

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/409

- Applicant** : Sun Cheong Management Consultant Limited
- Site** : Lot 288 in D.D.129 and adjoining Government Land (GL), Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 5,346m² (including GL of about 110m² or 2.1%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/10
- Zoning** : “Green Belt” (“GB”)
- Application** : Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 2 Years and Filling of Land

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for proposed temporary place of recreation, sports or culture (hobby farm) for a period of 2 years (**Plan A-1**). The Site falls within an area zoned “GB” on the draft Lau Fau Shan and Tsim Bei Tsui OZP No. S/YL-LFS/10. According to the Notes of the OZP for “GB” zone, ‘Place of Recreation, Sports or Culture’ is a Column 2 use that requires planning permission from the Town Planning Board (the Board).
- 1.2 The Site is involved in 2 previous planning applications (No. A/YL-LFS/200 and 262) for temporary warehouse and open storage of recycling materials with or without ancillary workshop, both of which were rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 2010 and 2014 respectively (**Plan A-1**). The Site is currently concrete-paved, partly erected with structures and largely vacant (**Plans A-2 and A-4a to A-4d**).
- 1.3 As shown on the layout plan at **Drawing A-1**, the proposed development comprises a farming area of about 412m² (7.7% of the Site) for growing vegetables. According to the applicant, the existing concrete-paving on-site will not be removed. To facilitate the provision of the farming area, the same area (i.e. about 412m² or 7.7% of the Site) will be filled with soil of 0.9m in thickness on top of the existing concrete-paving on-site (**Drawing A-2**).

- 1.4 The proposed development also comprises 7 temporary structures (all 1 storey and not exceeding 8m in height) with a total floor area of about 1,892m² (site coverage of 35.4%) for activity rooms, rain shelters, site offices and refreshment kiosks¹ (**Drawing A-1**). No information about how the proposed activity rooms and rain shelters would be used is provided. 4 parking spaces for private cars (each measuring 5m × 2.5m) and 2 loading/unloading spaces for 65-seater coach (measuring 12m × 3.5m) and light goods vehicle (measuring 7m × 3.5m) respectively will be provided. The remaining open-air area of 2,925.5m² (54.7% of the Site) is not specified for any use. The Site is accessible from Deep Bay Road via a local track (**Drawing A-3**).
- 1.5 According to the applicant, the proposed hobby farm would be open to public free of charge. The operation hours are between 9:00 a.m. and 8:00 p.m. daily (including public holidays). The estimated number of visitors will be about 5-10 people daily. Landscape planting comprising 8 trees would be provided at the northeastern periphery of the Site (**Drawing A-4**). Fire services installations would also be provided. The proposed layout plan, soil filling and existing paved area plan, vehicular access plan, landscape plan and fire service installations plan are at **Drawings A-1 to A-5** respectively.
- 1.6 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 23.8.2021 (**Appendix I**)
 - (b) Supplementary Information (SI) received on 26.8.2021 (**Appendix Ia**)

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and the SI at **Appendices I and Ia**. They can be summarised as follows:

- (a) The objectives of the proposed hobby farm are to provide an opportunity for the participants to experience organic farming, so as to cultivate their interest while enrich their knowledge on it. The nature and the layout of the proposed development are compatible with the surrounding environment and land uses.
- (b) The proposed development which is temporary in nature would not jeopardise the planning intention of the “GB” zone.
- (c) Protection measures would be provided, notwithstanding that the proposed development would not affect the character of the “GB” zone.
- (d) No adverse drainage, traffic, environmental and visual impacts are envisaged.
- (e) Vegetables grown on-site are for self-consumption and will not be sold.

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/

¹ There would be 2 structures for activity rooms (totaling 920m²), 2 structures for rain shelters (totaling 750m²), 2 structures for site offices (totaling 162m²) and 1 structure for refreshment kiosk (60m²).

Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting site notice and sending notification letter to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements under TPB PG-No. 31A are not applicable.

4. Town Planning Board Guidelines

4.1 Town Planning Board Guidelines for “Application for Development within the Green Belt Zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 10) are relevant to the application. The relevant assessment criteria are summarised as follows and detailed at **Appendix II**.

- (a) there is a general presumption against development (other than redevelopment) in “GB” zone;
- (b) an application for new development in “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas;
- (c) passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration;
- (d) the design and layout of any proposed development should be compatible with the surrounding area. It should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, and cause any adverse visual impact on the surrounding environment;
- (e) the vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features;
- (f) the proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, road and water supply. It should not adversely affect drainage or aggravate flooding in the area; and
- (g) any proposed development on a slope or hillside should not adversely affect slope stability.

4.2 According to Town Planning Board Guidelines for “Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance” (TPB PG-No. 12C), the Site falls within the Wetland Buffer Area (WBA). The relevant assessment criteria are summarized as follows and detailed at **Appendix III**.

- (a) the intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area (WCA) and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds; and

- (b) within the WBA, for development or redevelopment which requires planning permission from the Board, an ecological impact assessment (EcoIA) would also need to be submitted. Some local and minor uses (including temporary uses) are however exempted from the requirement of EcoIA.

5. **Background**

The Site is subject to two on-going planning enforcement actions (No. E/YL-LFS/522 and 523) against unauthorised developments (UD) involving storage use (including deposit of containers) (**Plan A-2**). Enforcement Notices (EN) for both cases were issued on 18.6.2021 requiring the discontinuance of the UD by 18.8.2021. The recent site inspection revealed the Site was largely vacant. The Site is being closely monitored for compliance with the ENs.

6. **Previous Applications**

- 6.1 The Site is involved in two previous applications (No. A/YL-LFS/200 and 262) for temporary warehouse and open storage of recycling materials with or without ancillary workshop for a period of 3 years. Both applications were rejected by the Committee on 29.1.2010 and 13.6.2014 respectively on grounds of not in line with the planning intention of the “GB” zone, and the (then) TPB PG-No. 10, 12B and 13E (i.e. for Application for Open Storage and Port Back-up Uses); adverse comments from concerned Government departments on environmental, landscape and/or traffic aspects, and setting undesirable precedent. Details of the above previous applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1**.
- 6.2 Compared with the last previous application, the current application is submitted by a different applicant for different use at a slightly smaller site.

7. **Similar Applications**

- 7.1 Within the same “GB” zone, there are 11 similar applications (No. A/YL-LFS/166, 172, 278, 302, 304, 311, 343, 363, 366, 380 and 408) for hobby farm with or without other uses/facilities, 10 of which were approved while 1 was rejected by the Committee. Details of the similar applications are summarised at **Appendix V** and their locations are shown on **Plan A-1**.

Approved applications

- 7.2 Applications No. A/YL-LFS/172, 304 and 363 covering more or less the same site for hobby farm and other recreational uses were approved with conditions by the Committee between 2008 and 2020 mainly on the considerations that the proposed development was not in conflict with/in line with the planning intention of the “GB” zone and the TPB PG-No.10 while not incompatible with the surrounding environment, there were no adverse comments from concerned government departments and technical concerns could be addressed by approval conditions.

- 7.3 Applications No. A/YL-LFS/166, 278, 311, 343, 366, 380 and 408 covering six different sites for temporary hobby farm were approved by the Committee between 2007 and 2021 mainly on similar considerations as mentioned in paragraph 7.2 above.
- 7.4 As compared with the current application, the approved similar applications generally involved larger farming area and/or agriculture-related area (such as greenhouses) (more than 50% of the sites), less hard-paved area (less than 50% of the sites), and/or less bulky structures (not exceeding 5m in height).

Rejected application

- 7.5 Application No. A/YL-LFS/302 for temporary hobby farm and fishing ground was rejected by the Committee on 8.12.2017 mainly on the grounds that the applied use involving pond filling and hard paving was not in line with the planning intention of the “GB” zone and no strong justification was given for a departure, and not in line with the TPB PG-No. 10 in that the development would affect natural landscape, and the TPB PG-No.12C in that it did not comply with the “no net-loss in wetland” principle.

8. The Site and Its Surrounding Areas (Plans A-1 to A-4d)

8.1 The Site is:

- (a) concrete-paved, largely fenced-off and sub-divided into three compartments;
- (b) currently erected with temporary enclosed structures/converted container structures/open sheds, with footprints largely the same as the proposed structures under application (**Drawing A-1, Plans A-3 and A-4d**). Except a few leftovers, the Site is largely vacant; and
- (c) located to the south of Deep Bay Road, and is accessible via a track on GL and private lots branching off Deep Bay Road.

8.2 The surrounding areas have the following characteristics:

- (a) to the immediate north is a vacant land covered by a valid planning permission for temporary hobby farm use (i.e. A/YL-LFS/408). To the further north are an open storage yard for recycling materials which is a suspected UD, a piece of vacant land and a patch of shrubland; and
- (b) to the immediate west is a local track. To the east, south and further west are woodlands intermixed with graves.

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 filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

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/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site comprises an Old Schedule Agricultural Lots (OSALs) and GL. The OSAL is 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) No permission is given for occupation of the GL included in the Site (about 110m² subject to verification). The act of occupation of GL without Government's prior approval is not allowed.
- (c) Warning letter (WL) against the unauthorised structure(s) erected on Lot 288 in D.D.129 (i.e. the Site) was issued to the respective lot owner on 15.10.2020 requiring the rectification of the breach of lease. The WL was registered at the Land Register on 5.5.2021.
- (d) Should planning approval be given to the subject planning application, the lot owner(s) of the lot will need to immediately apply to his office for permitting the structures to be erected or to regularise any irregularities on site, if any. The applicant has to either exclude the GL from the Site or immediately apply for a formal approval prior to the actual occupation of the GL. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Application(s) for any of the above will be considered by LandsD acting in the capacity of 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 LandsD.

Traffic

- 10.1.2 Comments of Commissioner for Transport (C for T):

- (a) He has no adverse comment on the application from traffic engineering point of view.

- (b) Sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.
- (c) The local track leading to the Site is not under Transport Department (TD)'s purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site.
- (d) The applicant shall note that Deep Bay Road to the north of Lau Fau Shan Roundabout is prohibited for access of vehicles exceeding 10m long, unless otherwise permitted.

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

- (a) Adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains.
- (b) The access road connecting the Site with Deep Bay Road is not and will not be maintained by his office. His office should not be responsible for maintaining any access connecting the Site and Deep Bay Road.

Environment

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

- (a) He has no objection to the application.
- (b) The proposed development includes recreational uses within Deep Bay Buffer Zone 1. According to Item P.1, Part I of Schedule 2 of the Environmental Impact Assessment Ordinance (EIAO), "A residential or recreational development, other than New Territories exempted houses, within Deep Bay Buffer Zone 1 or 2" is a Designated Project (DP). An Environmental Permit is required for construction and operation of a DP under the EIAO. The applicant is reminded to go through the statutory process under the EIAO for the construction and operation of the proposed development and to conduct further assessments to confirm the environmental acceptability of the proposed development under the statutory EIAO process.
- (c) There is no substantiated environmental complaints pertaining to the Site received in the past 3 years.
- (d) The applicant should be reminded of the detailed comments at **Appendix VII**.

Nature Conservation and Agriculture

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

- (a) He has no adverse comment on the application.
- (b) The Site falls within the “GB” zone and WBA. It is concrete-paved with low ecological value.
- (c) He has no comment from agricultural point of view on non-agricultural proposal falling within the “GB” zone.

Landscaping

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

- (a) She has reservation on the application.
- (b) According to the aerial photo of 2021 and the site photos, most of the site area is hard-paved with some existing temporary structures generally along the site boundary. A few numbers of trees are located at the southern end of the Site. The Site is situated in an area of rural coastal plains landscape character predominated by woodland, scrubland, ponds, and disturbed by temporary structures and open storages.
- (c) With reference to submitted paved area plan (**Drawing A-2**), the existing hard-paved area (about 5,356m² or 100% of the Site) will not be removed, and only a minor portion of the Site (about 412m² or 7.7% of the Site) is proposed as farming area with the proposed filling of soil of 0.9m in thickness on top of existing concrete-paving for growing vegetables. Although no significant impact on existing landscape resources arising from the proposed development is envisaged, the extensive hard-paved area is considered incompatible with the surrounding natural environment.
- (d) The applicant should be reminded of the detailed comments at **Appendix VII**.

Drainage

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

- (a) He has no objection in principle to the application from drainage point of view.
- (b) Should the Board consider that the application is acceptable from planning point of view, he would suggest that a condition should be stipulated requiring the applicant to submit a drainage proposal, to

implement and maintain the proposed drainage facilities to the satisfaction of his department.

Fire Safety

10.1.8 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 applicant should note his detailed comments on the submission of FSIs proposal at **Appendix VII**.

Building Matters

10.1.9 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 for the existing structures at the Site, he is not in a position to offer comments on their suitability for the proposed use under planning application.
- (b) The applicant should be reminded of the detailed comments at **Appendix VII**.

Geotechnical

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

- (a) According to his records, illegal site formation works at Lots 286 and 288 in D.D.129, i.e. within and close to the Site, were reported to his office in April 2008. He also notes that the Site is subject to two current planning enforcement actions. However, up to now the case is still apparently unresolved. In view of the above, he does not support the application before the restoration of the Site to the original condition.
- (b) In addition, the Site is overlooked by steep natural terrain. Should the application be approved, the applicant should be requested to submit a Natural Terrain Hazard Study report and to implement the mitigation measures recommended therein, as part of the development, to his satisfaction.
- (c) His office is not responsible for the control of land filling activities.

Licencing

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

The applicant should be reminded of the detailed comments at **Appendix VII**.

Electricity Supply

10.1.12 Comments of the Director of Electrical and Mechanical Services (DEMS):

The applicant should be reminded of the detailed comments at **Appendix VII**.

District Officer's Comments

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

His office has not received any feedback from locals.

10.2 The following Government departments have no comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Chief Engineer/Land Works, Civil Engineering and Development Department (CE/LW, CEDD);
- (c) Project Manager (West), CEDD (PM(W), CEDD); and
- (d) Commissioner of Police (C of P).

11. Public Comments Received During Statutory Publication Period

On 31.8.2021, the application was published for public inspection. During the statutory public inspection period, two public comments from the Kadoorie Farm & Botanic Garden and an individual (**Appendices VI-1 and VI-2**) were received objecting to the application on the following grounds:

- (a) The Board should consider whether the proportion of the proposed farming area (i.e. 412m² or 7.7% of the Site of 5,346m²) is acceptable, as approval of the application would become a precedent for other similar applications within this “GB” zone.
- (b) The area including the Site had been damaged. It is suspected that the application was to legitimise inappropriate uses thereat. The Board should look into the site history.
- (c) Approval of the application would reward ‘destroy to build’ development at the Site.

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary place of recreation, sports or culture (hobby farm) for a period of 2 years and filling of land. The Site falls within 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. Also, as stated in TPB PG-No. 10, an application for new development within “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds, although passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration. Moreover, filling of land within the “GB” zone requires planning permission from the Board as it may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment.

- 12.2 Although the Site is proposed for hobby farm use, more than half of the Site (an open-air area of about 2,925.5m² or 54.7% of the Site) is not specified for any use. The proposed development involves 7 single-storey structures of maximum 8m in height with a total floor area of about 1,892m² (35.4% of the Site), the footprints of which are largely the same as the existing structures on-site (**Drawing A-1 and Plan A-4a to A4d**). The applicant claims that the structures are for, inter alia, activity rooms and rain shelters of the proposed hobby farm. However, no justification is provided as to why the proposed activity rooms and rain shelters require single-storey structures with headroom as high as 8m and a floor area as large as 920m² and 750m² respectively, especially when there would only be about 5-10 visitors per day according to the applicant. On the contrary, the proposed farming area takes up only 412m² (7.7% of the Site). According to the applicant, the existing concrete-paving covering the entire Site, including that on the proposed farming area will not be removed. Rather, soil of 0.9m in thickness will be filled on top of the existing concrete-paving to form the proposed farming area. Moreover, no explanation is given to suggest why a loading/unloading space for a 65-seater coach is proposed when there would only be about 5-10 visitors per day. In a nutshell, there is no strong justifications in the submission to demonstrate that the proposed development, which consists of substantial area without any specified use, a very small farming area, excessive temporary structures and loading/unloading area, and entirely hard-paved area, is genuinely for hobby farm use. In view of the above, the proposed development is considered not in line with the planning intention of the “GB” zone and there is no strong planning justification given in the submission for a departure of such planning intention, even on a temporary basis.
- 12.3 The Site is situated in an area predominated by woodland intermixed with graves, vacant land and temporary structures. As stated in TPB-PG No. 10, the design and layout of any proposed development falling within “GB” zone should be compatible with the surrounding area. Considering the Site had been entirely hard-paved and the proposed structures of excessive scale as discussed in paragraph 12.2 above, the proposed development is considered not compatible with the surrounding area.
- 12.4 According to TPB PG-No. 10, the proposed development within “GB” zone should not affect the existing natural landscape and cause any adverse landscape impact on the surrounding areas. The proposed development on a slope or hillside should also not adversely affect slope stability. In this regard, CTP/UD&L of PlanD has reservation on the application and opines that the extensive hard-paved area (100% of the Site, including the proposed farming area which is formed by filling soil on top of existing concrete-paving) is considered incompatible with the surrounding natural environment. GEO of CEDD does not support the application from slope safety point of view as the Site is subject to illegal site formation works and

outstanding reinstatement requirements. As such, the proposed development is not in line with TPB PG-No. 10.

- 12.5 Other concerned departments including C for T, DEP, DAFC, CE/MN of DSD and D of FS have no objection to or no comment on the proposed development from traffic, environmental, nature conservation, drainage and fire safety perspectives.
- 12.6 Although the Committee had approved 10 similar applications for temporary hobby farm with or without other recreational uses within the same “GB” zone, all of them generally have larger farming area and/or agriculture-related area (more than 50% of the sites), less hard-paved area and/or less bulky structures, including Application No. A/YL-LFS/408 to the immediate north of the Site. As such, rejection of the current application is not in conflict with the previous decisions of the Committee.
- 12.7 There are 2 public comments received objecting to the application during the statutory public inspection period on grounds as summarised in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.6 above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11 above, the Planning Department does not support the application for the following reasons:
 - (a) the proposed development 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, even on a temporary basis; and
 - (b) the proposed use is not in line with the Town Planning Board Guidelines for ‘Application for Development within the Green Belt zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that the proposed development is considered not compatible with the surrounding areas, and the applicant fails to demonstrate that the proposed development would not adversely affect or be affected by slope stability.
- 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 2 years until **15.10.2023**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) no operation from 8:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the Site 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 **15.4.2022**;
- (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 **15.7.2022**;
- (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 revised fire service installations proposal 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 **15.4.2022**;
- (f) in relation to condition (e) above, the implementation of the revised fire service installations proposal 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 **15.7.2022**;
- (g) the submission of a Natural Terrain Hazard Study report within **6 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 **15.4.2022**;
- (h) in relation to condition (g) above, the implementation of the mitigation measures identified in the Natural Terrain Hazard Study report 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 **15.7.2022**;
- (i) if any of the above planning conditions (a) or (d) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning conditions (b), (c), (e), (f), (g) or (h) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the 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 attached at **Appendix VII**.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse the planning 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 permission should be valid on a temporary basis.

15. Attachments

Appendix I	Application Form received on 23.8.2021
Appendix Ia	Supplementary Information received on 26.8.2021
Appendix II	Relevant Extracts of Town Planning Board Guidelines for Application for Development within Green Belt Zone (TPB PG-No. 10)
Appendix III	Relevant Extracts of Town Planning Board Guidelines for Application for Development within Deep Bay Area (TPB PG-No. 12C)
Appendix IV	Previous Applications
Appendix V	Similar Applications within the same “GB” zone
Appendices VI-1 and VI-2	Public Comments Received During Statutory Publication Period
Appendix VII	Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Soil Filling and Existing Paved Area Plan
Drawing A-3	Vehicular access plan
Drawing A-4	Landscape Plan
Drawing A-5	Fire Service Installations Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4d	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2021**