

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SLC/181

<u>Applicant</u>	: Mr. Cheung King On represented by Mr. Hui Kwan Yee
<u>Site</u>	: Lot 2406 in D.D. 316L in Pui O, Lantau Island
<u>Site Area</u>	: 212m ²
<u>Lease</u>	: Block Government Lease (devised for agricultural use)
<u>Plan</u>	: Approved South Lantau Coast Outline Zoning Plan (OZP) No. S/SLC/21
<u>Zoning</u>	: “Coastal Protection Area” (“CPA”)
<u>Application</u>	: Temporary Holiday Camp and Place of Recreation, Sports or Culture (Barbecue Site) for a Period of Three Years and Associated Filling of Land

1. The Proposal

- 1.1 The applicant seeks planning permission for a temporary holiday camp and place of recreation, sports or culture (barbecue site) for a period of three years and associated filling of land (at a depth of 0.5m) at the application site (the Site). The Site falls within an area zoned “CPA” on the approved South Lantau Coast OZP No. S/SLC/21 (**Plan A-1 to Plan A-3**). According to the Notes of the OZP for the “CPA” zone, ‘Holiday Camp’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied uses without planning permission.
- 1.2 The application is for a temporary holiday camp with barbecue site comprising two single-storey structures for two holiday camp units each with toilet and showering facilities and barbecue area (with a total gross floor area of 114m²), which will be fenced off by wooden fence. According to the applicant, no barbeque food will be provided and visitors are required to bring their own food to the Site. The applied filling of land involving the whole site of 212m² and 0.5m in depth has already been completed. The proposed uses will operate from 8:00 a.m. to 11:00 p.m. daily including public holidays (except for overnight holiday camp activities) and will accommodate a maximum of 12 visitors at a time. The visitors will be required to make reservation in advance for holiday camp and barbeque site facilities. Walk in visitors will also be allowed if there is vacancy. There will be one staff stationed including one staying overnight. The Site

is accessible from Chi Ma Wan Road through a substandard single track vehicular access leading to a footpath along the edge of Pui O Playground and then the adjacent Lot 2402 and a vacant government site before reaching the Site. No parking facility will be provided at the Site. According to the applicant, visitors will take public transport to Pui O, and then go to the Site by walking. The layout plan submitted by the applicant is at **Drawing A-1**. The proposed development parameters of the application are shown in the following table:

Site Area	212m ²
Land Filling Area	212m ² (0.5m in depth)
Total Gross Floor Area	114m ²
Site Coverage	About 53.77%
No. of Structures	2 (all are existing structures)
Building Height	1 storey (about 5.5m)
Proposed Uses	2 holiday camps each with toilet and showering facilities (the dimension of each holiday camp is 6.0m x 9.5m) and designated barbeque area

- 1.3 According to the submission, the staff will collect and dispose of the solid waste to the nearby refuse collection point daily. The chemical toilets and showering facilities will be connected to four water tanks (the size of each water tank is 1.0m (W) x 1.2m (L) x 1.1m (H)) via an exposed pipe on ground where the sewage generated will be stored and removed by service truck once a week. Service truck will be parked at road side next to Pui O Playground. Surface runoff will drain out naturally to the adjacent sites.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) application form with attachments received on 2.6.2023 (Appendix I)
 - (b) further information (FI) received on 7.7.2023 (Appendix Ia)
[accepted and exempted from publication and recounting requirements]

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the planning statement and FI at **Appendices I** and **Ia**. They are summarised as follows:

- (a) the proposed holiday camp could make good use of the land and the operator and staff will pay attention to the ecological importance of the surrounding area;
- (b) the proposed holiday camp is suitable for family visitors and youth. As the Site is close to Pui O Beach, it provides an opportunity for the public/visitors to enjoy the nature. Also, the proposed holiday camp could promote tourism and create employment opportunities in Pui O;

- (c) the proposed holiday camp is small in scale. The proposed structures are not permanent in nature and will not cause adverse impact on the natural environment nor affect the surrounding landscape character;
- (d) there are large scale holiday camp developments nearby (including Hong Kong Victoria Resort and JK Club) approved by the Board; and
- (e) as no parking will be provided, adverse traffic impact on the surrounding area is not anticipated.

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

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

4. Background

- 4.1 The Site is located amidst a seasonally wet grassland (i.e. Pui O Wetland) which is identified as a Core Conservation Zone on the Ecological Study for Pui O, Shui Hau, Tai O and Neighbouring Areas – Feasibility Study (the Study) conducted by the Civil Engineering and Development Department (CEDD) in 2021. According to the Study, a Core Conservation Zone is the most ecologically important areas which include marsh that is permanently flooded and contain rich decaying organic matter. Seasonally wet grassland in this zone shares the same origin with the marsh and therefore has very strong ecological linkage with the habitat. Marsh and seasonally wet grassland, as a whole, nurture a high diversity of macroinvertebrates, of which many species are rare. This is an important reason for the high number of residing and visiting avifauna species that have been recorded foraging in this area. The ecological features of Pui O make the freshwater marsh and adjoining habitats one of the most important sites for visitor and resident water birds on Lantau. In view of the above, the overall ecological value of Pui O Core Conservation Zone is high.
- 4.2 The Site was the subject of reports on environmental vandalism by concerned parties in 2020. With reference to the aerial photos (**Plan A-3b**) and site inspections, filling of land and erection of unauthorised structures were observed within the Site in recent years. The Lands Department (LandsD) has issued warning letters against the unauthorised structures to the lot owner.

5. Previous Application

There is no previous application at the Site.

6. Similar Applications (Plan A-1)

- 6.1 There are seven similar applications (No. A/SLC/88, 155, 161, 173, 178, 179 and 180) for proposed holiday camp covering six sites between 2008 and 2023, with three applications approved by the Committee/the Board upon review, one rejected by the Board upon review and three applications under processing. Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.
- 6.2 Application No. A/SLC/88 was submitted due to the lapse of the previous planning permission under Application No. A/SLT/47 and more time required for the land exchange process. The application was approved with conditions by the Committee on 6.6.2008 mainly on the grounds that there had been no significant changes in the planning circumstances since the previous approval; the development was not incompatible with the surrounding areas; the development was in line with the recommendation of the 'Revised Concept Plan for Lantau' in 2007 in which Pui O was recommended to be developed into a family-oriented recreation hub; and the sewage concerns could be addressed by imposing an approval condition. An Occupation Permit for a three-storey holiday camp building (Hong Kong Victoria Resort) was issued by the Building Authority on 6.11.2015. The approved development has been implemented.
- 6.3 Application No. A/SLC/155 was approved by the Board upon review on 20.12.2019 mainly on the grounds that the application site was close to South Lantau Road; the proposed development was an environmental improvement as compared to the previous vehicle repair workshop; other parts of the subject "CPA" zone had already been disturbed; and the proposal was in line with the initiative for South Lantau in the 'Sustainable Lantau Blueprint' to encourage conservation with sustainable leisure and recreational uses. Subsequently, the planning permission under Application No. A/SLC/155 was revoked on 20.5.2022 due to non-compliance with approval conditions related to the implementation of the landscape proposal and drainage proposal and the provision of fire service installations and water supplies, loading/unloading bays and parking spaces and septic tanks.
- 6.4 Application No. A/SLC/161 was rejected by the Board upon review on 11.12.2020 mainly on the grounds that the application was not in line with the planning intention of the "CPA" zone; the applicant failed to demonstrate that the proposed development would not have adverse ecological, water quality, drainage and sewerage impacts on the surrounding areas; and approval of the application would set an undesirable precedent for similar applications.
- 6.5 Application No. A/SLC/173 (covering the same site of Application No. A/SLC/155) was approved with conditions by the Committee on 13.1.2023 mainly on the grounds that the planning circumstances had remained unchanged as those under the previous approval, sympathetic consideration was given to the application as the revocation was due to failing to obtain the Short Term Waiver for complying with the implementation

of relevant approval conditions; and approval of the application was in line with the Board's previous decision.

- 6.6 Applications No. A/SLC/178, A/SLC/179 and A/SLC/180 submitted on 12.5.2023 are under processing. Amongst them, the latter two were submitted by the same applicant as the current application. On 23.6.2023, the Committee decided to defer making decisions on these three applications for two months as requested by the applicants.

7. The Site and Its Surrounding Areas (Plans A-1 to A-2, aerial photos on Plans A-3a and A-3b and site photos on Plans A-4a to A-4c)

7.1 The Site is:

- (a) currently occupied by two holiday camp units each with barbeque site, toilet and showering facilities;
- (b) filled with a site level higher than the adjacent lot. Two designated barbecue sites are paved. Wooden platform are placed on the designated holiday camp units;
- (c) falling within the boundary of the Pui O Site of Archaeological Interest (**Plan A-1**); and
- (d) accessible from Chi Ma Wan Road through a substandard single track vehicular access leading to a footpath along the edge of Pui O Playground and then the adjacent Lot 2402 and a vacant Government site before reaching the Site.

7.2 The surrounding areas have the following characteristics:

- (a) the Site is located amidst a seasonally wet grassland (i.e. Pui O Wetland) which is identified as a Core Conservation Zone on the Study conducted by CEDD;
- (b) to the immediate north are two vacant lots and a piece of government land; and to the further north is another holiday camp under application (No. A/SLC/179);
- (c) to the further north is Pui O Playground; and to the further northeast is Hong Kong Victoria Resort covered by an approved planning application No. A/SLC/88 for a holiday camp;
- (d) to the further southeast is another holiday camp under application (No. A/SLC/180); and
- (e) to the further south are Pui O Beach and Pui O Camp Site managed by the Leisure and Cultural Services Department (LCSD).

8. Planning Intention

- 8.1 The “CPA” zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 8.2 As stated in the Explanatory Statement of the OZP, these scenic and ecologically coastal areas should also be protected against land filling, land excavation or stream diversion and encroachment by developments.

9. Comments from Relevant Government Departments

- 9.1 The following government departments have been consulted and their views on the application are summarised as follows:

Land Administration

- 9.1.1 Comments of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD):

- (a) the Lot is an Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government;
- (b) his recent site inspection in June 2023 revealed that there were unauthorized structures on the Lot. His office is investigating into the case and reserves the right to take lease enforcement actions;
- (c) his office had previously received a complaint against erection of unauthorized structures on the Site. After receipt of his office’s warning letters, the owner of the Lot had rectified the irregularities in October 2022. As at 20.6.2023, no further complaint concerning unauthorized structures on the Site has been received by his office;
- (d) the alleged path between Lot 2402 and Lot 2406 both in D.D. 316L (the Area) is on Government land (GL). Illegal occupation of GL adjoining the Site has been found in recent site inspection. His office will take enforcement actions against illegal occupation of GL according to his office’s work priority; and

- (e) other detailed comments are at **Appendix III**.

Lantau Development

9.1.2 Comments of the Head of the Sustainable Lantau Office, Civil Engineering and Development Department (H(SLO), CEDD):

- (a) the Sustainable Lantau Blueprint (the Blueprint), which was promulgated in 2017, embraces the overarching principle of “Development in the North; Conservation for the South”. The predominant part of Lantau, in particular the South Lantau, would be conserved for its natural and cultural resources and where appropriate, low-impact leisure and recreational uses would be developed for public enjoyment. The leisure and recreation proposals should be environmentally sustainable and be compatible with the local context. In South Lantau, camping grounds at appropriate locations could be explored for the public to enjoy the natural resources of Lantau. In 2020, the Lantau Conservation and Recreation Masterplan (the Masterplan) was formulated based on the Blueprint and promulgated to provide a framework guiding the conservation and recreation initiatives in Lantau. According to the Masterplan, Pui O falls within the “South Lantau Eco-recreation Corridor”. It is proposed that proactive conservation measures plus some sustainable nature-based recreation and education events/activities/facilities could add to the diversity of the corridor. The temporary holiday camp and place of recreation, sports or culture (barbecue site) uses are considered in line with the initiative in the Blueprint and Masterplan provided that there is no adverse ecological and environmental impact; and
- (b) according to the Study, the overall ecological value of Pui O Priority Site is high. The Site falls within the Core Conservation Zone (i.e. areas mainly for conservation purposes) of the Priority Site identified under the Study. Based on the aerial photo, the application site has been filled. The proposed development should not result in adverse ecological and environmental impacts on the Pui O wetland habitat in view of its location.

Nature Conservation

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

- (a) existing operation of holiday camp was observed on the Site. Wooden platforms have been formed and a number of structures have been erected. Tiles were laid connecting the holiday camp in Lot 2402 (Application No. A/SLC/179). The Site shares the same proposed access

route as in Application No. A/SLC/179. Given the long site alternation due to the holiday camp operation, the Site itself is currently of limited ecological value;

- (b) it appears that the proposed structures and filling of land specified refer to the existing site condition. Unless there is new excavation work or filling of land to be performed and further alteration in site condition and usage occur, his office has no comment on the application;
- (c) provided that the site drainage and/or sewage discharge from the operation are acceptable to relevant authorities, major indirect ecological impact is not anticipated; and
- (d) the walking path will be used for supplies, visitors and staff access. Such uses along an existing path are not expected to affect the wetland habitat of Pui O.

Environment

9.1.4 Comments of the Director of Environmental Protection (DEP);

having reviewed the FI submitted by the applicant, he notes that the applicant claims that the chemical toilets will be connected via pipe connection laid on the ground to a large water tank where the sewage generated will be stored and will be tinkered away once a week. Showering facilities will also be provided in the chemical toilets and the sewage generated will also be stored in the large water tank. However, the information provided is limited and he has doubt on how such measures would ensure the sewage generated on site could be properly managed. In view of the limited information provided by the applicant on their sewage disposal proposal, he is unable to lend support to the current application.

Landscape, Urban Design and Visual

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

Landscape

- (a) according to the aerial photo of 2022 (**Plan A-3**), the Site is situated in an area of rural and natural landscape character predominated by tree groups and grassland with Pui O Beach located to the south of the Site. According to the Schedule of Uses and Explanatory Statement of the OZP No. S/SLC/21, the “CPA” zone *“is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform*

or area of high landscape, scenic or ecological value, with a minimum of built development.....There is a general presumption against development in this zone.” The proposed development with filling of the whole site and construction of two single-storey structures will disrupt the natural environment and is not compatible with the surrounding landscape resources and landscape character of the area;

- (b) with reference to the aerial photos from 2014 to 2016, filling of land and construction of temporary structures were observed within the Site (**Plan A-3b**). Also, according to aerial photo taken in 2022 (**Plan A-3a**), the Site was partly concrete paved and partly covered with vegetation. Filling of land has already been carried out and the Site seems to be in operation. Significant landscape impact has taken place on the Site. However, no landscape proposal is included in the submission to demonstrate that the proposed uses would not generate adverse landscape impact on the Site and surrounding natural environment;

Urban Design and Visual

- (c) the Site is located on a flat land surrounded by grassland to its south and west. Some low-rise structures are also found at its north and further south. Further north across the woodland are low-rise recreational developments such as Pui O Playground, Lantau and Victoria Resort; and
- (d) part of the original vegetation cover of the Site has been cleared and the visual character of the “CPA” zone where the Site is located has already been affected. Given that the proposed development is low-rise (5.5m high) and temporary in nature, significant adverse visual impact on the area is not anticipated.

Drainage

9.1.6 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

- (a) based on the information provided by the applicant, he considers that the potential for detrimental effects on drainage is limited. Therefore, a drainage impact assessment is not required for the proposed temporary holiday camp. However, the applicant shall provide adequate stormwater drainage collection and disposal facilities to deal with the surface runoff of the Site or the same flowing onto the Site from the adjacent areas; and
- (b) the concerned site is located amidst existing seasonally wet grassland and falls within the core conservation zone. In addition, the drainage proposal may also affect the private lots in the vicinity of the Site. Having reviewed the FI, he has reservation on the application in view of the absence of a feasible drainage proposal submitted by the applicant.

Traffic

9.1.7 Comments of Commissioner for Transport (C for T);

Chi Ma Wan Road and the access road connecting to Pui O Beach are not public roads under the traffic management of the Transport Department. Her office considers that the proposed development is tolerable from traffic engineering perspective with reference to the existing conditions.

Fire Safety

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

- (a) he has no objection in principle to the proposal subject to fire service installations (FSIs) being provided to the satisfaction of the D of FS; and
- (b) other advisory comments are at **Appendix IV**.

Licensing

9.1.9 Comments of the Chief officer (Licencing Authority), Office of the Licencing Authority, Home Affairs Department (CO(LA), OLA, HAD):

- (a) no licence or Certificate of Compliance applications for operations for operation of guesthouse/clubhouse at the subject site was received by the OLA;
- (b) without knowing the setting up details of the campsite, it is not sufficient for his Office to assess whether licence application under the Hotel and Guesthouse Accommodation Ordinance (Cap.349) (“HAGAO”) under/or the Clubs (Safety of Premises) Ordinance (Cap.376) (“CuSPO”) is required at this stage;
- (c) detailed requirements will be formulated upon receipt of application under the HAGAO and/or CuSPO, if applicable;
- (d) regarding the holiday camps as indicated by the applicant in paragraph 4 of Section 10 – Justifications of the subject planning application form, Victoria Resort was a holiday camp that had ceased operation already while JK Club is not a licensed holiday camp under HAGAO;
- (e) the applicant’s particular attention should also be drawn to the numerous tents erected at the subject site as revealed during the previous site inspection by the staff of his Office and the situation had been referred to the Buildings Department (BD), LandsD and PlanD on 26.8.2020 for any follow-up actions deemed necessary; and

- (f) other detailed comments are at **Appendix III**.

Building Matters

9.1.10 Comments of the Chief Building Surveyor/ New Territories East (1) and Licensing Section, Buildings Department:

- (a) he has no in-principle objection under the Buildings Ordinance to the proposed uses on the application site; and
- (b) other detailed comments are at **Appendix III**.

Others

9.1.11 Comments of the Director of Leisure and Cultural Services (DLCS);

- (a) the project proponent should note that Pui O Playground is open for the use of venue users. The perimeter fence of the soccer pitch is enclosed all the times for safety purpose and the whole venue may be closed in some special cases/events. The project proponent is advised to use alternative routes to access the Site; and
- (b) given that there is no LCSD's maintained roadside tree at the captioned location, the New Territories West Tree Team is not in the proper position to offer comment on the application.

9.2 The following government departments have no objection to or no comment on the application:

- (a) Director of Electrical and Mechanical Services (DEMS);
- (b) Chief Highway Engineer/ New Territories East, Highways Department (CHE/NTE, HyD);
- (c) Head of Geotechnical Engineering, Civil Engineering and Development Department;
- (d) Commissioner of Police;
- (e) District Officer (Islands), Home Affairs Department;
- (f) Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office, Development Bureau; and
- (g) Chief Engineer/Construction, Water Supplies Department.

10. Public Comments Received During Statutory Publication Period

On 9.6.2023, the application was published for public inspection. During the statutory public inspection period, 69 public comments from Kadoorie Farm & Botanic Garden Corporation, The Conservancy Association, Save Lantau Alliance, Hong Kong Bird Watching Society and

individuals were received raising objection to and/or concerns on the application (**Appendix V**). The main grounds of objection and concerns include that the applied use is not in line with the planning intention of the “CPA” zone; there will be adverse ecological impact on the wildlife habitat (including buffaloes and migration birds) and wetland, adverse environmental, landscape, sewage and drainage impacts, and waste management concerns; there is no licence granted for holiday camp use at the Site; this is a suspected “destroy first, build later” case; and approval of the application would set an undesirable precedent for similar applications.

11. Planning Considerations and Assessments

- 11.1 The applicant seeks planning permission for a temporary holiday camp with barbecue site for a period of three years and associated filling of land (at a depth of 0.5m) at the Site zoned “CPA” on the OZP. The planning intention of the “CPA” zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or the development is an essential infrastructure project with overriding public interest may be permitted. These scenic and ecologically sensitive coastal areas should also be protected against land filling, land excavation or stream diversion and encroachment by developments. However, the proposed development is not in line with the planning intention to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment and to safeguard the beaches and their immediate hinterland. There is no strong planning justification in the submission for a departure from the planning intention.
- 11.2 H(SLO), CEDD advises that according to the Study, the overall ecological value of Pui O Priority Site is high. The Site falls within the Core Conservation Zone (i.e. areas mainly for conservation purposes) of the Priority Site identified under the Study. Based on the aerial photo of 2022, the Site has been filled. H(SLO), CEDD opines that the proposed development should not result in adverse ecological and environmental impacts on the Pui O wetland habitat in view of its location.
- 11.3 The Site is situated in Pui O Wetland which is an area of rural and natural landscape character predominated by tree groups, seasonal wet grassland with Pui O Beach located to the south of the Site. This portion of the “CPA” zone where the Site is located has generally not been disturbed except a few lots including the sites of applications No. A/SLC/179 and A/SLC/180 submitted by the same applicant of the current application. CTP/UD&L, PlanD considers that the proposed development with filling of the whole site and construction of two single-storey structures will disrupt the natural environment and is not compatible with the surrounding landscape resources and landscape character of the area. Besides, with reference to aerial photos from 2014 to 2016, filling of land and construction of temporary structure were observed (**Plan A-3a**). Significant

landscape impact has taken place. The applicant fails to demonstrate that the proposed use would not generate adverse landscape impact on the Site and surrounding natural environment. It should be noted that two similar applications in the vicinity as mentioned above, which are already formed and appear to be used as holiday camp, are under processing. Approval of the current application would set an undesirable precedent for similar applications within the “CPA” zone, which fails to demonstrate that the proposed developments would not have adverse impact on the natural environment. The cumulative effect of approving such applications would lead to a general degradation of the natural environment of the area.

- 11.4 There is no existing public sewer connection available in the vicinity of the Site. The applicant proposes that the chemical toilets and showering facilities will be connected via pipe connection laid on the ground to water tanks where the sewage generated will be stored and tinkered away once a week. There would be no other sewage generated. With limited information provided by the applicant, DEP has doubt on how the abovementioned measures would ensure that the sewage generated could be properly managed and therefore cannot lend support to the application. In addition, DSD has reservation on the application as there is no feasible drainage proposal submitted by the applicant.
- 11.5 Other relevant government departments including DEMS, CHE/NTE, HyD, Head of Geotechnical Engineering, Civil Engineering and Development Department, Commissioner of Police, District Officer (Islands), Home Affairs Department, Chief Engineer/Construction, Water Supplies Department, Chief Building Surveyor/New Territories East (1) and Licensing Section, Building Department and Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office, Development Bureau have no objection to or no adverse comment on the application from electricity safety, public roads/highway maintenance, geotechnical, public safety, local views, water supply, building matters and archeological and built heritage conservation aspects respectively.
- 11.6 There were seven similar applications covering six sites, with three approved by the Committee/the Board upon review, one rejected by the Board upon review and three under processing. The similar application (No. A/SLC/161) which is located at a site to the southeast of the Site was rejected by the Board upon review on 11.12.2020 mainly on the grounds of being not in line with the planning intention; failing to demonstrate no adverse impacts; and setting of an undesirable precedent. The planning circumstances of the current application are similar to those of this rejected application. For the three approved similar applications, they are either located at the fringe of Pui O Wetland near South Lantau Road and/or covered by previous planning approval. Rejection of the current application is generally in line with the Committee/Board’s previous decisions.
- 11.7 Regarding the objection raised in the public comments, the comments of government departments and planning assessments in paragraphs 11.1 to 11.6 above are relevant.

12. Planning Department's Views

12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department does not support the application for the following reasons:

- (a) the applied uses and associated filling of land are not in line with the planning intention of the “Costal Protection Area” zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the applicant fails to demonstrate that the proposed development would not have adverse landscape, sewage, drainage and environmental impacts; and
- (c) approval of the application would set an undesirable precedent for similar applications. The cumulative effect of approving such applications would lead to a general degradation of the natural environment of the area.

12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until **28.7.2026**, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the provision of fire service installations and water supplies for firefighting and access for fire services appliances and personnel to the satisfaction of Director of Fire Service or of the Town Planning Board; and
- (b) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.

Advisory Clauses

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

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 13.3 Alternatively, should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

14. Attachments

Appendix I	Application form with attachments received on 2.6.2023
Appendix Ia	FI received on 7.7.2023
Appendix II	Similar applications
Appendix III	Detailed comments of Government departments
Appendix IV	Recommended advisory clauses
Appendix V	Public comments
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a and A-3b	Aerial Photos
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
JULY 2023**