

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SLC/185

- Applicant** : Hong Kong Network for the Promotion of Inclusive Society represented by Top Bright Consultants Limited
- Site** : Various Lots in D.D. 332L and Adjoining Government Land, Cheung Sha, Lantau Island
- Site Area** : About 6,035m² (including about 300m² of Government Land (about 4.97%))
- Lease** : Block Government Lease (demised for agricultural purpose)
- Plan** : Approved South Lantau Coast Outline Zoning Plan (OZP) No. S/SLC/23
- Zoning** : “Green Belt” (“GB”)
- Application** : Proposed Temporary Holiday Camp for a Period of 5 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary holiday camp for a period of 5 years at the application site (the Site). The Site falls within an area zoned “GB” on the approved South Lantau Coast OZP No. S/SLC/23 (**Plans A-1 and A-2**). According to the Notes of the OZP, ‘Holiday Camp’, which is a Column 2 use in the “GB” zone, requires planning permission from the Town Planning Board (the Board).
- 1.2 The Site is currently fenced off and occupied by some temporary structures of the holiday camp erected by previous operators as claimed by the applicant¹. The proposed holiday camp will comprise 20 temporary structures, including six static camping tents

¹ The Site was previously occupied by mature trees and heavy vegetation being part of the large piece of woodland to the north of Cheung Sha Sheung Tsuen. In 2018, site formation, vegetation clearance and construction of a septic tank were observed at the Site and its surrounding area. The Site was subsequently operated as a holiday camp. However, no planning application for holiday camp use or filling/excavation of land at the Site was approved by the Board. Apart from the proposed temporary holiday camp use, regularisation of any filling/excavation of land carried out after the publication of draft South Lantau Coast OZP No. S/SLC/22 is also required.

atop raised wooden platforms, a free tent camping area, seven seating out areas with platforms and pavilions, an office/reception/visitor centre, a storeroom, two rain shelters, a stage with cover, a meter room, and a washroom, with a total gross floor area (GFA) of about 780m² (**Drawing A-1**). Most of these temporary structures will adopt pre-fabricated structures with natural and lightweight materials for easy assembly and disassembly purposes. The Site has no vehicular access connected from the roads nearby. According to the applicant, the proposed holiday camp will be accessed via a substandard mud track entirely on government land outside the Site. This substandard mud track on steep slopes leads to South Lantau Road via a hard-paved road being the vehicular access of an existing residential development namely Golden Coast.

- 1.3 According to the applicant, the proposed use will operate 24-hour daily including public holidays, which will be supported by three staff members. The visitors will be required to make reservation in advance. The maximum visitor holding capacity of the proposed use can accommodate up to 40 people. The visitors will be advised to access the Site by public transport and no parking and loading/unloading space will be provided at the Site to the visitors. The layout plan of the proposed use comprising three types of function areas, which the key development parameters are shown in the table below:

Site Area (about)	6,035m ²
Total GFA (about)	780m ²
Site Coverage (about)	About 12.9%
No. of Structures	20
Building Height	1 storey (about 2 - 6m)

- 1.4 As shown on the Landscape Plan submitted by the applicant (**Drawing A-3**), all 30 existing trees identified within the Site will be retained and 4 new trees will be planted within the Site (**Drawing A-3**). An existing pond is provided at the southwest of the Site for irrigation. Surface channels will be provided where appropriate along the boundary of the Site to collect and divert surface runoff away from the Site. Sewage will be collected by septic tank and soakaway pit system (**Drawing A-2**), which have been installed for the previous holiday camp use and is located near the meter room.

- 1.5 In support of the application, the applicant has submitted the following documents:

- (a) application form with attachments received on 21.6.2024; and (**Appendix I**)
- (b) further information (FI) received on 14.10.2024 and 15.10.2024* (**Appendix Ia**)

**accepted but not exempted from publication and recounting requirement*

- 1.6 On 16.8.2024, the Rural and New Town Planning Committee (the Committee) agreed to defer making a decision on the application for two months as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendices I and Ia** and summarised as follows:

- (a) the proposed use is in line with the initiatives of 2023 Policy Address to provide an opportunity to optimise the use of “GB” areas for eco-tourism or recreational uses in South Lantau. The proposed use is in line with the Sustainable Lantau Blueprint (the Blueprint), in which South Lantau is planned for conservation, cultural and eco-tourism purposes;
- (b) the proposed use is in line with the Youth Development Blueprint released in December 2022 through the provision of facilities and venues for promoting youth development and training programmes. The applicant will collaborate with different non-profit organisations to organise life education-sharing sessions for young people to promote positive thinking and overcoming adversity by sharing the personal experiences and stories of disability;
- (c) the proposed use will provide an alternative type of outdoor relieving areas to meet the soaring demand of the community after the COVID-19 epidemiology, and promote local tourism in South Lantau;
- (d) the proposed use in the form of a temporary use will not jeopardise the planning intention of the “GB” zone and is considered compatible with surrounding land uses of village settlements and low-rise residential developments. The layout and construction of the proposed use will respect the existing terrain. All the existing trees within the Site will be retained and natural materials will be selected for the facilities. Natural and lightweight materials will be selected for the facilities to promote sustainability, minimise impacts on the existing topography, and be compatible with the surrounding environment;
- (e) the proposed use fully complies with the criteria set out in the Town Planning Board Planning Guideline for ‘Application for Development within “GB” zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) and some similar planning applications for temporary holiday camps within the “GB” zone in Outlying Islands have been approved by the Board; and
- (f) the proposed use will meet the recreational needs of the general public supplementing the existing public campsite facilities in South Lantau in providing an additional campsite but of different operating mode where group booking is possible.

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

The applicant is not the ‘current land owners’ but has complied with the requirements as set out in the “Town Planning Board Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance” (TPB PG-No. 31B) by posting site notice and sending notice to South Lantau Rural Committee. Detailed

information would be deposited at the meeting for Members' inspection. For the Government land portion, the requirements as set out in TPB PG-No. 31B are not applicable.

4. Background

- 4.1 The Site is within South Lantau Coast Regulated Area which is currently not subject to any planning enforcement action.
- 4.2 According to aerial photos taken between 1980 and 2017 (**Plan A-3b**), the Site was a farmland before the first publication in the Gazette of the OZP in 1980 but has become a densely vegetated woodland since 1990s and until 2017. However, in 2018 onwards, extensive vegetation clearance and excavation of land were observed at the Site and surrounding area and a substandard mud track connected to the Site has been formed to the south of the Site.

5. Town Planning Board Guidelines

The Town Planning Board Guidelines for “Application for Development within Green Belt zone under section 16 of the Town Planning Ordinance” (TPB PG-No.10) are relevant to the application. The extracts of relevant assessment criteria are detailed at **Appendix II**.

6. Previous Applications

- 6.1 The Site and its immediate surroundings are the subject of three previous section 16 planning applications for various uses including detached houses development with ancillary facilities (No. A/SLT/35), tent camping ground with hobby farm (No. A/SLC/152), and temporary holiday camp (No. A/SLC/182). Details of the previous application are summarised in **Appendix III** and its location is shown on **Plan A-1**.
- 6.2 Application No. A/SLT/35 for nineteen 3-storey detached houses with ancillary facilities was rejected by the Board upon review on 9.7.1993. This rejected application with different proposed use and site boundary is considered not relevant to the current application.
- 6.3 The other two applications No. A/SLC/152 for tent camping ground and place of recreation, sports or culture (hobby farm) and No. A/SLC/182 for temporary holiday camp for a period of five years submitted by two different applicants were withdrawn on 4.12.2018 and 11.12.2023 respectively.

7. Similar Application

There is one similar application No. A/SLC/183 within the “GB” zone of the South Lantau Coast OZP in the past five years for proposed temporary holiday camp with ancillary facilities for a period of 7 years and associated excavation of land (for septic tank). The application

was approved with conditions by the Committee on 8.12.2023 mainly on the consideration that the application for temporary holiday camp use with ancillary facilities and associated excavation of land was to regularise the existing holiday camp at the Site; the applied use was in line with the Government's policy on promoting low impact recreational uses in South Lantau; the applied passive recreational use are compatible with the surrounding areas; and the applied use would not cause adverse environmental and ecological impact to the surroundings and the concerned departments had no objection or no comment on technical aspects. As such, sympathetic consideration was given to the application. Details of the similar application are summarised in **Appendix IV** and its location is shown on **Plan A-1**.

8. The Site and Its Surrounding Areas (Plans A-1 to A-3b and site photos on Plans A-4a to A-4d)

8.1 The Site:

- (a) is now a terraced slope, currently covered by vegetation and temporary structures with raised platforms for footpath, seating out areas and camping area. The Site and the surrounding area was formed through land excavation, slope cutting works and vegetation clearance since 2018;
- (b) is enclosed by two-meter tall fences; and
- (c) has no vehicular access and is connected to the hard-paved road adjoining Golden Coast and then South Lantau Road by a substandard mud track on steep slope entirely on government land for pedestrian access only.

8.2 The surrounding areas are predominantly rural in nature with steep slopes surrounding the Site at its immediate north and east. There are signs of land excavation on Government Land at these slopes, which enforcement actions including the Government land notice boards and bollards are observed along the substandard mud track thereon connecting between the Site and a hard-paved road leading to South Lantau Road. The further south in about 100m is the village settlements of Cheung Sha Upper Village while low-rise residential development of Golden Coast is located to the further southeast, and some low-rise houses along Hoi Sha Path to the further southwest.

9. Planning Intention

- 9.1 The planning intention of "GB" zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.2 As stated in the Explanatory Statement (ES) of the OZP, low impact, environmentally sustainable and compatible low-rise leisure and recreation uses and facilities for eco-tourism like camping/glamping sites, eco-lodge, eating place, visitor/education centre, and for adventure park, etc. with appropriate supporting facilities which have proved to

have no adverse impacts on environmental and other relevant aspects within the “GB” zone could be favourably considered.

10. Comments from Relevant Government Departments

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

Land Administration

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

- (a) the Site comprises (i) Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government and (ii) Government Land. No permission has been given for occupation of the Government Land within the Site. Any occupation of Government Land without the Government’s prior approval is not allowed;
- (b) the alleged existing track connecting the Site and South Lantau Road is entirely on Government Land. Her office received complaints concerning unauthorised formation of the track. Enforcement actions have been taken by her office by erecting Government land notice boards and bollards on the track;
- (c) unauthorised structures were found on Lots 336, 337, 339, 340, 341, 354 and 360 all in D.D. 332L. Warning letters were issued to the lot owner(s) in September 2023. The lot owner(s) should rectify/ regularise the lease breaches as demanded by LandsD;
- (d) no excavation permit or other relevant permit(s) in respect of the Site has been processed/ approved by her office;
- (e) no Letter of Approval for erecting agricultural structure in respect of the Site has been issued by her office; and
- (f) other advisory comments are at **Appendix V**.

Lantau Development

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

- (a) 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, Cheung Sha falls within the themed cluster of “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 this corridor. The temporary holiday camp at the application site is considered in line with the initiatives set out in the Blueprint and the Masterplan;

- (b) in October 2022, the Chief Executive announced in his 2022 Policy Address that the Government is actively studying the development of about 1,000 hectares of the “GB” sites in the southern part of Lantau for eco-tourism or recreation uses. The proposed temporary holiday camp at the application is located within a “GB” site in the southern part of Lantau, and it is considered the applied use is in line with the initiatives set out in the 2022 Policy Address; and
- (c) taking into account the above, provided that the proposed use would not cause adverse environmental and ecological impact to the surroundings and no adverse comments from concerned departments on the technical aspects including the environmental and ecological, his office has no objection to the captioned application.

Nature Conservation

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

as the Site has already been formed, the Site itself is of limited ecological value. He has no adverse comment on the application from nature conservation perspective.

Environment

10.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) while there is currently no public sewer available for connection, the applicant committed that septic tank will be used for the handling of the sewage generated on site. Septic tank and soakaway system is considered an acceptable means for the collection, treatment and disposal of sewage provided that its design and construction follow the requirements of

Environmental Protection Department's ProPECC Practice Note 1/23 and are duly certified by an Authorised Person;

- (b) he has no comment on the application from environmental planning perspective; and
- (c) other advisory comments are at **Appendix V**.

Landscape, Urban Design and Visual

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

Landscape

- (a) according to aerial photo of 2023, the Site is located in an area of rural coastal plains landscape character predominated by woodland and Small Houses, and already occupied by the proposed temporary structures with scattered tree groups within the Site;
- (b) significant adverse impact to the existing landscape resource due to the proposed use is not anticipated;
- (c) other advisory comments are at **Appendix V**.

Urban Design and Visual

- (d) the Site is on a terraced slope surrounded by woodland. To its further south is a low-rise village settlement, namely Cheung Sha Sheung Tsuen (Cheung Sha Upper Village). Low-rise residential developments could also be found further east, southeast and west of the Site;
- (e) according to the aerial photos, the Site was originally covered with dense trees/ shrubs and the original vegetation cover of the Site has been cleared around 2018. Therefore, the greenery character of the "GB" zone where the Site is located has already been affected. Given that the proposed use is low density (plot ratio 0.129), low-rise (not more than 6m high) and temporary in nature, significant adverse impact on the surrounding area is not anticipated; and
- (f) other advisory comments are at **Appendix V**.

Geotechnical Safety

10.1.6 Comments of the Head of the Geotechnical Engineering Office, CEDD (H(GEO, CEDD):

- (a) suspected unauthorised works (involving the formation of cut and fill slopes) were identified within some of the lots concerning the Site and the adjoining Government Land in 2017, 2018 and 2019; and
- (b) referring to the applicant's Geotechnical Planning Review Report (GPRR), review on the configuration and geometry of the slopes should be provided with indicating the location and boundaries of the slopes. The stability of the slopes should also be reviewed with necessary way forward. Also, the applicant should commit to undertake a natural terrain hazard study and provide suitable mitigation measures, if found necessary, at the detailed design stage. However, these are not included in the applicant's latest submissions while the applicant has no plan to submit further response. As such, she does not have enough information to consider the proposed development from geotechnical engineering perspective. She also considers that approval of this application by the Board without an acceptable GPRR is not desirable from the geotechnical engineering perspective.

Drainage

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

- (a) based on the assessment from the applicant, it is concluded that the proposed use would not cause any adverse drainage impact onto the area after the implementation of the proposed drainage works;
- (b) he has no comment on the application from drainage point of view; and
- (c) other advisory comments are at **Appendix V**.

Traffic

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

- (a) he has no comment on the application from traffic engineering perspective; and
- (b) other advisory comments are at **Appendix V**.

Fire Safety

10.1.9 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) and water supplies for firefighting being provided to the satisfaction of the D of FS; and

- (b) other advisory comments are at **Appendix V**.

Licensing

10.1.10 Comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department (CO(LA), OLA, HAD):

- (a) no license or Certificate of Compliance applications for operation of guesthouse/ clubhouse at the Site was received by the OLA;
- (b) the detailed licensing requirements will be formulated upon receipt of application under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) and/ or the Clubs (Safety of Premises) Ordinance (Cap. 376); and
- (c) other advisory comments are at **Appendix V**.

Building Matters

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

- (a) he has no in-principle objection under the Building Ordinance to the proposed use on the Site;
- (b) no record of approval by the Building Authority for the structures existing at the Site; and
- (c) other advisory comments are at **Appendix V**.

Electricity Safety

10.1.12 Comments of the Director of Electrical and Mechanical Services:

- (a) he has no particular comment from electricity supply safety aspect; and
- (b) other advisory comments are at **Appendix V**.

10.2 The following government departments have no comment on/ objection to the application:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Chief Highway Engineer/ New Territories East, Highways Department; and
- (c) Commissioner of Police.

11. Public Comments Received During Statutory Publication Period

11.1 On 28.6.2024 and 22.10.2024, the application and its FI were published for public inspection. During the statutory public inspection period, ten objecting public comments were received from green groups, some individuals and local residents, which include a joint letter signed by 36 lot owners and/or tenants in Cheung Sha Upper Village (**Appendix VI**).

11.2 The main grounds of the objections from ten opposing comments include:

- (a) the proposed use is not in line with the planning intention of the “GB” zone;
- (b) there has been unauthorised site clearance, slope cutting and land formation at the Site, its immediate surrounding and an unauthorised local track taken place since 2018 prior to the current application;
- (c) the Site was subject to the extensive site clearance and land formation which left the large unprotected slopes on the hillside that may have potential landslide hazards. The submitted GPRR should be supplemented with recent excavation conditions and further study of the natural hillsides;
- (d) the proposed use has drainage and sewerage impacts, causing threat of flooding and water quality concerns with the proposed pond;
- (e) the existing pedestrian access is an unauthorised track carved out on Government land with LandsD’s notice boards and bollards erected. Besides, the Site has no emergency vehicular access for the proposed use;
- (f) the proposed use will have various activities throughout the year, causing disturbance to natural habitats and nuisance to the residents in Cheung Sha Sheung Village while no site management and operation plans for the proposed use is available;
- (g) the visual impact of temporary structures (2 – 6 m) in the proposed use, which are higher than normal one storey of village settlement, is concerned; and
- (h) the Site is currently occupied by the applied use without planning permission which approval of application would set an undesirable precedent of “Destroy First, Build Later” to similar applications.

12. Planning Considerations and Assessments

12.1 The applicant seeks planning permission for proposed temporary holiday camp for a period of 5 years at the Site which is zoned “GB” on the OZP. The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within

this zone. In addition, the ES of the OZP also stipulates that low-impact, environmentally sustainable and compatible low-rise leisure and recreation uses and facilities for eco-tourism like camping/glamping sites, eco-lodge, eating place, visitor/education centre, and for adventure park, etc. with appropriate supporting facilities which have proved to have no adverse impacts on environmental and other relevant aspects in the “GB” zone could be favourably considered.

- 12.2 According to TPB PG-No. 10, while passive recreational uses in “GB” zone which are compatible with the character of surrounding areas may be given sympathetic consideration, the development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment. Access should not adversely affect existing trees or other natural landscape features. Besides, any proposed development on a slope or hillside should not adversely affect slope stability. While the proposed holiday camp at the Site comprises 20 one-storey (2 to 6m high) temporary structures for camping tents, sitting-out areas and other ancillary facilities with total GFA of about 780m² is considered as low density, low rise and temporary in nature which is not considered incompatible with its surrounding areas, land excavation of land and vegetation clearance was observed at the Site and the surrounding area since 2018 (**Plan A-3b**) which has adversely affect the slope stability, existing trees and other natural landscape features within the Site and the surrounding area. CTP/UD&L, PlanD advises that while significant adverse impact to the existing landscape resource and surrounding areas is not anticipated given its scale and nature, the greenery character of the “GB” zone has already been affected. As such, the proposed holiday camp is not in line with the planning intention of the “GB” zone. While the applicant stated that the above works were carried out by previous operators, the applicant has not shown commitment to mitigate the potential adverse geotechnical impacts at the Site (to be discussed in paragraph 12.4 below) at the Site, nor protect the Site and its surroundings from further environmental degradation and regularise the suspected filling/excavation of land. The applicant fails to demonstrate in the submission that the proposed use would have no adverse impacts on the surrounding environment that warrants a departure from the planning intention of the “GB” zone.
- 12.3 Besides, according to the applicant, the proposed holiday camp will be accessed via a substandard mud track on steep slope entirely on Government Land. As revealed in the aerial photos (**Plans A-3a and A-3b**), the track was formed through extensive vegetation clearance and excavation of land also in 2018. According to DLO/Is, LandsD, there are complaints concerning unauthorised formation of the track and enforcement actions have been taken by her office. The applicant fails to demonstrate that the proposed access would not adversely affect existing trees or other natural landscape features. In view of the above, the proposed use is not in line with TPB PG-No. 10.
- 12.4 Furthermore, H(GEO), CEDD advises that the GPRR submitted by the applicant fails to review the stability of slopes that may affect or be affected by the proposed use with necessary way forward. The applicant also fails to clarify whether the natural terrain hazard study would be carried out. As such, she considered that there is insufficient

information to consider the application at this stage. Approval of the application without an accepted GPRR is not desirable from the geotechnical engineering perspective.

- 12.5 While H(SLO), CEDD advises that the proposed temporary holiday camp is considered in line with the initiatives set out in the Blueprint and the Masterplan, he would only have no objection to the application provided that the proposed use would not cause adverse environmental and ecological impact to the surroundings and no adverse comments from concerned departments on the technical aspects.
- 12.6 Other relevant departments including DAFC, DEP, CE/C, WSD, CE/HK&I, DSD, D of FS and CO(LA), OLA, HAD have no adverse comment on/no objection to the application. DLO/Is, LandsD advises that unauthorised structures were found at the Site and warning letters were issued to the lot owner(s) in September 2023. Meanwhile, no Letter of Approval for erecting agricultural structure in respect of the Site has been issued by her office. Also enforcement actions have been taken by her office for unauthorised formation of the mud track leading to the Site which is entirely on Government Land.
- 12.7 A similar application (No. A/SLC/183) within the same “GB” zone for temporary holiday camp with ancillary facilities for a period of 7 years and associated excavation of land (for septic tank) was approved by the Committee in 2023, which has been demonstrated that the applied use would not cause adverse environmental, ecological, geotechnical and technical impacts on surrounding area and therefore, sympathetic consideration was given by the Committee. However, the current application is different from the approved application as the proposed use would adversely affect slope stability and the access to the Site would adversely affect existing trees or other natural landscape features as discussed in paragraph 12.2 above. Should the application be approved, it would set an undesirable precedent for similar applications in the “GB” zone and the cumulative effect of approving such applications would lead to a general degradation of the natural environment of the area.
- 12.8 Regarding the public comments objecting to the application as detailed in paragraph 11, the government departments’ and planning assessments above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department does not support the application for the following reason:
- (a) the applied use is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and

- (b) the applied use is not in line with the Town Planning Board Guidelines No. 10 for 'Application for Development within the "GB" zone under Section 16 of the Town Planning Ordinance' in that the applicant fails to demonstrate that the proposed use would not adversely affect slope stability and the access to the application site would not adversely affect existing trees or other natural landscape features.

13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 5 years until **6.12.2029**. The following conditions of approval and advisory clauses are also suggested for Member's reference:

Approval Conditions

- (a) the submission of a fire service installations and water supplies proposal for firefighting within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 6.6.2025;
- (b) in relation to (a) above, the implementation of the fire service installations and water supplies proposal for firefighting within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 6.9.2025;
- (c) the implementation of the proposed drainage works within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 6.9.2025;
- (d) in relation to (c) above, the maintenance of the completed drainage works at all times during the all times during the planning approval period;
- (e) the submission of a geotechnical planning review report with the assessment of the stability of registered/unregistered man-made features that may affect or be affected by the proposed development within 6 months from the date of the planning approval to the satisfaction of the Head of the Geotechnical Engineering Office of Civil Engineering and Development Department or of the Town Planning Board by 6.6.2025;
- (f) the submission of a works proposal for any required slope upgrading works or remedial measures within 6 months from the date of the planning approval to the satisfaction of the Head of the Geotechnical Engineering Office of Civil Engineering and Development Department or of the Town Planning Board by 6.6.2025;
- (g) the submission of a natural terrain hazard study within 6 months from the date of the planning approval to the satisfaction of the Head of Geotechnical Engineering Office of the Civil Engineering and Development Department or of the Town Planning Board by 6.6.2025;

- (h) the implementation of the accepted slope upgrading works or remedial measures, and the mitigation measures identified in the natural terrain hazard study within 9 months from the date of planning approval to the satisfaction of the Head of the Geotechnical Engineering Office of Civil Engineering and Development Department or of the Town Planning Board by 6.9.2025.
- (i) if any of the above planning condition (a) to (c) and (e) to (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
- (j) if any of the above planning condition (d) 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; and
- (k) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are at **Appendix V**.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 14.3 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 period of which the permission should be valid on a temporary basis.

15. Attachments

Appendix I	Application form with attachments received on 21.6.2024
Appendix Ia	FI received on 14.10.2024 and 15.10.2024
Appendix II	Relevant Extract of Town Planning Board Guidelines for 'Application for Development within Green Belt Zone' (TPB PG-No. 10)
Appendix III	Previous Applications
Appendix IV	Similar Application
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comments

Drawing A-1	Layout Plan
Drawing A-2	Sewerage Management Plan
Drawing A-3	Landscape Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a and A-3b	Aerial Photo
Plans A-4a to A-4d	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2024**