

RNTPC Paper No. A/YL-PH/876  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 26.3.2021

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**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-PH/876**

- Applicant** : Hong Kong Lutheran Social Service (HKLSS) represented by Ove Arup & Partners Hong Kong Limited
- Site** : Government land near Kam Tai Road, Pat Heung, Yuen Long, N.T.
- Site Area** : About 24,000m<sup>2</sup> (all within Government land (GL))
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11 and approved Kam Tin North OZP No. S/YL-KTN/9
- Zoning** : “Open Storage” (“OS”) (About 55%)  
“Agriculture” (“AGR”) (About 36%)  
“Industrial (Group D)” (“I(D)”) (About 9%)  
[maximum plot ratio of 1.6, maximum site coverage of 80% and maximum building height of 13m]
- Application** : Proposed Temporary Transitional Housing Development and Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary transitional housing development and place of recreation, sports or culture (hobby farm) for a period of 3 years at the application site (the Site) (**Plan A-1a**). The Site is zoned “OS” and “I(D)” on the Pat Heung OZP and “AGR” on the Kam Tin North OZP. Except ‘Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only)’ which is a Column 2 use in the “AGR” zone, the applied use is neither a Column 1 nor Column 2 use in the “OS”, “I(D)” and “AGR” zones. According to the covering Notes of the OZP, temporary use or development 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. The Site is mostly paved and vacant (**Plan A-2 and A-4a to A-4b**).

- 1.2 The northern part of the Site is subject to five previous applications for temporary open storage use which were rejected by the Rural and New Town Planning Committee (the Committee) or the Board on review between 2001 to 2008.
- 1.3 According to the applicant, the proposed development aims to provide transitional housing to relieve the acute housing shortage in the short term, and to meet the public aspiration of hobby farming. The Site is separated into eastern and western portions by a local track. The proposed development involves fourteen 4-storey residential blocks providing about 900 units. Two types of flats with toilet and kitchen with unit size of about 13m<sup>2</sup> (for 1 to 2 persons) and 26m<sup>2</sup> (for 3 to 4 persons) will be provided. Ancillary facilities such as management office, communal pantry/laundry, convenience stores, goods sharing corner, activity rooms/multi-purpose rooms and visitor toilets will be provided on the ground floor of the residential blocks. Two pieces of land for hobby farm (majority on the northern part of the Site zoned “AGR”) with 4 ancillary structures are also proposed. The major development parameters are shown in the table below:

	<b>Development Parameters</b>
<b>Site area (m<sup>2</sup>)</b>	About 24,000 of GL - Transitional housing: 16,000 (67%) - Hobby farm: 8,000 (33%)
<b>Max. Total Gross Floor Area (GFA) (m<sup>2</sup>)</b>	About 18,200 <sup>Remark 1</sup> - Transitional housing: 17,000 - Ancillary facilities for transitional housing: 1,000 - Ancillary facilities for hobby farm: 200
<b>Max. Plot Ratio (PR)</b>	About 0.76 <sup>Remark 2</sup> - Transitional housing (including housing and ancillary facilities): 1.125 - Ancillary facilities for hobby farm: 0.025
<b>Total Site Coverage</b>	About 19%
<b>No. of Blocks</b>	14 Residential blocks 4 Ancillary facilities for hobby farm 2 sewage treatment plants
<b>No. of Storeys/ Building Height</b>	Residential blocks: 4 (not more than 15m) Ancillary facilities for hobby farm: 1 (not more than 3m)
<b>No. of Units</b>	About 900
<b>Estimated population</b>	About 2,250
<b>Open Space (m<sup>2</sup>)</b>	Not less than 2,250
<b>Completion</b>	2023

Remark 1: Two 1-storey (not more than 5m) sewage treatment plants are proposed to be exempted from GFA calculation.

Remark 2: (i) The total PR is based on the total site area (24,000m<sup>2</sup>). (ii) The PR for the transitional housing and its ancillary facilities is based on the site area of the transitional housing (16,000m<sup>2</sup>). (iii) The PR for the hobby farm is based on the site area of hobby farm (8,000m<sup>2</sup>).

- 1.4 The Site is accessible from Kam Tai Road and Kam Tin Road via a local track. Modular Integrated Construction (MiC) method will be adopted for the transitional housing development to speed up the time required for flat production. The applicant, who is a non-government organization (NGO), will be responsible for the construction, management and maintenance of the proposed development. While the application is on a temporary basis of 3 years, the applicant intends to operate the proposed development for not less than 7 years and will submit renewal application if the current application is approved.
- 1.5 The proposed development involves two pieces of land for hobby farm, the majority (7,000m<sup>2</sup>) on the northern part of the Site occupied most of the “AGR” zone in the Site and the smaller one (1,000m<sup>2</sup>) on the southern part is zoned “I(D)”. The hobby farm, which will be open to both the residents of the transitional housing and the general public, includes four 1-storey structures for activity shed, store room, greenhouse, watering and power supply facilities and water and fertilizer storage area. Over 70% of the area of the hobby farm will be used for farming and the remaining area in the hobby farm will be paved with concrete for vehicular circulation, the base for structures and activity/ workshop area etc. The operation hours will be 9:00 a.m. to 6:00 p.m. daily. It is estimated that about 70 visitors during weekends and public holidays and about 30 visitors during weekdays will be accommodated at the hobby farm. No public announcement system would be used.
- 1.6 The Master Layout Plan (MLP), section plan, unit layout plan, landscape proposal, artist’s impression, photomontages and existing transport services and pedestrian facilities of the proposed development are at **Drawings A-1 to A-10**. In support of the application, the applicant has submitted Traffic Impact Assessment (TIA), Environmental Assessment (EA), brief Visual Appraisal, and broad tree survey.

#### *Traffic*

- 1.7 The Site is accessible from Kam Tai Road and Kam Tin Road via a local track. Six loading/unloading spaces for heavy goods vehicles will be provided within the Site to meet the operational needs, and no car parking spaces will be provided. An existing franchised bus stop is located within 200m radius from the Site (**Drawing A-10**), providing connection to West Rail Kam Sheung Road Station, Yuen Long and Sheung Shui. To cater for the additional public transport demand from the proposed development, the applicant proposed a new green mini bus (GMB) layby (**Drawing A-1**) within the Site with en-route stop near West Rail Kam Sheung Road Station during peak hour. The applicant also suggested that the frequency of bus services can be strengthened to meet the additional demand. No significant traffic impact on the adjacent road network is anticipated.

#### *Environment*

- 1.8 According to the EA, the proposed development is not anticipated to generate or subject to adverse impact on air quality, noise, water quality and land contamination aspects. To mitigate the noise from the open storage and vehicular

workshop operations in the vicinity, measures such as orientation of building blocks, single aspect design, building setback and architectural fins are proposed.

#### *Drainage and Sewerage*

- 1.9 According to the applicant, there is no existing public sewerage system in the vicinity of the Site. Sewerage generated from the proposed development will be treated at the two proposed sewage treatment plants (STPs) on-site, which will act as a temporary measure until public sewer is available for direct discharge. Two STPs are needed to avoid construction of private sewer underneath the public road. The outgoing drainage will be discharged to public drainage system. No adverse sewerage and drainage impact is anticipated.

#### *Landscape and visual*

- 1.10 For the 17 existing trees within the Site, which are all common species, 12 trees are proposed to be retained, 1 is proposed to be transplanted and 4 are proposed to be felled. 4 compensatory trees and 46 new trees are proposed at the Site. Planting along the boundary of the Site are proposed as appropriate for screening and visual enhancement. According to the brief Visual Appraisal, no adverse visual impact is anticipated.

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

- (a) Application form received on 27.1.2021 and supplementary information received on 28.1.2021 **(Appendix I)**
- (b) Supplementary Planning Statement received on 27.1.2021 and supplementary information received on 28.1.2021 and 5.2.2021 **(Appendix Ia)**
- (c) FI received on 18.3.2021 in response to departmental comments **(Appendix Ib)**  
*[exempted from publication requirement]*
- (d) FI received on 22.3.2021 in response to departmental comments **(Appendix Ic)**  
*[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 supplementary planning statement and supplementary information at **Appendices I and Ia**. They can be summarized as follows:

- (a) The proposed transitional housing development echoes with the Government's policy to increase supply of transitional housing to relieve acute housing shortage in the short-term. The adoption of MiC method can expedite the supply of

well-structured transitional housing units with good condition to improve the living environment of many families.

- (b) The proposed transitional housing will be constructed, maintained and managed by the applicant, an experienced NGO offering a wide spectrum of quality social services. Comprehensive support to the well-being of the residents such as social and counselling supports via home visit could be provided apart from satisfying the temporary housing needs. A design concept of “Sustainable Development Goal (SDG) Eco-Village” is adopted for the proposed development, incorporating the SDGs proposed by the United Nations to set a desirable precedents of achieving a more sustainable lifestyle.
- (c) The SDG Eco-Village included the hobby farm which can produce and sell agricultural products to the transitional housing residents and the general public. Various communal uses (pantry, laundry, goods sharing corner, activities and multipurpose rooms) will be provided to foster community bonding. The transitional housing will incorporate sustainable building design to enhance efficient use of resources, energy and materials. Solar panels could be installed to generate clean energy.
- (d) The Site is a piece of flat and vacant Government land. Most of the area is paved and not much site formation works is required, allowing speeding construction of the proposed development at the Site. There is no known long-term plan for the Site. The proposed development can utilize the Site for transitional housing use and offer significant benefits to the society. It will not affect the long-term planning intentions of the respective zonings. Also, the Site is surrounded by low intensity developments, including the adjacent “Residential (Group C)2” and “Residential (Group D)” zones. The proposed development is compatible with the surroundings. The technical assessments submitted in the application concluded that no adverse traffic, environmental, visual and landscape impact is anticipated.
- (e) Part of the Site used to be the storage area to support the construction of the Guangzhou–Shenzhen–Hong Kong Express Rail Link (XRL). As indicated during the previous public consultation on XRL, there was clear public demand for promoting organic and community farming. According to the relevant Legislative Council Paper in 2009, the Transport and Housing Bureau has considered it appropriate to use part of the land to the north of the emergency rescue station of the XRL (i.e. major part of the Site) for community farming, which overlaps with the area proposed for hobby farm use at the northern portion of the Site. The proposed hobby farm is in line with the planning intention of the “AGR” zone and responds to public aspiration for hobby farming. A smaller southern portion of the Site is also designated as hobby farm due to the adjacent environmental constraints such as more significant noise impact. The paved area/ area of structures within the hobby farm is for operational need and is minimized. The Site will be reinstated upon expiry of the planning approval.

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

As the site involves Government land only, the “owner’s consent/notification” requirement 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) is not applicable to the application.

### 4. **Background**

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

### 5. **Previous Applications**

The northern portion of the Site within the “AGR” zone on the Kam Tin North OZP is subject to five previous applications for various open storage uses which were all rejected by the Committee or the Board on review between 2001 and 2008 mainly for the reasons that the development was not in line with the planning intention of the “AGR” zone and not compatible with the surrounding area; the application was not in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses; and approval of the application would set an undesirable precedent for similar application with the “AGR” zone. Details of the applications are summarised in **Appendix II** and their locations are shown on **Plan A-1b**.

### 6. **Similar Applications**

- 6.1 There is no similar application for temporary housing development within the same “OS”, “AGR” and “I(D)” zones on the Kam Tin North OZP and Pat Heung OZP.
- 6.2 While there is no similar application for temporary hobby farm within the same “OS” and “I(D)” zones on the Pat Heung OZP, there are a total of 31 similar applications for temporary hobby farm concerning 22 sites within the same “AGR” zone in the Kam Tin North OZP. Except Application No. A/YL-KTN/394, all the similar applications were approved with conditions by the Committee between 2015 and 2021 for a period of 3 or 5 years. Details of these applications are summarized in **Appendix III** and their locations are shown on **Plan A-1c**.

#### *30 Approved Applications*

- 6.3 30 applications for temporary hobby farm (five with caravan holiday camp) were approved between 2015 and 2021 mainly for the reasons that temporary approval would not frustrate the long-term planning intention; the proposed developments were not incompatible with the surrounding land uses; and concerned departments had no objection to the applications. However, the planning permissions for ten of them were revoked due to non-compliance with approval conditions.

*1 Rejected Application*

- 6.4 Application No. A/YL-KTN/394 for proposed temporary field study/education centre and hobby farm for a period of 5 years was rejected by the Board on review in 2013 mainly on the grounds that the site was the subject of unauthorized land filling and the fill material was not suitable for cultivation; there was no detailed information regarding the design and operation of the proposed development; the applicant failed to demonstrate that the development would not generate adverse landscape and drainage impacts on the surrounding areas; and approving the application would set an undesirable precedent and the cumulative effect of which would result in general degradation of the rural environment of the area.

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

7.1 The Site is:

- (a) vacant and separated into eastern and western portions by a local track. The eastern portion is covered by weeds and the western portion is paved;
- (b) the XRL railway tunnel is located beneath the Site; and
- (c) accessible from Kam Tai Road and Kam Tin Road via a local track.

7.2 The surrounding areas are rural in character mainly occupied by residential structures/dwellings, open storage yards, warehouses, parking of vehicles, workshops, plant nursery, cultivated agricultural land and vacant/unused land:

- (a) to the east and west are warehouses, open storage yards, parking of vehicles, workshops, residential dwellings/structures, plant nursery, cultivated agricultural land and vacant/unused land;
- (b) to the north across a nullah are residential dwellings/structures, open storage yards, cultivated agricultural land and vacant/unused land; and
- (c) to south across Kam Tai Road and a nullah are a housing estate namely Seasons Villas in the “Residential (Group C)2” zone, open storage yards and unused land. To the further south are Kam Tin Road and the Shek Kong Barracks.

**8. Planning Intentions**

- 8.1 The planning intention of the “OS” zone is primarily for the provision of land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage uses. It provides for the orderly development of land for open storage uses that cannot be accommodated in conventional godown premises.

- 8.2 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.
- 8.3 The planning intention of the “I(D)” zone is primarily for industrial uses that cannot be accommodated in conventional flattened factories due to extensive land and/or high ceiling requirements. It is also intended for the redevelopment of existing informal industrial uses, which are operated in workshop premises in rural area, to properly designed permanent industrial buildings

## **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:

### **Policy Aspect**

#### **9.1.1 Comments of the Secretary for Transport and Housing (STH):**

- (a) The transitional housing proposal of the HKLSS is considered to be in line with the government policy generally and the Transport and Housing Bureau (THB) confirmed that in-principle policy support has been given to HKLSS for the proposed transitional housing and hobby farm project and hence support this planning application. Making use of part of the Site for hobby farm will not affect the achievement of Government’s target in providing 15,000 units of transitional housing before 2023.
- (b) For the transport service enhancement as mentioned in the TIA, THB will liaise closely with the Transport Department (TD) for timely provision of the planned service enhancement to tie in with the population intake.

### **Land Administration**

#### **9.1.2 Comments of the District Lands Officer, Yuen Long, Lands Department (DLO/YL, LandsD):**

- (a) The Site comprises two plots of GL namely “the west plot” and “the east plot” having an area of about 24,000m<sup>2</sup>, of which actual site area and boundary of the GL involved will be subject to verification upon receipt of short term tenancy application if any.
- (b) The Site is subject to a maximum height of 69mPD under the relevant plan for the Shek Kong Airfield Height Restriction.



- (c) In the event that planning permission is granted by the Committee, subject to the availability of the GL involved, the applicant should be reminded that necessary policy support from STH for short term tenancy (STT) application of the Site would be required to implement the proposal. Upon receipt of the STT application with policy support being given by STH, LandsD will consider the application in accordance with applicable policy and practice and there is no guarantee that the application will be approved. The said application if approved would be subject to such terms and conditions, to be imposed by LandsD in the landlord capacity at its sole discretion.

### **Traffic**

#### **9.1.3 Comments of the Commissioner for Transport (C for T):**

- (a) He has no comment on the application from traffic engineering perspective.
- (b) Should the application be approved, the following conditions should be imposed:
  - (i) no vehicle is allowed to queue back to or reverse onto/ from public road at any time during the planning approval period; and
  - (ii) the provision of public transport layby and the corresponding stacking area within the Site for public transport services after commencement of the development at all times during the planning approval period.
- (c) The Site is connected to the public road network via a section of a local access road which is not managed by TD. 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.

#### **9.1.4 Comments of the Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD):**

- (a) Part of Kam Tai Road is maintained by his office.
- (b) HyD is not/ shall not be responsible for the maintenance of any access connecting the Site and part of Kam Tai Road.

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

9.1.5 Comments of the Chief Estate Surveyor/Railway Development, Lands Department (CES/RD, LandsD):

The Site falls within “XRL Building Plan Control Boundary”. Beneath the Site there are underground tunnel/ cross passages vested to XRL. Subject to Railway Development Office, Highway Department’s comment, his office has no strong view on the application from railway development point of view provided that the Site should exclude the Vested Land of XRL.

9.1.6 Comments of the Chief Engineer/ Railway Development 2-2, Railway Development Office, Highways Department (CE/RD 2-2, RDO, HyD):

- (a) The Site falls within the gazetted railway scheme boundary of the XRL. The operation of XRL has commenced in 2018 and the operation of the existing railway system is not under the jurisdiction of his office.
- (b) A right-of-way for access to the GL on the immediate west of the Site (with adequate width for vehicular use) should be reserved in the Site.

**Environment**

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

- (a) He has no objection to the application.
- (b) The following approval conditions are suggested:
  - (i) submission of an updated noise impact assessment and the implementation of mitigation measures identified therein to his satisfaction; and
  - (ii) submission of a Contamination Assessment Plan (CAP) and if land contamination is confirmed, a Remediation Action Plan (RAP) and completion of the agreed remedial actions prior to commencement of construction for the contaminated areas of the proposed development to his satisfaction.
- (c) The applicant is reminded to apply and obtain discharge licence under Water Pollution Control Ordinance for the on-site Sewage Treatment Plant during operational phase.

### **Drainage**

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

- (a) He has no objection in principle to the proposed development.
- (b) Should the Board approve the application, approval conditions requiring the submission and implementation of a Drainage Impact Assessment (DIA) for the development and maintenance of the drainage facilities proposed in the DIA to the satisfaction of the Director of Drainage Services or of the Board should be included.

### **Urban Design and Landscape**

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

##### *Urban Design and Visual*

- (a) The Site is located within an area which is predominantly rural in character, surrounded by some open storage and temporary uses of 1 to 2 storeys to the southwest, northeast and east, a mixed of vegetated and agricultural land to the east and west, and low-rise low-density residential developments of 1 to 3 storeys to the further southwest.
- (b) According to the proposed scheme submitted by the applicant, the proposed transitional housing development is composed of fourteen 4-storey residential blocks (up to 15m), two 1-storey sewage treatment plants (up to 5m) and a hobby farm with four 1-storey ancillary facilities (up to 3m), with a total PR of about 0.76. Judging from the photomontages in the Visual Appraisal, the proposed temporary development is considered not incompatible with the surrounding context and would not significantly alter the visual character of the area.

##### *Landscape*

- (a) According to the aerial photo taken in 2020, the Site is situated in an area of miscellaneous rural fringe landscape character comprising temporary structures, open storage, car parks and scattered tree groups. Farmland are found to the northwest of the Site. The proposed use is not entirely incompatible with the surrounding landscape character of the area.

- (b) Referring to the submitted supplementary planning statement, the proposed development will provide 900 housing unit in fourteen 4-storey blocks and a hobby farm with an area of about 8,000m<sup>2</sup>. Not less than 2,250m<sup>2</sup> private open space are proposed for the population of about 2,250. Based on the submitted broad tree survey, there are 17 existing trees of common species within the Site, of which 4 trees are proposed to be felled and 1 tree to be transplanted. A total of 50 compensatory trees and new trees are proposed. Furthermore, landscape treatment such as at-grade tree and shrub plantings, recreational facilities and sitting areas are proposed within the development.
- (c) In view that adverse landscape impact arising from the proposed development is not anticipated with the proposed landscape treatments, he has no objection to the application from landscape planning perspective.
- (d) The applicant is reminded that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate.

9.1.10 Comments of the Chief Architect/CMD(2), Architectural Services Department (CA/CMD (2), ArchSD):

Based on the information provided, it is noted that the proposed development mainly consists of 14 residential blocks with building height of 15m (4 storeys), which may not be incompatible with adjacent “I(D)” zones with building height restriction of 13m permitted in OZP. Extensive architectural features are proposed above inaccessible roof, the applicant should consider to review in order to minimise the visual impact to surroundings. Barrier free access shall be provided to comply with “Design Manual: Barrier Free Access 2008”.

**Nature Conservation and Agriculture**

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

- (a) It is noted from the submission that the Site is disturbed in nature and on-site sewage treatment plants will be built to process the sewage generated from the future population and visitors from the hobby farm. Hence, disturbance/ pollution to the nearby Kam Tin River would not be anticipated. He has no comments on the application from nature conservation perspective.

- (b) From agricultural point view, the Site possesses potential for agricultural rehabilitation. He has no strong view against the application for the proposed hobby farm use on the understanding that agricultural activities are involved and the Site will be reinstated upon the expiry of the planning permission.

### **Building Matters**

#### 9.1.12 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 are to be carried out on the 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 (BO).
- (c) His detailed comment on UBW, provision of access, excavation works, enforcement action, temporary or licensed structures and exemption of GFA are at **Appendix V**.
- (d) Detailed checking under BO will be carried out at building plan submission stage.

### **Fire Safety**

#### 9.1.13 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 FSIs 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 BO (Cap.123), detailed fire service

requirements will be formulated upon receipt of formal submission of general building plans.

**Environmental Hygiene**

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

- (a) No environmental nuisance should be generated to the surroundings. Also, for any waste generated from the operations and works, the project proponent should arrange its disposal properly at their own expenses.
- (b) If the project requires the Food and Environmental Hygiene Department (FEHD) to take up management responsibility of relevant facilities or to provide cleaning service for new footpath, paved area, etc., FEHD should be separately consulted. Prior consent from FEHD should be obtained and sufficient amount of recurrent costs must be provided to FEHD. If the project will lead to significant population increase, sufficient amount of recurrent costs must be provided to FEHD in order to provide various types of environmental hygiene services.

**Others**

9.1.15 Comments of the Director of Social Welfare (DSW):

Given the temporary nature of the development, he has no proposed welfare facilities for this development yet he stands ready to review in case there are welfare facilities to be proposed by the applicant.

**District Officer's Comments**

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

His office has not received any locals' comment on the application and he has no particular comment on the application.

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

- (a) Director of Electrical and Mechanical Services;
- (b) Chief Engineer/Construction, Water Supplies Department;
- (c) Project Manager (West), Civil Engineering and Development Department; and
- (d) Commissioner of Police.

## **10. Public Comments Received During Statutory Publication Period**

- 10.1 On 9.2.2021 the application was published for public inspection. During the three-week statutory publication period, a total of 21 public comments were received (**Appendices IV-1 to IV-21**).
- 10.2 Among the comments received, 18 were submitted by individuals supporting the application mainly on the grounds that the proposed development can meet the housing demand for people in need and provide transitional housing for people waiting for public housing while improving their living environment; it can better utilize land resource; and the hobby farm can enhance the environment as well as the vitality and sense of belonging of the community (**Appendices IV-1 to 4, 6 to 19**).
- 10.3 Three comments (**Appendices IV-5, 20, 21**) express view that the demand for permanent and affordable housing should be addressed; considerations should be given to the noise and lighting impacts and the demand on supporting facilities and job opportunity in the area due to the increased population; opportunity should be taken to enhance community network; and sufficient information should be provided to the grassroots on the transitional housing.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary transitional housing development and place of recreation, sports or culture (hobby farm) for a period of 3 years. The Site is located entirely on Government land and falls within the “OS” (55%) and “I(D)” (9%) zones on the Pat Heung OZP and “AGR” zone (36%) on the Kam Tin North OZP. The planning intention of the “OS” zone is primarily for the provision of land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage uses. The planning intention of the “I(D)” zone is primarily for industrial uses that cannot be accommodated in conventional flatted factories due to extensive land and/or high ceiling requirements, and for the redevelopment of existing informal industrial uses to properly designed permanent industrial buildings. The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish pond for agricultural purpose, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. While the proposed development is not in line with the planning intentions of the “OS” and “I(D)” zones, there is no known long-term development at the Site. For the “AGR” zone, it is mostly occupied by the hobby farm which is to honour THB’s commitment and to meet the public aspiration for hobby farming arising from the public consultation of the XRL. Over 70% of the land proposed for hobby farm will be used for farming. The proposed hobby farm is generally not in conflict with the planning intention of the “AGR” zone and DAFC has no strong view on the application. It is considered that temporary approval would not frustrate the long-term planning intentions of these zones. Also, the proposed transitional housing development is in line with the Government policy to increase the supply of transitional housing. STH supports

the proposed transitional housing and hobby farm development and confirms that in-principle policy support has been given to the applicant for the proposed development. Making use of part of the Site as hobby farm will not affect the achievement of production target of transitional housing.

- 11.2 The nature and low-rise built form (maximum 4 storeys) of the proposed development is considered not incompatible with the surrounding area which is rural in character intermixed with residential dwellings/ structures, open storage yards, warehouses, workshops, parking of vehicles, cultivated agricultural land and vacant/ unused land.
- 11.3 Technical assessments submitted by the applicant concluded that there will not be significant adverse traffic, environment, sewerage, visual and landscape impact caused by the proposed development. In particular, the applicant proposed a new GMB layby within the Site and it is proposed that public transport services can be strengthened to support the proposed development. Two sewage treatment plants will be provided on-site to treat the sewerage from the proposed development. Mitigation measures such as orientation of building blocks, single aspect design, building setback and architectural fins are proposed to address the noise impact from the open storage yards and workshops in the vicinity. Also, plantings along the boundary of the Site will be provided as appropriate for screening and visual enhancement. Relevant government departments consulted including C for T, CE/MN of DSD, DEP, D of FS and CTP/UD&L of PlanD have no adverse comment on the application, and concerns of the relevant departments could be addressed by approval conditions in paragraph 12.2 (a) to (m).
- 11.4 The Site is subject to 5 previous planning applications for open storage which were all rejected by the Committee or the Board on review between 2001 and 2008. The current application is for a different use.
- 11.5 A total of 21 public comments were received during the statutory publication period. Among them, 18 support and 3 provide views to the application for the reasons as detailed in paragraphs 10.2 and 10.3 above. In this regard, the above departmental comments as well as planning considerations and assessments are relevant.

## **12. Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application.
- 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 26.3.2024. The following conditions of approval and advisory clauses are also suggested for Members' reference:



Approval Conditions

- (a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the provision of public transport layby and the corresponding stacking area within the Site for public transport services after commencement of the development at all times during the planning approval period;
- (c) the submission of an updated noise impact assessment within **6** months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 26.9.2021;
- (d) in relation to (c) above, the implementation of the noise mitigation measures within **9** months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 26.12.2021;
- (e) the submission of a drainage impact assessment 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 26.9.2021;
- (f) in relation to (e) above, the implementation of the drainage impact assessment 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 26.12.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a contamination assessment plan and remediation action plan (if necessary) within **6** months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 26.9.2021;
- (i) in relation to (h) above, the implementation of the remedial actions prior to commencement of construction for the contaminated areas of the development within **9** months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 26.12.2021;
- (j) 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 26.9.2021;
- (k) in relation to (j) 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 26.12.2021;

- (l) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed for the temporary hobby farm on the Site during the planning approval period;
- (m) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used at the temporary hobby farm on the Site at any time during the planning approval period;
- (n) if any of the above planning condition (a), (b), (g), (l) or (m) 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;
- (o) if any of the above planning condition (c), (d), (e), (f), (h), (i), (j) or (k) 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
- (p) upon expiry of the planning permission, the reinstatement of the “AGR” portion 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 V**.

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

the proposed transitional development is not in line with the planning intentions of the “OS” and “I(D)” zones. The planning intention of the “I(D)” zone is primarily for industrial uses that cannot be accommodated in conventional flattened factories due to extensive land and/or high ceiling requirements, and for the redevelopment of existing informal industrial uses to properly designed permanent industrial buildings. The planning intention of the “OS” zone is primarily for the provision of land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage uses. There is no strong planning justification in the submission for a departure from the planning intentions, 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**

<b>Appendix I</b>	Application Form received on 27.1.2021
<b>Appendix Ia</b>	Supplementary information and Supplementary Planning Statement
<b>Appendix Ib</b>	FI received on 18.3.2021
<b>Appendix Ic</b>	FI received on 22.3.2021
<b>Appendix II</b>	Previous applications covering the Site
<b>Appendix III</b>	Similar applications for hobby farm within the same “AGR” zone on the Kam Tin North OZP
<b>Appendices IV-1 to IV-21</b>	Public comments received during the statutory publication period
<b>Appendix V</b>	Advisory Clauses
<b>Drawing A-1</b>	Master Layout Plan
<b>Drawing A-2</b>	Section Plan
<b>Drawing A-3</b>	Landscape Master Plan
<b>Drawing A-4</b>	Unit Layout Plans
<b>Drawing A-5</b>	Artist’s impression
<b>Drawings A-6 to A-9</b>	Photomontages
<b>Drawing A-10</b>	Existing Transport Services and Pedestrian Facilities
<b>Plan A-1a</b>	Location Plan

<b>Plan A-1b</b>	Location Plan with Previous Applications
<b>Plan A-1c</b>	Location Plan with Similar Applications
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to 4b</b>	Site Photos

**PLANNING DEPARTMENT  
MARCH 2021**