

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/817

<u>Applicant</u>	: Income Mall Limited represented by R-riches Property Consultants Limited
<u>Site</u>	: Various Lots in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
<u>Site Area</u>	: About 6,002 m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9
<u>Zoning</u>	: “Agriculture” (“AGR”)
<u>Application</u>	: Temporary Caravan Holiday Camp and Barbecue Site with Ancillary Canteen for a Period of 3 Years and Filling of Land

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for temporary caravan holiday camp and barbecue site with ancillary canteen for a period of 3 years and filling of land. The applied use is neither a Column 1 nor Column 2 use within the “AGR” zone. According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board), notwithstanding that the use or development is not provided for in terms of the OZP. Filling of land within “AGR” zone also requires planning permission from the Board. The Site is currently mainly used for hobby farm with some caravans being stationed within it and a restaurant (**Plans A-2 to A-4b**). The restaurant is operating without planning permission.
- 1.2 The Site is involved in five previous applications for temporary hobby farm, three of which are with caravan holiday camp (No. A/YL-KTN/520, 665 and 772). Details of these applications are set out in **Appendix II** and paragraph 5 below. The latest Application No. A/YL-KTN/772 for temporary place of recreation, sports or

culture (hobby farm and caravan holiday camp) with ancillary canteen was approved with conditions by the Rural and New Town Planning Committee (the Committee) on 9.7.2021 for a period of 3 years up to 9.7.2024.

- 1.3 According to the applicant, the development involves 17 single-storey structures (and 15 caravan camp sites) with building height ranging from 2.8m to 4m and a total floor area of about 904m² for caravan camping sites, activities room, ancillary canteen and its associated facilities, storeroom, outside seating area, rain shelters, washroom, refreshment kiosk, meter room and guardroom. 8 barbecue pits will also be provided at the Site. About 1,307m² (about 21.8%) of the Site is proposed to be filled with concrete by not more than 0.2m (from 10mPD to 10.2mPD and from 10.2mPD to 10.4mPD) for site formation of structures and not more than 0.1m (from 10mPD to 10.1mPD and from 10.2mPD to 10.3mPD) for circulation space. The estimated maximum number of visitors at the Site is 60 per day and the estimated number of staff is 8. 19 private car parking spaces and 1 loading/unloading space for light goods vehicle will be provided. The operation hours of the development is from 9:00a.m. to 10:00p.m. daily, except for overnight camping activities. The operation hours of the barbecue site and ancillary canteen are from 9:00 a.m. to 10:00 p.m. daily. The Site is accessible from San Tam Road via Fung Kat Heung Road and a local track. The site layout and paved ratio plans submitted by the applicant are at **Drawings A-1 and A-2**.
- 1.4 The major development parameters of the development as compared with the last approved Application No. A/YL-KTN/772 is shown in the table below:

Major Development Parameters	Last Approved Planning Application (No. A/YL-KTN/772) (a)	Current Application (b)	Difference (b)-(a)
Applied use	Temporary Place of Recreation, Sports or Culture (Hobby Farm and Caravan Holiday Camp) with Ancillary Canteen for 3 Years	Temporary Caravan Holiday Camp and Barbecue Site with Ancillary Canteen for 3 Years and Filling of Land	Some changes to the applied use made
Site area (m ²)	5,525	6,002	+477 (+8.6%)
Total floor area (m ²)	366	904	+538 (+147%)
No. of structures	8	17	+9 (+113%)
No. of caravans	10	15	+5 (+50%)
Caravan camping area (m ²)	186	279	+93 (50%)
Barbecue pits	N/A	8 Nos.	N/A
Farming area (m ²)	2,785	N/A	N/A
Area covered by structures (m ²)	366	625	+259 (+71%)

Hard-paved area (m ²)	545	1,307	+762 (+140%)
No. of parking spaces			
- Private car	16	19	+3 (+19%)
- Loading/Unloading	1	1	Nil

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

- (a) Application Form with supplementary information **(Appendix I)**
received on 6.1.2022
- (b) Replacement pages received on 10.1.2022 **(Appendix Ia)**
- (c) Further Information (FI) received on 25.2.2022 in **(Appendix Ib)**
response to departmental comments
[exempted from publication requirement]
- (d) Further Information (FI) received on 1.3.2022 in **(Appendix Ic)**
response to departmental comments
[exempted from publication requirement]

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the application form, replacement pages and FI in **Appendices I to Ic**. They can be summarized as follows:

- (a) The applicant intends to continue its caravan camp business with addition of a barbecue site at the Site to meet the pressing demand for local holiday camping. As no eating place is provided in the Fung Kat Heung area, the provision of a barbecue site and ancillary canteen are to bring convenience to its visitors and staff.
- (b) The application is on temporary basis which will not frustrate the long-term planning intention of the “AGR” zone. The applicant will reinstate the Site to an area suitable for agricultural use upon expiry of the planning permission.
- (c) The area proposed to be filled, for site formation structures and circulation space, are kept to its minimal for the operation of the caravan holiday camp.
- (d) In regards to the substantiated environmental complaint of water pollution from the Site, the applicant states that septic tank and soakaway pit system has been implemented for sewage treatment and its design and construction follow the requirements of Environmental Protection Department’s (EPD’s) ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (ProPECC PNs) 5/93. Licensed collectors will be employed to collect and dispose of sewage regularly.

- (e) Noting that there are residential dwellings / structures nearby, the applicant states that loudspeakers, audio amplifier and public announcement systems will not be used at the Site.
- (f) The applied use would not generate significant adverse traffic, environmental, landscape and drainage impacts 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 posting site notice and sending notice to the Kam Tin Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is currently not subject to any planning enforcement action.

5. Previous Applications

The Site is the subject of five previous applications for temporary hobby farm (three of which with caravan holiday camp) submitted by the same applicant (except No. A/YL-KTN/670) as the current application. All applications (with/without ancillary canteen) were approved with conditions by the Committee between August 2015 and July 2021 mainly for the reasons that temporary approval would not frustrate the long-term planning intention of the “AGR” zone; the developments were not incompatible with the surrounding land uses; the developments would unlikely cause significant adverse environmental, traffic or drainage impacts; concerned departments had no objection to the applications; and/or departments’ technical concerns could be addressed by relevant approval conditions. Nevertheless, the planning permissions for Application No. A/YL-KTN/474 and 670 were revoked in August 2016 and August 2021 respectively due to non-compliance with approval conditions. Application No. A/YL-KTN/665 involving a smaller site compared with the current application was approved on 5.7.2019 and the planning permission is valid until 5.7.2022. Approval conditions on submission of drainage and fire service installations (FSIs) proposals have been complied with. For the latest Application No. A/YL-KTN/772 approved on 9.7.2021, the planning permission is valid until 9.7.2024. Details of the previous applications are summarized in **Appendix II** and their locations are shown on **Plan A-1b**.

6. Similar Applications

There are two similar applications, involving one site, for temporary hobby farm with caravan holiday camp within the same “AGR” zone in the vicinity of the Site. The applications were approved with conditions by the Committee in January 2017 and May

2020 respectively for similar reasons as stated in paragraph 5 above. Details of these applications are summarized in **Appendix III** and their locations are shown on **Plan A-1a**.

7. The Site and Its Surrounding Areas (Plans A-2 to A-4b)

7.1 The Site is:

- (a) partly paved and mainly used for hobby farm, caravan holiday camp, restaurant (the hobby farm and caravan holiday camp has valid planning permission) and parking of vehicles; and
- (b) accessible from San Tam Road via Fung Kat Heung Road and a local track.

7.2 The surrounding areas are rural in character predominated by cultivated agricultural land, residential structures/dwellings, storage yards, parking of vehicles, hobby farm and vacant / vegetated land (**Plan A-2**):

- (a) to its north, east and south are cultivated agricultural land, residential structures/dwellings, open storage/storage yards, parking of vehicles and vacant land. The land used for dog kennel and parking of vehicles to the south are covered by valid planning permissions (No. A/YL-KTN/695 and 705); and
- (b) the vacant land to its immediate west is the site approved for temporary animal boarding establishment under Application No. A/YL-KTN/651. To its further west and northwest across Mei Fung Road are a hobby farm, residential structures/dwellings, a storage yard and vacant land.

8. Planning Intention

8.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

8.2 According to the Explanatory Statement of the OZP, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

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 / Yuen Long, Lands Department

(DLO/YL, LandsD):

- (a) The Site comprises 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.
- (b) Lots 926 RP and 954 S.A in D.D 107 is covered by Short Term Waiver (STW) No. 4477 and 5007 to permit structures erected thereon for the purpose of “Temporary Hobby Farm” and “Temporary Animal Boarding Establishment” respectively.
- (c) Should planning approval be given to the application, the STW holders will need to apply to his office for modification of the STW conditions where appropriate. The owner(s) of the lot(s) without STW will need to apply to his office to permit the structures to be erected or regularize any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by the LandsD.

Traffic

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

- (a) He has no comment on the application from traffic engineering perspective.
- (b) The Site is connected to the public road network via a section of local access road which is not managed by the Transport Department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly. The applicants should be advised that sufficient manoeuvring space shall be provided within the Site. No vehicle is allowed to queue back to or reverse onto / from public road at any time during the planning approval period.

9.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) Fung Kat Heung Road and Mei Fung Road is not maintained by HyD. His office shall not be responsible for the maintenance of any access connecting the Site and San Tam Road.

- (b) Adequate drainage measures should be provided to prevent surface water running from the Site to nearby public roads and drains.

Agriculture and Nature Conservation

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

- (a) The Site falls within the “AGR” zone and is currently occupied by some structures. Agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water sources are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses and plant nurseries, etc. As the Site possess potential for agricultural rehabilitation, the application for the applied use is not supported from agricultural point of view.
- (b) Noting that the Site is subject to a number of previous applications for similar use approved by the Board, he has no comment on the application from the nature conservation point of view.

Environment

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

- (a) The Site is the subject of one substantiated environmental complaint related to water pollution aspect received in the past three years.
- (b) Having reviewed the applicant’s submitted FI (**Appendix Ib**), it is noted that the barbecue site with a maximum of 8 barbecue pits will be located to the southwestern portion of the Site to minimise air nuisance to the surrounding areas; septic tank and soakaway system will be used for sewage treatment at the Site and the design and construction of the septic tank and soakaway system will follow the requirements of EPD's Practice Note for Professional Person (ProPECC) PN 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department”. Regarding the substantiated complaint on wastewater discharge of the Site with similar use of the current application, the applicant has clarified that septic tank and soakaway system has been implemented at the Site since previous applications and the applicant will continue to implement the septic tank and soakaway system for sewage treatment at the Site, and will strictly follow the statutory requirements under relevant pollution control ordinances. In this regard, he has no objection to the application.
- (c) The applicant is advised:

- (i) to follow the relevant mitigation measures and requirements in the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimize any potential environmental nuisance;
- (ii) that no public announcement system or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period, as proposed by the applicant;
- (iii) to provide adequate supporting infrastructure / facilities for proper collection, treatment and disposal of waste / wastewater generated from the proposed use. The design and construction of the septic tank and soakaway system shall follow the requirements of EPD's ProPECC PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" including completion of percolation test and certification by Authorized Person;
- (iv) to control the oily fume and cooking odour emissions from the canteen, the applicant should follow “Control of Oily Fume and Cooking Odour from Restaurant and Food Business”
(https://www.epd.gov.hk/epd/sites/default/files/epd/english/environmentinhk/air/guide_ref/files/pamphlet_oilfume_eng.pdf);
- (v) that it is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances.

Landscape

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

- (a) She has no objection to the application from the landscape planning point of view.
- (b) Based on the aerial photo taken in January 2021, the Site is located in an area of rural landscape character comprising of farmlands, vacant lands, village houses, temporary structures and scattered tree group. According to the site inspection in January 2022, the Site is partly hard paved and holiday camp with ancillary canteen is in operation. Some trees of common species are observed along the site boundary. According to the layout plan in the application form, one tree with poor form in the northern boundary within the Site may be in conflict with the proposed concrete paving works. Given that the tree is common species and no significant change to the surrounding landscape setting since the previous application was approved, significant adverse landscape impact within the Site

arising from the development is not anticipated.

Drainage

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

- (a) He has no in-principle objection to the development.
- (b) Should the application be approved, conditions requiring the applicant to submit a drainage proposal and the implementation and maintenance of the drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the Board should be included in the planning approval.

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 his satisfaction.
- (b) In consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSI to be installed should be clearly marked on the layout plans.
- (c) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123) or licence is required under the Hotel and Guesthouse Accommodation Ordinance (HAGAO), Cap. 349, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority respectively.

Building Matters

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

- (a) As there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be

carried out on Site, prior approval and consent of the BA should be obtained, otherwise they are unauthorized building works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance.

- (c) His detailed comments on UBW, provision of access, temporary or licensed structures are at **Appendix V**.
- (d) Detailed checking under the BO will be carried out at building plan submission stage.

Food and Environmental Hygiene

9.1.10 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) Proper licence and/or permit issued by his department is required if there is any food business, catering service/ activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.
- (b) If the proposal involves any commercial/trading activities, there should be no encroachment on the public place and no environmental nuisance should be generated to the surroundings. Its state should not be a nuisance or injurious or dangerous to health and surrounding environment. Also, for any waste generated from such activities/ operation, the applicant should arrange disposal properly at their own expenses.
- (c) His detailed comments on food business regulation and licences are at **Appendix V**.

Licensing

9.1.11 Comments of the Director of Home Affairs (D of HA):

- (a) For the temporary caravan holiday camp with provision of short-term sleeping accommodation at a fee, if their mode of operation falls within the definition of “hotel” or “guesthouse” under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) (the HAGAO), a licence under the HAGAO must be obtained before operation.
- (b) A new licence application for the operation of caravan holiday camp at the Site by a different applicant was received by the Office of the Licensing Authority (the OLA) on 21.9.2021. According to the latest proposal submitted by the applicant under the license application, the disposition of various caravans and associated facilities is similar to those in the s.16 application but there are

some structures noted in the application falling outside of the licensed area of the Site.

- (c) The applicant is strongly advised to observe the “General Licensing Conditions for Caravan Camp Site providing short-term sleeping accommodation” and “A Guide to Licence Applications for Guesthouse (Holiday Camp) - Caravan Camp Site under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349)” available in the website of OLA. Particular attention should be drawn to the requirements of the site location as set out in paragraph 1.16 of the Guide.
- (d) For any structure which constitutes as “building works” or “building” under the BO to be included into the licence, the applicant should submit a copy of either an occupation permit issued by the BA or a Certificate of Compliance issued by the LandsD when making an application under the HAGAO.
- (e) Detailed licensing requirements will be formulated upon receipt of application under the HAGAO.

Water Supplies

9.1.12 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) He has no objection to the application.
- (b) Existing water mains will be affected (**Plan A-2**). The cost of any diversion, if required, shall be borne by the development.
- (c) In case it is not feasible to divert the affected water mains, a waterworks reserve within 1.5m from the center line of the water mains shall be provided to WSD. No structure shall be built or materials stored within the waterworks reserve. Free access shall be made available at all times for staff of the Director of Water Supplies and their contractor to carry out construction, inspection, operation, maintenance and repair works.
- (d) No trees or shrubs with penetrating roots may be planted within the waterworks reserve or in the vicinity of the water main.
- (e) Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site.

District Officer's Comments

9.1.13 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

He has not received any comments from locals and has no particular comments on the application.

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

- (a) Director of Leisure and Cultural Services;
- (b) Project Manager (West), Civil Engineering and Development Department;
- (c) Director of Electrical and Mechanical Services; and
- (d) Commissioner of Police (C of P).

10. Public Comments Received During the Statutory Publication Period

On 14.1.2022, the application was published for public inspection. During the three-week statutory publication period, four public comments were received from The Conservancy Association and individuals (**Appendices IV-1 to IV-4**). They object to the application mainly on the grounds that the Site should be used for farming instead of recreation; the development would result in adverse environmental impact and set an undesirable precedent for similar applications; there are concerns on the fire safety, drainage and hygienic impacts to the surroundings thus affecting the living quality and safety of the residents nearby; and the Site is not located in Fung Kat Heung but in Sha Po.

11. Planning Considerations and Assessments

11.1 The application is for temporary caravan holiday camp and barbecue site with ancillary canteen for a period of 3 years and filling of land (about 1,307m² or 21.8% of the Site) by not more than 0.2m in depth for site formation of structures and circulation purpose. The Site is zoned "AGR" on the OZP and the planning intention is primarily for retaining and safeguarding good quality agricultural land/farm/fish ponds for agricultural purposes, and for retaining fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The applied use, i.e. caravan holiday camp and barbecue site, is recreational use not directly related to agricultural activities, whilst the canteen is ancillary facility to support the operation of the holiday camp and barbecue site. DAFC does not support the application from agricultural point of view as the Site possesses potential for agricultural rehabilitation. Nevertheless, taking into account the nature and scale of the development at the Site, it is considered that approval of the application on a temporary basis would not jeopardize the long-term planning intention of the "AGR" zone. Filling of land within "AGR" zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, CE/MN of DSD and DEP have no adverse comment from the drainage and environmental perspectives.

- 11.2 The applied use is considered not incompatible with the surrounding areas which are rural in character intermixed with cultivated agricultural land, residential dwellings/structures and vacant land.
- 11.3 Relevant departments consulted, including C for T, DEP, CTP/UD&L of PlanD, CE/MN of DSD and D of FS, have no adverse comment on the application. Whilst there is a substantiated environmental complaint related to water pollution aspect, the applicant states that septic tank and soakaway pit system has been implemented for sewage treatment at the Site, and licensed collectors will be employed to collect and dispose of the sewage regularly to ensure no overflowing of sewage at the Site. Besides, the barbecue area will be positioned in the southwestern portion of the Site to minimize possible environmental nuisance to the surrounding areas, and no loud speakers, audio amplifier or public announcement system will be used. DEP, in this regard, has no objection to the application. To minimize any potential environmental nuisances and to address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will also be advised to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' in order to minimize the possible environmental impacts on the surrounding areas.
- 11.4 The Site is involved in five previous applications for temporary hobby farm and three of which with caravan holiday camp (with/without ancillary canteen) (No. A/YL-KTN/520, 665 and 772). All the applications, including the two applications for temporary hobby farm only, were approved by the Committee between 2015 and 2021 for reasons as stated in paragraph 5 above. There are two similar applications for temporary hobby farm with caravan holiday camp within the same "AGR" zone in the vicinity of the Site approved by the Committee between 2017 and 2020. Approval of the current application is in line with the Committee's previous decisions.
- 11.5 Four public comments were received objecting to the application. In this regard, the departmental comments and planning considerations and assessments as stated above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments in paragraph 10 above, the Planning Department considers that the temporary use under application could be tolerated for a period of 3 years.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until 4.3.2025. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period;
- (b) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 4.9.2022;
- (c) in relation to (b) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 4.12.2022;
- (d) in relation to (c) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 4.9.2022;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 4.12.2022;
- (g) if any of the above planning condition (a) or (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;
- (h) if any of the above planning condition (b), (c), (e) or (f) 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; and

Advisory Clauses

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

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the development is not in line with the planning intention of the "AGR" zone which is to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

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

14. Attachments

Appendix I	Application Form with Supplementary Information received on 6.1.2022
Appendix Ia	Replacement Pages received on 10.1.2022
Appendix Ib	FI received on 25.2.2022
Appendix Ic	FI received on 1.3.2022
Appendix II	Previous Applications covering the Site
Appendix III	Similar Applications within the Same “AGR” Zone in the vicinity of the Site
Appendices IV-1 to IV-4	Public Comments received during the Statutory Publication Period
Appendix V	Recommended Advisory Clauses
Drawing A-1	Site Layout Plan
Drawing A-2	Paved Ratio Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos

**PLANNING DEPARTMENT
MARCH 2022**