

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TP/684

<u>Applicant</u>	: Pine Garden Foundation Limited represented by PlanArch Consultants Limited
<u>Site</u>	: Lots 1, 2 and 4 to 8 in D.D. 33 and Adjoining Government Land, Tai Po Kau, Tai Po, New Territories
<u>Site Area</u>	: About 9,054m ² (including Government Land (GL) of about 1,000m ² (11%))
<u>Lease</u>	: Block Government Lease (demised for agricultural purpose)
<u>Plan</u>	: Approved Tai Po Outline Zoning Plan (OZP) No. S/TP/30
<u>Zoning</u>	: “Green Belt” (“GB”)
<u>Application</u>	: Proposed Field Study/ Education/ Visitor Centre with Ancillary Holiday Camp

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for a proposed field study/ education/ visitor centre with ancillary holiday camp. The Site falls within an area zoned “GB” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘Field Study/ Education/ Visitor Centre’ in “GB” zone is a Column 2 use requiring planning permission from the Town Planning Board (the Board). The Site is currently covered with trees and grass. Some structures are found on site (**Plan A-4a to A-4d**).
- 1.2 Three single-storey buildings comprising a visitor centre, an activity centre and a plant nursery for nature education and field study purpose will be accommodated within the Site through redevelopment of three existing structures at existing site level (i.e. 103.65mPD to 114.5mPD) along the southern part of the Site. The visitor centre and activity centre will be used to hold seminars, exhibitions and workshops for organizations. The plant nursery will facilitate the plantation of different native species and field study activities in collaboration with non-government organizations (NGOs) or institutions. Outdoor spaces will be reserved for activity ground, viewing deck and event lawn for field study/ research purpose. According to the applicant, a tent camping area will be provided at the western part of the Site for overnight

educational activities/ programme for about 18 people for each overnight programme, and up to four programmes each month during March to April and September to November with prior registration required (**Drawing A-2**). No separate booking on the tent camping area, cooking and campfire will be allowed. All tents will be removed after each overnight programme. Ancillary facilities including a sewage treatment plant and E&M facilities will be provided in the plant nursery (**Drawing A-7**).

- 1.3 According to the applicant, the area of existing pond located at the eastern portion of the Site is about 200m² with a depth of 0.5 to 0.6m in the wet season and no visible water in the dry season. The pond will be retained with its water depth unchanged. Sandpits will be introduced to the pond edges to attract dragonflies and butterflies (**Drawing A-2**).
- 1.4 The proposed centre will operate from 9am to 6pm, Mondays to Sundays including public holidays (except for overnight programmes and special activities such as morning bird watching and night safari tour), with a maximum capacity of 200 visitors on weekdays, 400 visitors during weekends and 10 staff in full operation. The proposed development will be restricted to visit by schools, institutions and organizations. Visitors to the proposed centre would have to make appointment prior to the visit, and encouraged to use public transport to arrive at Tai Po Road – Tai Po Kau and walk uphill to the proposed development from the entrance of Tai Po Kau Nature Reserve¹ (TPKNR) (**Plans A-1 and A-4e**).
- 1.5 The Site is accessible via Tai Po Kau Forest Track – Kau Lead Section which is a restricted road branching off from Tai Po Road – Tai Po Kau Section (**Plans A-1 and A-2**). Prior permission from Agriculture, Fisheries and Conservation Department (AFCD) is required for vehicle entry into TPKNR. The two existing ingress/ egress points located at the eastern and southeastern sides of the Site will be retained (**Drawing A-1**). A total of two private car parking spaces (including one accessible parking space) by reservation and one light goods vehicle (LGV) loading/ unloading (L/UL) bay for delivery of seeds or materials to the plant nursery will be provided at the Site. The proposed master layout plan (MLP), floor layout plans, sections, landscape master plan (LMP) and artist impressions submitted by the applicant are at **Drawings A-1 to A-11**.
- 1.6 The development parameters of the proposed scheme are set out below:

Site Area	About 9,054m ²
Gross Floor Area (GFA)	About 560m ²
No. of Blocks	3
No. of Storeys	Not more than 1 storey
Maximum Building Height (BH)	Visitor centre: not more than 4.7m Activity centre: not more than 4.5m Plant nursery: not more than 6.65m
Site Coverage	About 6%
Parking Spaces	2 private car parking spaces

¹ Tai Po Kau Nature Reserve is one of the special areas (outside country park) designated under the Country Parks Ordinance (Cap. 208) in 1977 mainly for the purpose of nature conservation.

	(including 1 accessible parking space)
L/UL Bays	1 LGV

- 1.7 The applicant has submitted relevant technical assessment reports including Geotechnical Planning Review Report (GPRR), Ecological Impact Assessment (EcoIA), Preliminary Environmental Review (PER), Traffic Impact Assessment (TIA), Landscape Proposal, Drainage Impact Assessment (DIA) and Sewerage Impact Assessment (SIA).
- 1.8 According to the applicant, 70 existing trees of common species in fair to poor conditions are observed within the Site, and 67 trees would be preserved. Two dead trees and one common tree species in poor form would be removed due to the development. Protected fern *Neottopteris nidus* is observed within the Site and will be retained. Lush greening of around 100 new trees and shrub planting with native species will be provided.
- 1.9 In support of the application, the applicant has submitted the following documents:
- (a) Application form and supplementary information received on 30.8.2022 **(Appendix I)**
 - (b) Planning statement and technical assessments received on 30.8.2022 **(Appendix Ia)**
 - (c) Further Information (FI) received on 14.10.2022 and 18.10.2022 **(Appendix Ib)**
 - (d) FI received on 25.11.2022 **(Appendix Ic)**
 - (e) FI received on 3.3.2023 **(Appendix Id)**
 - (f) FI received on 4.4.2023 **(Appendix Ie)**
- 1.10 On 13.1.2023, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the planning statement and FIs at **Appendices Ia to Ie**. They can be summarized as follows:

- (a) the applicant is a charitable body registered under Section 88 of the Inland Revenue Ordinance (IRO), with the objectives to conserve, restore and rehabilitate the natural environment, as well as to promote awareness towards the protection and appreciation of the environment, ecosystem and areas with natural beauty and scientific interest. The applicant will collaborate with Smiley Planet (NGO) and Outdoor Wildlife Learning Hong Kong (OWLHK) (a registered

charitable body under Section 88 of IRO) to operate the proposed development and organize educational programmes;

- (b) the proposed development is in line with the government's initiative of promoting environmental awareness. The applicant as a non-profit making organization aims to carry out learning and educational activities to promote environmental protection and biodiversity to local students and the general public, which would bring planning gain to the community;
- (c) the location is strategically selected to provide supplementary nature education facilities in proximity to TPKNR. The proposed development could be complementary to TPKNR in promoting ecological system and nature conservation through provision of activity spaces and camping area for outdoor learning and field study;
- (d) the proposed development is compatible with the surroundings in terms of use, design of the proposed structures and landscaping. With the objectives of raising public awareness in nature and ecology, educational programmes within the Site and the adjoining TPKNR will be organized. The building massing and development intensity are compatible with the surrounding rural context. The existing dilapidated structures will be redeveloped into three buildings to provide educational activities. Minimal extent of redevelopment would not alter the rural nature of the Site. Sensitive building design will be adopted to enable natural lighting penetration and ventilation. Existing trees in the Site will largely be preserved and maintained. Lush greening of around 100 new trees and shrubs planting with native species will be provided to enhance the natural character of the Site. Conversion of the area for the proposed development will improve the natural landscaping quality and visual amenity of the Site;
- (e) the proposed development is in line with the planning intention of the "GB" zone and the Town Planning Board Guidelines No. 10 for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' (TPB PG-No. 10) in that minor construction works would be involved; existing natural landscape would be enhanced; the proposed activities including guided hiking tours and nature observation would promote passive recreation uses in Tai Po Kau; and no adverse landscape, traffic, sewerage, drainage, ecological, environmental and geotechnical impacts are anticipated;
- (f) TIA concludes that no significant traffic impact to the area will be envisaged. The proposed scheme would involve two car parking spaces only for the disabled and special guest. Visit by public transport is recommended;
- (g) EcoIA demonstrates that no direct impact resulting in the loss of habitats as well as protected floral and faunal species would be anticipated. The ecological impact is at an acceptable level with the implementation of the mitigation measures including ecological responsible building design such as bird-friendly window and lighting. Regular ecological monitoring would be conducted by OWLHK at and near the Site during the operation phase to support evidence-based review and to allow adaptive management at the Site; and

- (h) PER illustrates that no adverse environmental impact arising from the proposed use is envisaged with environmental mitigation measures such as proper odour control measures for the sewage treatment plant, and adoption of buffer zone and no spray area practice. The submitted SIA and DIA conclude that no adverse sewerage and drainage impact will be anticipated. Besides, the proposed development involving minor construction works would not cause adverse geotechnical impact on the surrounding areas.

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

The applicant is not a “current land owner” 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. 31A) by obtaining consent of the current land owner. Detailed information would be deposited at the meeting for Members’ inspection. For GL, the requirements as set out in TPB PG-No. 31A are not applicable.

4. Town Planning Board Guidelines

Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance (the TPO)’ (TPB PG-No. 10) is relevant to this application. The relevant assessment criteria are at **Appendix II**.

5. Previous Applications

- 5.1 The Site is the subject of three previous applications (No. A/TP/152, 276 and 306) with similar site areas submitted by a different applicant.
- 5.2 Applications for residential development (No. A/TP/152) and proposed houses (No. A/TP/276 and 306) were rejected by the Board on review on 11.10.1996 and the Committee on 17.8.2001 and 22.11.2002 respectively mainly on ground(s) that the developments were not in line with the planning intention of the “GB” zone and incompatible with the surrounding rural land uses as well as its natural setting; failure to demonstrate that the developments would not generate adverse ecological, traffic, drainage and sewerage on the surrounding areas; setting undesirable precedent for similar developments in the “GB” zone; and there was no assessment to demonstrate that the proposed development would not be affected by the stability of the steep slope.
- 5.3 Details of the previous applications are summarized at **Appendix III** and the locations are shown on **Plan A-2**.

6. Similar Application

- 6.1 A similar application No. A/TP/486 within the same “GB” zone for proposed field study/ education centre was rejected by the Committee on 6.5.2011 mainly on consideration that the development was not in line with the the planning

intention of the “GB” zone and TPB-PG No. 10 in view of no information to demonstrate that the proposed development would not involve extensive clearance of existing natural vegetation and affect the existing natural landscape; and setting undesirable precedent for similar developments in the “GB” zone.

- 6.2 Details of the similar application are shown at **Appendix IV** and its location is shown on **Plan A-1**.

7. The Site and Its Surrounding Areas (Plans A-1 to A-4e)

- 7.1 The Site is:

- (a) located within a valley on a sloping ground;
- (b) covered with trees and grass;
- (c) partly occupied by some structures including unauthorized structures; and
- (d) accessible via Tai Po Kau Forest Track – Kau Lead Section which is a restricted road branching off from Tai Po Road – Tai Po Kau Section.

- 7.2 The surrounding areas have the following characteristics:

- (a) generally of rural landscape character;
- (b) to the south, west and north are densely wooded natural slopes within TPKNR;
- (c) to the immediate north is a streamcourse; and
- (d) to the further west across the streamcourse is Tai Po Kau Management Centre and Tai Po Kau Outdoor Study Centre managed by AFCD.

8. Planning Intention

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.

9. Comments from Relevant Government Departments

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

Land Administration

9.1.1 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) the Site consists of seven private lots in D.D. 33 and adjoining GL. The private lots are held under the Block Government Lease demised for agricultural purpose and there is no specific restriction for the proposed usage. No structure shall be erected thereon without the prior approval from LandsD;
- (b) a recent inspection revealed that there are some existing structures and unauthorized occupation of GL found on the Site without prior approval from LandsD. The lots owner/occupier is required to clear any unauthorized structures and cease occupation of GL on the Site immediately unless they are covered by valid approvals. Otherwise, appropriate lease enforcement action and land control action would be taken in due course;
- (c) should the subject planning application be approved by the Board, the applicant is required to submit an application for Short Term Tenancy (“STT”) to LandsD in respect of the pieces of GL concerned, and the lots owner is required to submit an application for Short Term Waiver (“STW”) to LandsD if he wishes to erect structures on the lots concerned. Otherwise, neither occupation nor works of any kind thereon is allowed. LandsD will consider the STT and STW applications in accordance with the established procedures and guidelines. However, there is no guarantee at this stage that the STT and STW applications would be approved. If the STT/ STW application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD including payment of rental, waiver fee and administrative fee as considered appropriate; and
- (d) relevant government departments including Transport Department (TD) should be consulted on the technical impact assessments, particularly vehicular access arrangement through the adjoining GL from Tai Po Road – Tai Po Kau to the Site. The management and maintenance responsibilities of the said GL for vehicular access to the Site should be sorted out with the relevant government departments. No trees on the adjoining GL should be interfered with unless with prior approval of this office or other relevant authority. However, there is no guarantee to the grant of a right of way to the Site or approval of the emergency vehicular access (EVA) thereto.

Geotechnical

9.1.2 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

The proposed development is overlooked by steep natural terrain and may be affected by potential natural terrain landslide hazards. It is noted that the applicant has committed, in the GPRR (**Appendices Ib and Id**), to undertake a natural terrain hazard study (NTHS) and to implement mitigation measures, if necessary, as part of the proposed development. In view of the above, he has no geotechnical comment on the application.

Nature Conservation

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

- (a) according to the EcoIA (**Appendix Ia**), the Site is mostly abandoned farmland overgrown with common weeds and ruderal vegetation. The proposed works would be small in scale and the future operation of the proposed development would be carefully managed to minimize disturbance to the surrounding environment. A natural stream runs outside the northern boundary of the Site. It is understood from the EcoIA that general good site practice would be implemented during construction and sewage would be treated on site during operation, and no adverse impact on the stream is anticipated during both construction and operation of the proposed development. It is noted from the Landscape Proposal (**Appendix Ib**) that three trees (including two dead trees) out of 70 surveyed trees are proposed to be felled and three trees would be planted in compensation. In view of the above, he has no comment on the proposed development within the Site from nature conservation point of view;
- (b) notwithstanding, the indicative NTHS study area is a dense woodland located within TPKNR (**Appendix Id**). The need for ground investigation (GI) works and any subsequent natural terrain mitigation measures are yet to be confirmed with GEO, CEDD. The scope and extent of works in TPKNR is yet to be ascertained. If natural terrain mitigation works are required as a result of the proposed development, it should be evaluated as the impact of the project as a whole. Whether the overall impact arising from the project is acceptable shall depend on the scale of slope works required, and further ecological surveys and impact evaluation of the slope works would be needed. However, there is insufficient information in the submission to demonstrate that the proposed development would not cause adverse impacts to the TPKNR; and
- (c) it is noted that the study area of the NTHS covers sections of the Tai Po Kau Nature Trail. Any impacts on the trail should be avoided.

Environment and Sewerage

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

- (a) he has no adverse comment on the application;
- (b) the need of GI works and the detailed requirement will be subject to NTHS and confirmation with GEO, CEDD at the later stage. The applicant should review the associated implications from Environmental Impact Assessment Ordinance (EIAO) perspective when more details are available. If GI works would be carried out within TPKNR (Special Area), the following information should be provided for consideration by EPD on the potential EIAO implications:
 - (i) the estimated total volume of materials to be excavated from the proposed GI works; and
 - (ii) whether any species of conservation importance are found within the works boundary for the proposed GI works (with findings agreed with AFCD).
- (c) no comment on the SIA submitted by the applicant; and
- (d) one environmental complaint on water quality pertaining to the Site has been received in the past three years.

Drainage

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

- (a) no in-principle objection to the application from public drainage viewpoint; and
- (b) his advisory comments are at **Appendix VI**.

Urban Design and Landscape

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

- (a) the proposal involves redevelopment of existing structures into three single-storey buildings, and lush greening and tree planting will be provided at the Site. In view of the above and given the low-rise nature of the proposal, she has no adverse comments from the urban design and visual perspectives;
- (b) the Site is located in an area of rural landscape character comprising densely wooded natural slopes. A country park management centre operated by AFCD with small scale structures is observed to the west of the Site. According to the applicant's submission, the proposed development involves minor construction works for redevelopment of three existing structures

within the Site. The proposed use is considered not incompatible with the landscape setting in proximity; and

- (c) based on the submitted landscape proposal, 70 existing trees of common species in fair to poor conditions are observed within the Site, and 67 trees would be preserved. Two dead trees and one common tree species in poor form would be removed due to the development. Protected fern *Neottopteris nidus* is observed within the Site and will be retained. An existing water pond within the Site will also be kept. Lush greening of around 100 new trees and shrubs planting with native species will be provided to enhance the natural landscape of the Site. Significant adverse impact on the landscape resources and character arising from the proposed development is not anticipated. In view of the above, she has no objection to the application from landscape planning perspective.

Fire Safety

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

- (a) no in-principle objection to the application subject to water supplies for fire fighting and fire service installations being provided to his satisfaction; and
- (b) his advisory comments are at **Appendix VI**.

Building Matters

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

- (a) no in-principle objection to the application under the Buildings Ordinance (BO); and
- (b) his advisory comments are at **Appendix VI**.

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

- (a) Commissioner for Transport (C for T);
- (b) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Project Manager/North, CEDD (PM/N, CEDD);
- (e) Commissioner of Police (C of P);
- (f) Director of Electrical and Mechanical Services (DEMS); and
- (g) District Officer/Tai Po, Home Affairs Department (DO/TP, HAD).

10. Public Comments Received During Statutory Publication Periods

10.1 On 6.9.2022, 25.10.2022 and 6.12.2022, the application and FIs were published for public inspection. During the statutory public inspection periods, a total of 20 public comments were received, including 13 opposing to and 7 expressing concerns on the application. A full set of the public comments received is deposited at the Secretariat of the Board for Members' inspection and samples of the comments are attached at **Appendix V**. The main reasons for objection to/ concern on the application are summarized as follows:

- (a) the application is not in line with the planning intention of the "GB" zone and the Site should be preserved for conservation purpose. The proposed development does not comply with TPB PG-No. 10 in that the camping use is not compatible with the surrounding context where TPKNR in close proximity is included in the "Tai Po Kau, Shing Mun and Tai Mo Shan area" Important Bird and Biodiversity Area recognized by BirdLife International and of high conservation value; the proposed development generating additional traffic and visitors will aggravate the illegal parking situation which is often observed in the area; potential noise, light pollution and disturbance to wildlife arising from the proposed development;
- (b) a tent camping area is proposed for overnight field study/ educational program. There is concern about the management and intention of the proposed tent camping area. It is unnecessary to provide nighttime programme and camping use to realize the conservation objective. The camping use would jeopardize the integrity of highly sensitive TPKNR. Approval of such proposal in an area close to TPKNR would set an undesirable precedent for other similar applications or uses next to areas of conservation importance;
- (c) the Site would be affected by the slope and there is insufficient assessment on landslide risk. The NTHS to be conducted at the detailed design stage would comprise potential ground investigation in TPKNR, which would cause adverse impacts on the visitors, traffic, environment, ecology and even potential habitat loss;
- (d) the proposed development including sewage treatment plant would generate potential adverse environmental impacts including water, odour and noise pollution on the surrounding areas and environment;
- (e) the redevelopment of the existing structures, construction of sewerage system and proposed pathways would involve clearance of existing vegetation and result in impact on habitats;
- (f) specialized ecological management by expert ecologists with a track record is required for the Site;
- (g) the applicant who is not the land owner would not have the ultimate control over the use of the Site. There is concern about change of use in future; and

- (h) further enhancement measures should be adopted to maximize biodiversity at the Site. The maximum number of visitors to the Site should be reviewed periodically.

11. Planning Considerations and Assessments

- 11.1 The application is for a proposed field study/ education/ visitor centre with ancillary holiday camp at the Site zoned “GB” on the OZP. 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. The proposed use is not in line with the planning intention of the “GB” zone. There is no strong planning justification given in the submission for a departure of such planning intention.
- 11.2 The Site is situated in an area of rural landscape character predominated by densely wooded natural slopes. To its immediate south, west and north is TPKNR. CTP/UD&L, PlanD has no objection to the application from landscape planning perspective as 67 out of 70 existing trees would be preserved and lush greening of around 100 new trees and shrubs planting with native species will be provided. Significant adverse impact on the landscape resources and character arising from the proposed development is not anticipated. The proposed use is considered not incompatible with the landscape setting in proximity. However, according to H(GEO), CEDD, the proposed development is overlooked by steep natural terrain within TPKNR and may be affected by potential natural terrain landslide hazards. The applicant has committed in the GPRR to undertake a NTHS to ascertain the needs for slope works, and to implement any necessary mitigation measure as part of the proposed development. An indicative NTHS study area which covers the entire natural terrain catchment in TPKNR is proposed. Notwithstanding, the need for GI works and any subsequent natural terrain mitigation measures are yet to be confirmed with GEO, CEDD. The scope and extent of works in TPKNR is yet to be ascertained. In addition, whether the slope mitigation works to be required would constitute a designated project under the EIAO is yet to be ascertained. In this respect, DAFC concerns that if natural terrain mitigation works are required as a result of the proposed development, it should be evaluated as the impact of the proposed development as a whole. Whether the overall impact arising from the project is acceptable shall depend on the scale of slope works required, and further ecological surveys and impact evaluation of the slope works would be needed. However, there is insufficient information in the submission to demonstrate that the proposed development would not cause adverse impacts to the TPKNR. According to the TPB PG-No.10, any proposed development should be compatible with the surrounding areas and should not affect the existing natural landscape. In view of the above, the proposed use is not in line with the TPB PG-No. 10.
- 11.3 Relevant departments including C for T, CE/MN of DSD and D of FS have no adverse comment on the application on the traffic, drainage and fire safety aspects.

- 11.4 As shown on **Plan A-1**, there is a similar rejected application No. A/TP/486 for proposed field study/ education centre. No previous approval for similar field study/ education/ visitor centre has been granted by the Committee within the same “GB” zone. The Site is largely vegetated. Approval of the application would set an undesirable precedent and encourage proliferation of similar use within the same “GB” zone thereby frustrating its planning intention. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.
- 11.5 There are 20 public comments received objecting to and expressing concern on the application on the grounds as detailed in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.4 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 above, the Planning Department does not support the application for proposed field study/ education/ visitor centre with ancillary holiday camp for the following reasons:
- (a) the proposed use is not in line with the planning intention of the “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 the planning intention; and
 - (b) the proposed use is not in line with the TPB PG-No. 10 for Application for Developments within the “Green Belt” Zone in that the applicant fails to demonstrate that the proposed development would not cause adverse ecological impacts on the surrounding areas.
- 12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 21.4.2027, 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 submission of an ecological impact assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board;
- (b) the submission and implementation of a drainage impact assessment to the

satisfaction of the Director of Drainage Services or of the Town Planning Board; and

- (c) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

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

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 applicants.
- 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 and supplementary information received on 30.8.2022
Appendix Ia	Planning statement and technical assessments received on 30.8.2022
Appendix Ib	FI received on 14.10.2022 and 18.10.2022
Appendix Ic	FI received on 25.11.2022
Appendix Id	FI received on 3.3.2023
Appendix Ie	FI received on 4.4.2023
Appendix II	TPB PG-No. 10
Appendix III	Previous application
Appendix IV	Similar application
Appendix V	Public comments received by the Board
Appendix VI	Advisory clauses
Drawing A-1	Master layout plan
Drawing A-2	Landscape master plan
Drawings A-3 to A-4	Layout and section plans of visitor centre
Drawings A-5 to A-6	Layout and section plans of activity centre
Drawings A-7 to A-8	Layout and section plans of plant nursery
Drawing A-9	Artist impressions of visitor centre
Drawing A-10	Artist impressions of activity centre
Drawing A-11	Artist impressions of plant nursery
Plan A-1	Location plan
Plan A-2	Site plan

Plan A-3

Aerial photo

Plans A-4a to A-4e

Site photos

**PLANNING DEPARTMENT
APRIL 2023**