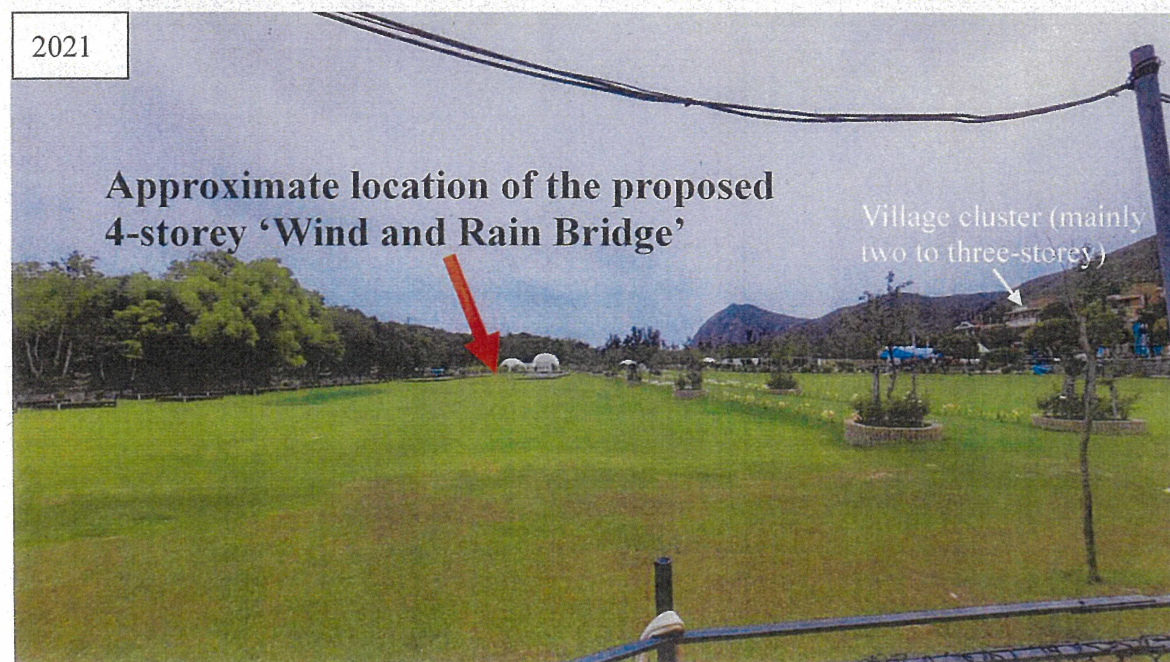




Figure 6. The trench full of muddy water.

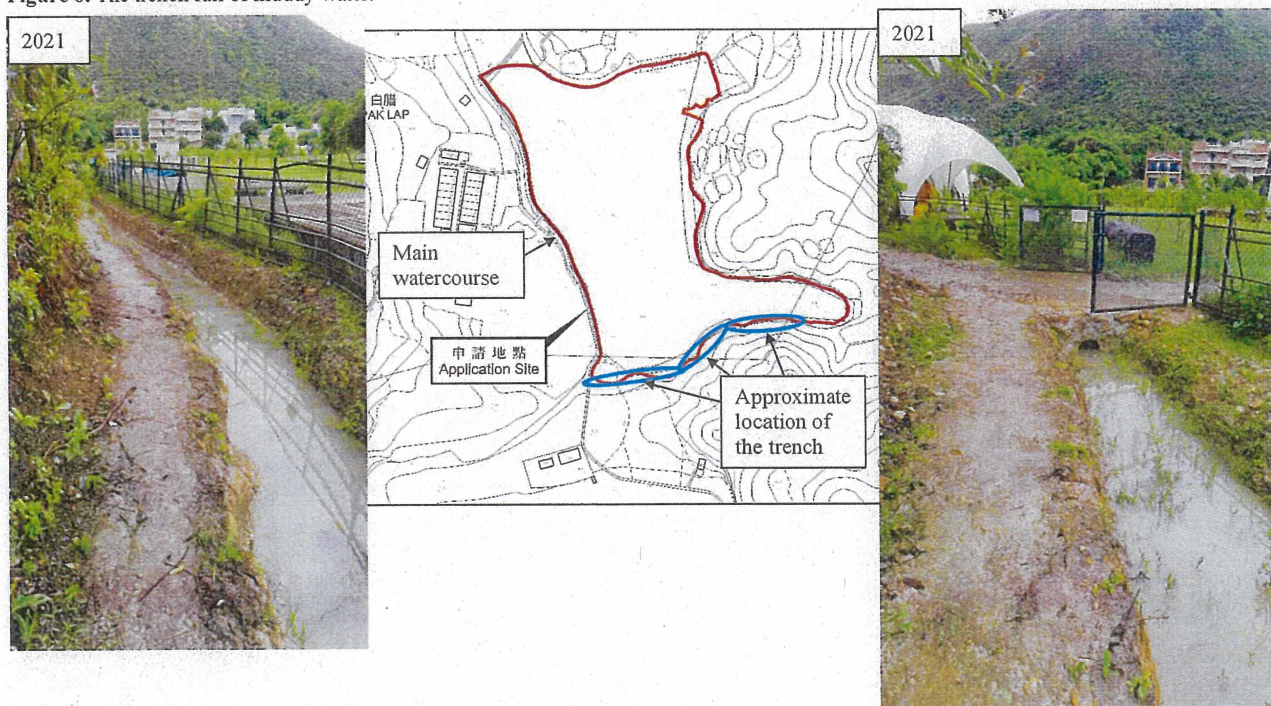




Figure 6. Cont'd.



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070



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

Figure 6. Cont'd.



2021

Water at the main watercourse to the west of the Application Site was quite clean (at least not muddy at all).

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反對西貢白腊臨時康樂發展用途(A/SK-PL/2)  
02/09/2021 19:23

To: Cahk <tpbpd@pland.gov.hk>  
FileRef:

006

反對西貢白腊臨時康樂發展用途(A/SK-PL/2)

姓名：Tina

反對原因:

- 1.鼓勵「先破壞後發展」：自2009年起，該區遭到大規模土地平整；另外今年4月，有傳媒發現白腊一帶舉辦親子露營燒烤活動，疑違反城規條例，規劃署最終在6月向涉事者發出強制執行通知書，要求中止該處的違例發展，現時批出項目，是間接鼓勵「先破壞後發展」行為，令該區鄉郊環境質素下降
- 2.將立不良先例：該地屬「農業」用途，貼近西貢東郊野公園，申請沒有充分證據，支持發展可偏離規劃意向，批出項目將立不良先例，鼓勵更多類似申請入侵該區農地及毗鄰郊野公園用地
- 3.污染毗鄰河流：今年4月的城規會會議，城規會同意規劃署的建議，把現址劃作「農業」用途，為毗鄰河流提供緩衝區，現時的发展即使屬臨時性質，亦違背了城規會保護河流的意向。相關的康樂活動製造的污水不但會污染毗鄰河流，污水亦會直接流到白灣，加劇當地環境的破壞



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

參考編號

Reference Number:

210902-204336-12721

提交限期

Deadline for submission:

03/09/2021

250

提交日期及時間

Date and time of submission:

02/09/2021 20:43:36

有關的規劃申請編號

The application no. to which the comment relates: A/SK-PL/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Marco Wen

意見詳情

Details of the Comment :

本人反對有關規劃申請，原因如下：

1) 該地原屬半濕地，約兩三年前被填土破壞，若准許改變用途只會鼓勵地主作更多「先破壞後發展」的不法行為。

2) 白腊村只有自然保護區、農地和鄉郊式發展規劃，沒有康樂用途的土地規劃。早前傳媒已揭發有人非法將農地用作收費的高級露營場地，而今次的規劃申請明顯是要將不法的用途合法化，若獲批准將鼓勵更多擅自改變土地用途的非法行為。

3) 白腊是香港其中一個最優美和具高生態價值的地方，這亦是為何去年署方制訂了《白腊分區計劃大綱圖》，並於今年修訂了，作出更好的管制。若批准申請，將與署方保護該區環境的原意相違背。

4) 白腊是郊野公園其中一個「不包括土地」，對郊野公園生態有舉足輕重的影響，仰賴署方跟據分區計劃大綱圖的管制來確保不會過度發展，以致影響郊野公園。故此，城規會不應輕易批准改變土地用途。

5) 申請用該地作露營場和貯物處並不涉及公眾利益，既沒必要也沒有迫切性。

6) 業主購入該土地時已知只能作農業用途，社會沒有責任幫助該土地改劃升值，為業主賺取更多回報。

7) 該土地和鄰近土地在過去10年一次又一次遭受破壞，業主和相關人士可謂劣績斑斑！期望城規會考慮該處的不良記錄，阻止惡人得呈！

**Advisory Clauses**

- (a) to note the comments of District Lands Officer/Sai Kung, Lands Department that under the lease, the lessee must obtain the approval of Government before any buildings or structures of any description are erected or constructed on the land. The applicant is required to submit a formal Short Term Waiver application to LandsD for consideration of any proposed structures to be erected/installed at the lots. LandsD would process such application in the capacity of a landlord and if the application is approved, it will be subject to such terms and conditions, including the payment of fees as considered appropriate. However there is no guarantee that such application will be approved;
- (b) to note the comments of the Commissioner for Transport that the applicant should seek the Director of Agriculture, Fisheries and Conservation's (DAFC's) comments on the proposed arrangement for staff accessing the Site by private cars already registered with permit from DAFC;
- (c) to note the comments of the Commissioner of Police that all legislations of Hong Kong must be complied with, in particular that permits must be obtained from DAFC for entering Pak Tam Chung Barrier;
- (d) to note the comments of the DAFC that the proposed "shuttle bus service" would involve bringing vehicles into SKECP via the Pak Tam Chung Barrier Gate in which permits are required under the Country Parks and Special Areas Regulations (Cap. 208A). In order to minimise potential impacts to the natural environment, there is strict control on vehicular entry into country parks. Generally speaking, his Department will only consider issuing permits to persons carrying out official duties, works or controlled activities approved by his Department;
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that approval of the application does not imply approval of tree preservation/removal scheme under the lease. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate;
- (f) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that WSD's approval should be sought on vehicles accessing Man Yee Road and the Conditions for the Use of Waterworks Access Road at Appendix IIa of the RNTPC paper should be noted;
- (g) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department that the applicant is reminded to minimise the possible adverse environmental impacts on the existing streamcourse in the design and during construction. Adequate stormwater drainage collection and disposal facilities should be provided in connection with the proposed development to deal with the surface runoff of the Site or the same flowing on to the Site from the adjacent areas without causing any adverse drainage impacts or nuisance to the adjoining areas. All the proposed works including site formation works should be situated at 3m away from the nearby streamcourse. Sand, silt and cementitious materials shall be prevented from being washed down into the natural streamcourse;
- (h) to note the comments of the Director of Fire Services that either a street fire hydrant supplied directly from town main or a fire hydrant system with adequate flow, pressure and size of water tank is considered necessary to secure the water supplies for fire-fighting. 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 his Department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans. The good practice guidelines for open storage at Appendix IIb of the RNTPC paper should be adhered to. If the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123) or license is required for the subject place of recreation, sports or culture and tent camping ground, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority respectively;

- (i) to note the comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department as detailed in Appendix II of the RNTPC Paper; and
- (j) to note the comments of the Director of Food and Environmental Hygiene from the licensing perspective at Appendix II of the RNTPC Paper. Besides, there should be no encroachment on the public place and no environmental nuisance should be generated to the surroundings. Its state should not be a nuisance or injurious or dangerous to health and surrounding environment. Also, for any waste generated from such activities/ operation, the applicant should arrange disposal properly at their own expenses.