## Annex A of TPB Paper No. 10901

RNTPC Paper No. A/YL-LFS/450 For Consideration by the Rural and New Town Planning Committee on 3.2.2023

# <u>APPLICATION FOR PERMISSION</u> UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

## **APPLICATION NO. A/YL-LFS/450**

**Applicant** : Mr. Huang Jianjun

Site : Lot 256 RP in D.D. 129, Tsim Bei Tsui, Yuen Long, New Territories

**Site Area** : About 1,025m<sup>2</sup>

<u>Lease</u> : Block Government Lease (demised for agricultural use)

Plan : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No.

S/YL-LFS/11

**Zoning** : "Coastal Protection Area" ("CPA")

**Application**: Proposed Holiday Camp

#### 1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for proposed holiday camp (**Plan A-1**). The Site falls within an area zoned "CPA" on the approved Lau Fau Shan and Tsim Bei Tsui OZP No. S/YL-LFS/11. According to the Notes for the "CPA" of the OZP, 'Holiday Camp' is a Column 2 use which requires planning permission from the Town Planning Board (the Board). Moreover, the Site falls within the Wetland Buffer Area (WBA) according to the Town Planning Board Guidelines No. 12C for 'Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance'. The Site is currently partly used for cultivation and partly vacant (**Plans A-2** and **A-4a and A-4b**).
- 1.2 The Site is accessible from Deep Bay Road via a local track (**Drawing A-2**). As shown on the layout plan at **Drawing A-1**, the proposed fee-paying holiday camp comprises four structures of one storey (about 3.3m) in height, with a total floor area of about 205m² for leisure room, store rooms for tools and miscellaneous items, and toilet (three portable toilets in total) uses. An open-air area of about 775m² would be designated as tent camping area which could accommodate a maximum of eight tents. Visitors may choose to rent tents at the Site or bring their own ones. The tents available for renting would not exceed 2m in height. Three parking spaces for private cars would be provided. No filling or excavation of land will be undertaken at the Site.
- 1.3 According to the applicant, the proposed development will operate 24 hours a day, including Sundays and public holidays. A maximum of 60 visitors and six staff can be accommodated at the Site. Whilst no barbecue activities would be carried out at the Site, simple catering equipment would be provided on-site for cooking light

refreshment. The proposed toilet on-site would be restricted for urination only. Visitors wishing to defecate are required to go to the nearby public toilets (the nearest at about 840m to the west of the Site)<sup>1</sup>(**Plan A-5**). The wastewater holding tanks of the portable toilets would be tankered away off-site regularly. Wastewater from the proposed leisure room would also be discharged to the wastewater holding tanks of the portable toilets. Refuse would be delivered to refuse collection point nearby.

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

(a)	Application Form received on 12.12.2022	(Appendix I)
(b)	Supplementary Information (SI) received on 19.12.2022	(Appendix Ia)
(c)	Further Information (FI) received on 16.1.2023*	(Appendix Ib)

\* accepted and exempted from publication requirements

#### 2. Justifications from the Applicant

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

- (a) the Site possesses a wide field of view, wherein visitors can enjoy bird and sunset watching against the scenaries of the Deep Bay wetland and the Shenzhen cityscape;
- (b) the proposed development can provide a place for children to get in touch with the nature, acquire basic knowledge of outdoor safety and activities, and learn the appreciation of food; and
- (c) the Site is conveniently located only about ten minutes away from the Tin Shui Wai New Town, and well served by public transport. It is also in close proximity to other attractions such as the Tsim Bei Tsui Lookout.

#### 3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

# 4. Town Planning Board Guidelines

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 detailed at **Appendix II** and summarised as follows.

(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

<sup>&</sup>lt;sup>1</sup> There are three public toilets in the vicinity of the Site, namely Lau Fau Shan Sha Kiu Tsuen Sheung Wan Toilet (about 840m away), Sha Kiu Ha Wan Public Toilet (about 850m away), and Sha Kiu Sheung Wan Public Toilet (about 1,065m away) (**Plan A-5**).

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. Development/redevelopment which may have negative impacts on the ecological value of the WCA would not be supported by the Board, unless the EcoIA can demonstrate that the negative impacts could be mitigated through positive measures. The assessment study should also demonstrate that the development will not cause net increase in pollution load to Deep Bay. Some local and minor uses are however exempted from the requirement of EcoIA.

## 5. Background

The Site is currently not subject to any active planning enforcement action. Should there be sufficient evidence to form an opinion that there is unauthorised development on-site under the Town Planning Ordinance, planning enforcement action would be instigated.

#### 6. Previous Application

The Site is not involved in any previous planning application.

#### 7. Similar Application

There is no similar application within the same "CPA" zone of the OZP.

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

- 8.1 The Site is:
  - (a) formed and fenced off, with the northern portion being used for cultivation, whilst the remaining portion is largely vacant; and
  - (b) accessible from Deep Bay Road to its southeast via a local track on Government land.
- 8.2 The surrounding areas of the Site have the following characteristics. Some of the uses/developments are suspected unauthorized developments (UDs) subject to planning enforcement action:
  - (a) to the immediate north are ponds, a tract of fallow agricultural land, and the mangroves along the Deep Bay coastline. To the further north off the coast of Deep Bay is the Wetland of International Importance under the Ramsar Convention (the Ramsar Site):
  - (b) to the east is a tract of shrubland. To the further east are the Tsim Bei Tsui Site of Special Scientific Interest (SSSI), as well as the Inner Deep Bay SSSI which falls within the Wetland Conservation Area (WCA);

- (c) to the south across Deep Bay Road are a private garden, a temporary animal shelter covered by valid planning permission under application No. A/YL-LFS/423, a pond, a parcel of cultivated land, and a woodland knoll where the Tsim Bei Tsui Lookout is located; and
- (d) to the immediate west is a site with works in progress. To the further west is a pig farm and shrubland.

#### 9. Planning Intention

The "CPA" zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

#### 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 Lot 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) It is noted that a rest room is proposed on the Site. According to the prevailing policy of LandsD, no Short Term Waiver application to permit structure for domestic purpose will be considered. LandsD reserves the right to take enforcement action against such domestic purpose structure in the Site, if any.
  - (c) The applicant should be reminded of the detailed comments at **Appendix IV**.

#### **Nature Conservation and Fisheries**

- 10.1.2 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):
  - (a) Based on his staff's recent inspection and the aerial photos, the Site is currently a piece of wasteland with some agricultural activities near the northern edge of the Site. The Site and the adjacent area to the west, south and the east are developed and disturbed. However, there are shrubland/marsh to the north of the Site, and mangroves to the further north are at about 50m away from the Site. The applicant is required to provide information on how to avoid disturbing the natural habitats including the coastal fauna and flora to the north of the Site during the construction and operation of the proposed holiday camp.
  - (b) Regarding the licensed pig farm<sup>2</sup> to the west of the Site, although he has no specific comment on the application from livestock keeping license perspective, the pig farm is in close proximity to the Site (i.e. about 25m away) which may attract complaints from the future visitors of the proposed holiday camp.

#### **Environment**

- 10.1.3 Comments of the Director of Environmental Protection (DEP):
  - (a) She does not support the application.
  - (b) There is a pig farm at about 25m to the west of the Site (**Plan A-2**), and the buffer distance recommended in paragraph 3.3.9, Chapter 9 of the Hong Kong Planning Standards & Guidelines (HKPSG), i.e. "usually a buffer distance of at least 200m from nearby sensitive uses is required" cannot be met. Since the Site is proposed for use as a holiday camp, the future users of the Site may be affected by the odour nuisance from the pig farm.
  - (c) The Site falls within Deep Bay Buffer Zone 1 of the Environmental Impact Assessment Ordinance (EIAO). The use as a holiday camp can be considered as "recreation use" and is hence a potential designated project under Item P.1, Part I of Schedule 2 of the EIAO, i.e. "A residential or recreational development, other than New Territories Exempted Houses, within Deep Bay Buffer Zone 1 or 2". An Environmental Permit issued under the EIAO is required for construction and operation of the proposed development.
  - (d) There is no substantiated environmental complaint pertaining to the Site in the past three years.
  - (e) The applicant should be reminded of the detailed comments at **Appendix IV**.

<sup>&</sup>lt;sup>2</sup> According to DAFC, the pig farm to the west of the Site is covered with valid Livestock Keeping Licence issued under the Public Health (Animals and Birds) (Licensing of Livestock Keeping) Regulation (Cap. 139L), which was first issued in 2000.

#### Urban Design, Visual and Landscaping

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

#### Landscape

- (a) She has reservation on the application from landscape planning perspective.
- (b) The Site is situated in area of rural coastal plain predominated by wetlands in Deep Bay Area, mangroves, scattered tree groups and woodland. The Site is mainly covered by bare soil, with cultivated area observed at the northern portion of the Site. Having compared the site condition through the aerial photo in 2021 and site photos in December 2022 (**Plans A-3b and A-4a**), tree felling and vegetation clearance had been undertaken at the Site. No landscape proposal was provided in the submission.
- (c) The "CPA" zone is primarily intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, whilst existing wetlands and mangroves are either in close proximity or even right next to the Site. No similar proposed use was approved in the same zone. The proposed development is considered incompatible with the surrounding landscape setting.

#### Urban Design and Visual

(d) Given its scale and site context, the proposed development will unlikely induce any significant adverse visual impact on the surrounding area.

#### **Geotechnical**

- 10.1.5 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):
  - (a) Some unregistered slopes, which may affect or be affected by the proposed development, are present within the Site. There is insufficient information regarding the configuration of these unregistered man-made slopes. In addition, a steep slope with gradient of more than 50° is present to the northeast of the Site. As such, the applicant is required to submit a Geotechnical Planning Review Report (GPRR) in support of the planning application.
  - (b) According to the layout plan, four proposed structures are to be constructed on or above the unregistered slopes at the northwest part of the Site. The applicant should clarify whether there will be any geotechnical works/site formation involved for the proposed development. In addition, the applicant should provide a detailed layout plan showing the relationship between the proposed structures,

the lot boundary, the unregistered slopes and the proposed geotechnical works, if any.

#### **Environmental Hygiene**

- 10.1.6 Comments of the Director of Food and Environmental Hygiene (DFEH):
  - (a) The toilet use proposal by the applicant (viz. only urination allowed at the toilets of the Site; defecation to be carried out at public toilets) is not acceptable. The toilet use is part of the service for the proposed holiday camp, provision of which should be the applicant's own responsibility and at his expenses. Besides, the three public toilets in the vicinity are located far away from the proposed holiday camp, and are inconvenient for the visitors.
  - (b) The refuse collection points managed by the Food and Environmental Hygiene Department (FEHD) are mainly responsible for the collection of domestic wastes. Hence, for any waste generated from the proposed holiday camp, which is regarded as trade refuse, the applicant should handle them at his own expenses. In this connection, the proposal to dispose of trade refuse to the nearby refuse collection point(s) is not acceptable.
  - (c) The applicant should be reminded of the detailed comments at **Appendix IV**.

#### **Traffic**

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

He has no adverse comment on the application. The applicant should be reminded of the detailed comments at **Appendix IV**.

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

He has no adverse comment on the application. The applicant should be reminded of the detailed comments at **Appendix IV**.

#### **Drainage**

- 10.1.9 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 be acceptable from planning point of view, a condition should be stipulated requiring the applicant to submit a drainage proposal, and to implement and maintain the proposed drainage facilities to the satisfaction of his department.

(c) The Site is in an area where no public stormwater drainage and sewerage connections are available.

#### **Fire Safety**

- 10.1.10 Comments of the Director of Fire Services (D of FS):
  - (a) He has no objection in principle to the application subject to fire service installations being provided to his satisfaction.
  - (b) The applicant should be reminded of the detailed comments at **Appendix IV**.

#### **District Officer's Comments**

10.1.11 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 objection to/no comment on the application:
  - (a) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
  - (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
  - (c) Chief Engineer/Land Works, Civil Engineering and Development Department (CE/LW, CEDD);
  - (d) Project Manager (West) (PM(W)), CEDD;
  - (e) Chief Officer (Licensing Authority), Home Affairs Department; and
  - (f) Commissioner of Police (C of P).

#### 11. Public Comments Received During Statutory Publication Period

On 23.12.2022, the application was published for public inspection. During the statutory public inspection period, three public comments from Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong and an individual (**Appendices III-1 to III-3**) were received objecting to/raising concerns over the application on grounds as summarised below:

- (a) the proposed development is not in line with the planning intention and the presumption against development of the "CPA" zone;
- (b) 'destroy first, build later' approach may have been adopted for the proposed development. Felling of mature trees had been undertaken between November 2020 and July 2021. The Site had been further degraded into bare earth by October 2022;
- (c) there would be considerable amount of waste and sewage generated given the maximum capacity of 60 visitors, which may pose adverse impacts on the ecologically sensitive Deep Bay coast;

- (d) approval of the application would set an undesirable precedent;
- (e) the "CPA" zone along the Deep Bay coast is proposed to be designated as a Coastal Protection Park under the North Metropolis Development Strategy; and
- (f) applications within "CPA" zone should be rejected to better combat global warming.

#### 12. Planning Considerations and Assessments

- 12.1 The application is for proposed holiday camp at the Site within the "CPA" zone (Plan A-1), which is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted. In this regard, no information is given in the submission to justify that the proposed holiday camp is needed to support the conservation of the existing natural landscape or scenic quality of the area, or is an essential infrastructure project with overriding public interest. Hence, the proposed holiday camp is considered not in line with the planning intention of the "CPA" zone. There is no strong planning justification given in the submission to warrant a departure from the planning intention.
- 12.2 The Site is located near the coast of Deep Bay. Off the coast is the Ramsar Site, whilst to the further east is the Inner Deep Bay SSSI which falls within the WCA. According to TPB PG-No. 12C, the Site falls within the WBA, wherein an EcoIA has to be submitted for development requiring planning permission from the Board. DAFC advised that there are shrubland, marsh and mangrove to the north of the Site, and that the disturbance to natural wetland habitats including the coastal fauna and flora thereat should be avoided during the construction and operation of the proposed holiday camp. However, no EcoIA or other information is provided in the submission to address DAFC's concerns. As such, the proposed development is considered not in line with TPB PG-No. 12C.
- 12.3 The Site is immediately surrounded mainly by agricultural land, ponds, shrubland, a pig farm, and an animal shelter. In this connection, DEP does not support the application as the buffer distance of at least 200m between livestock yards (viz. a licensed pig farm) and sensitive uses (viz. the proposed holiday camp) as stipulated under HKPSG cannot be met, and the visitors of the proposed holiday camp may be affected by the odour nuisance generated from the pig farm. No information is provided in the submission to address DEP's concerns. As such, the applicant fails to demonstrate that the proposed development would not be susceptible to adverse environmental impact.
- 12.4 In view of the above, the proposed holiday camp is considered not compatible with the surrounding environment and land uses.
- 12.5 By comparing the time-series aerial photos/site photos between January 2021 and December 2022 (**Plans A-3b, A-4c, A-3a and A-4a**), it is noted that tree felling and vegetation clearance had been undertaken at the Site. The Site was gradually

transformed from mainly a shrubland to bare land. In this regard, CTP/UD&L of PlanD considers that the proposed holiday camp is not compatible with the surrounding landscape setting, and has reservation on the application.

- 12.6 H(GEO) of CEDD advises that some unregistered slopes and a steep slope are present within and to the northeast of the Site respectively. The applicant has not submitted a GPRR or other information to demonstrate the geotechnical feasibility of the proposed development.
- 12.7 DFEH considers the proposal of restricting the use of toilets at the Site to urination only and requiring the visitors of the proposed holiday camp to defecate at nearby public toilets not acceptable. Provision of toilets is one of the services of the proposed holiday camp which should be the applicant's own responsibility and at his expenses. She also considers that the three public toilets in the vicinity are located far away from the proposed holiday camp (with the nearest one at about 840m away) (Plan A-5) which are inconvenient for the visitors of the proposed holiday camp. Moreover, DFEH also considers the proposal to dispose of solid waste generated by the proposed holiday camp not acceptable, as refuse collection points managed by FEHD are mainly responsible for the collection of domestic wastes, and any trade refuse generated from the proposed holiday camp should be handled by the applicant at his own expenses. In view of the above, the applicant fails to demonstrate the feasibility of the toilet use and solid waste disposal proposals.
- 12.8 Other concerned departments, including C for T, CE/MN of DSD and D of FS, have no objection to or no adverse comment on the proposed holiday camp from traffic, drainage and fire safety perspectives.
- 12.9 There is no previous application covering the Site nor similar application within the subject "CPA" zone. Approval of the application would set an undesirable precedent and encourage proliferation of similar use within the same "CPA" zone. The cumulative effect of approving such similar applications would result in a general degradation of the ecology and natural environment of the area, thereby frustrating the planning intention of the "CPA" zone.
- 12.10Regarding the public comments received objecting to the application as summarised in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.9 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 "CPA" zone, which is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from such planning intention;

- (b) the proposed development, which falls within the Wetland Buffer Area, is not in line with the Town Planning Board Guidelines for 'Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance' (TPB PG-No. 12C) in that no ecological impact assessment is submitted to demonstrate the ecological impact of the proposed development and propose any mitigation measures; *and*
- (c) the applicant fails to demonstrate that the proposed development would not be susceptible to adverse environmental impact and would not have adverse landscape impacts on the surrounding areas.; and
- (d) the applicant fails to demonstrate the feasibility of the toilet use and solid waste disposal proposals.
- 13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until <u>3.2.2027</u>, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### **Approval Conditions**

- (a) the submission of an ecological impact assessment for the proposed development, and implementation of the ecological mitigation measures identified therein before commencement of the proposed development to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board;
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (c) the submission of a geotechnical assessment report to assess the stability of existing geotechnical features that may affect or be affected by the proposed development, and the implementation of stabilisation/protection measures identified therein to the satisfaction of the Head of the Geotechnical Engineering Office of Civil Engineering and Development Department or of the Town Planning Board;
- (d) the provision of fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (e) if the above planning condition (a) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.

#### **Advisory Clauses**

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

#### 14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant 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 date when the validity of the permission should expire.

#### 15. Attachments

**Appendix I** Application Form received on 12.12.2022

**Appendix Ia** SI received on 19.12.2022 **Appendix Ib** FI received on 16.1.2023

**Appendix II** Extracts of Town Planning Board Guidelines for Application

for Development within Deep Bay Area (TPB PG-No. 12C)

Appendices III-1 to III-3 Public Comments Received During Statutory Publication

Period

**Appendix IV** Recommended Advisory Clauses

**Drawing A-1** Layout Plan

**Drawing A-2** Vehicular Access Plan

Plan A-1 Location Plan Plan A-2 Site Plan

Plans A-3a and A-3b Aerial Photos taken in 2022 and 2021

Plans A-4a to A-4c Site Photos in December 2022 and March 2021

Plan A-5 Public Toilets in the Vicinity of the Site

PLANNING DEPARTMENT FEBRUARY 2023 This document is received on

The Town Planning Board will formally acknowledge the date of receipt of the application only upon receipt of all the required information and documents.



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

(CAP.131)

根據《城市規劃條例》(第131章) 第16條遞交的許可申請

Applicable to proposals not involving or not only involving: 適用於建議不涉及或不衹涉及:

- (i) Construction of "New Territories Exempted House(s)"; 興建「新界豁免管制屋宇」;
- (ii) Temporary use/development of land and/or building not exceeding 3 years in rural areas; and 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展;及
- (iii) Renewal of permission for temporary use or development in rural areas 位於鄉郊地區的臨時用途或發展的許可續期

Applicant who would like to publish the <u>notice of application</u> in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers: <a href="https://www.info.gov.hk/tpb/en/plan\_application/apply.html">https://www.info.gov.hk/tpb/en/plan\_application/apply.html</a>

申請人如欲在本地報章刊登<u>申請通知</u>,以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟,請瀏覽以下網址有關在指定的報章刊登通知: https://www.info.gov.hk/tpb/tc/plan\_application/apply.html

# General Note and Annotation for the Form 環寫表格的一般指引及許解

- "Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made 「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人
- <sup>№</sup> Please attach documentary proof 請夾附證明文件
- ^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足,請另頁說明

Please insert a 「✔」at the appropriate box 請在適當的方格內上加上「✔」號

For Official Use Only	Application No. 申請編號	A   YL-LTS   450	
請勿填寫此欄	Date Received 收到日期	1.2 DEC 2022	

- 1. The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road; North Point, Hong Kong. 申請人須把填妥的申請表格及其他支持申請的文件(倘有),送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- 2. Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <a href="http://www.info.gov.hk/tpb/">http://www.info.gov.hk/tpb/</a>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories). 請先細閱《申請須知》的資料單張,然後填寫此表格。該份文件可從委員會的網頁下載(網址: <a href="http://www.info.gov.hk/tpb/">http://www.info.gov.hk/tpb/</a>),亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓-電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾報路 1 號沙田政府合署 14 樓)索取。
- 3. This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
  此表格可從委員會的網頁下載,亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全,委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名	.稱	
(☑Mr. 先生 / □ Mrs. 夫人 / □ Miss 小姐 / □ Ms. 女	士 /□Company 公司 /□Organisation 機構 )	
黄建军	•	•

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱(如適用)

(□Mr. 先生 /□Mrs. 夫人 /□Miss 小姐 /□Ms. 女士 /□Company 公司 /□Organisation 機構 )

3.	Application Site 申請地點	
(a)	Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	LOT NO 256 RP IN DD 129 YUEN LONG
(b)	Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面 積	図Site area 地盤面積 1055. 2 sq.m 平方米図About 約
(c)	Area of Government land included (if any) 所包括的政府土地面積(倘有)	sq.m 平方米□About 約

(d)	statu	ne and number of intory plan(s) 法定圖則的名稱及		5/YL - LF 5/11		
(c)		i use zone(s) involve 的土地用途地帶				
(1)		ent use(s) ·用途		(If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或补愿設施,能在圖則上顯示,並註明用途及總樓面面積)		
4.	"Cu	rrent Land Ow	ner" of A	pplication Site 申請地點的「現行土地擁有人」		
The	applic	ant 申請人 —	•			
Ø	is the 是唯	sole "current land o 一的「現行土地擁	owner <sup>wa</sup> (pl 有人」 <sup>#à</sup> (部	lease proceed to Part 6 and attach documentary proof of ownership). 青繼續填寫第6部分,並夾附業權證明文件)。		
	is on 是其	e of the "current lan 中一名「現行土地	d owners'' <sup># &amp;</sup> 擁有人」 <sup>#&amp;</sup>	《(please attach documentary proof of ownership). (請夾附業權證明文件)。		
		t a "current land own 是「現行土地擁有				
	The a 申請	application site is en 地點完全位於政府	tirely on Go 土地上(請	overnment land (please proceed to Part 6). 青繼續填寫第 6 部分)。		
5.	Stat	ement on Owne	er's Conse	ent/Notification		
				知土地擁有人的陳述		
(a)		According to the	record(s) of	f the Land Registry as at(DD/MM/YYYY), this		
	appl 根據	ication involves a to 十地註冊處截至	tal of			
	涉.		「現行土地	业擁有人」 <sup>#</sup> 。		
(b)	The :	applicant 申請人 -				
		has obtained consen	ıt(s) of	"current land owner(s)".		
		已取得	名「	「現行土地擁有人」"的同意。		
		Details of consent	of "current	land owner(s)"" obtained 取得「現行土地擁有人」"同意的詳情		
		No. of 'Current Land Owner(s)' 「現行土地擁有 人」數目	Lot number Registry wh	r/address of premises as shown in the record of the Land here consent(s) has/have been obtained 性冊處記錄已獲得同意的地段號碼/處所地址 (日/月/年)		
	•	(Please use separate s	heets if the sp	pace of any box above is insufficient. 如上列任何方格的空間不足,請另頁說明)		

				t land owner(s 見行土地擁有	•			
	Details o	f the "cu	rent land own	er(s)" " notific	d 已獲通知	[]「現行」	上地擁有人」	"的詳細資料
	No. of Land Ov 「現行 有人」	vner(s)' 土地擁	Land Regist	address of pre ry where notif 冊處記錄已發	ication(s) ha	/have bee	n given	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)
		,						
	(Please use	separate s	heets if the space	ce of any box al	ove is insuffic	ient. 如上	列任何方格的领	空間不足・請另頁說明)
				in consent of 有人的同意或				
			•	ent of Owner(		•		
	sent request for consent to the "current land owner(s)" on(DD/MM/YYYY)" 於(日/月/年)尚每一名「現行土地擁有人」"郵遞要求同意書 *							
	Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟							
	published notices in local newspapers on(DD/MM/YYYY) <sup>&amp;</sup> 於(日/月/年)在指定報章就申請刊登一次通知 <sup>&amp;</sup>							
` .	poste	ed notice i		t position on o		ation site/	premises on	
	於		(日/	/月/年)在申證	地點/申請	處所或附	近的顯明位置	置貼出關於該申請的通知
	□ sent offic 於	notice to real	relevant owneral committee	rs' corporation on /月/年)把通约	n(s)/owners'	committee (DD/MM	e(s)/mutual aid I/YYYY)&	i committee(s)/managemen 委員會/互助委員會或管理
•	Others 其	· <u>他</u>						
		rs (please 、(請指明						
			· · · · · · · · · · · · · · · · · · ·					
	<del></del>		•			<u> </u>		
	-				<u> </u>	·		
						· · · · · · · · · · · · · · · · · · ·		
Note: May	insert mor	e than one	ſ <b>/</b> ].				•	•
Info	rmation sho	ould be pr	ovided on the	basis of each: 適用)及處所				ises (if any) in respect of t

<del></del>					
6.	Type(s)	of Application 申請類別			
	Type (i) 第(i)類	Change of use within existing building or part thereof 更改現有建築物或其部分内的用途			
	Type (ii)	Diversion of stream / excavation of land / filling of land / filling of pond as required under Notes of Statutory			
٠.	第(ii)類	Plan(s) 根據法定圖則(註釋)內所要求的河道改道/挖土/填土/填塊工程			
	Type (iii) 第(iii)類	Public utility installation / Utility installation for private project 公用事業設施裝置/私人發展計劃的公用設施裝置			
	Type (iv) 第(iv)類	Minor relaxation of stated development restriction(s) as provided under Notes of Statutory Plan(s) 略為放寬於法定圖則《註釋》內列明的發展限制			
$\square$	Type (v) 第(v)類	Use / development other than (i) to (iii) above 上述的(i)至(iii)項以外的用途/發展			
註 I Note	Note 1: May insert more than one「✓」. 註 1: 可在多於一個方格內加上「✓」號 Note 2: For Development involving columbatium use, please complete the table in the Appendix. 註 2: 如發展涉及篡灰安置所用途,請填妥於附件的表格。				
(i)	For Typ	ie (i) application 供第(i)類申請			
<u> Kanasasa</u>	Principal and State of the Stat				

(i) For Type (i) applicat	ion /供第(i)類申請
(a) Total floor area involved 涉及的總模面面積	sq.m 平方米
(b) Proposed use(s)/development 擬議用途/發展	(If there are any Government, institution or community facilities, please illustrate on plan and specif the use and gross floor area) (如有任何政府、機構或社區設施,請在圖則上顯示,並註明用途及總樓面面積)
(c) Number of storeys involved 涉及層數	Number of units involved 涉及單位數目
	Domestic part 住用部分 sq.m 平方米 □About 約
(d) Proposéd floor area 擬識樓面面積	Non-domestic part 非住用部分 sq.m 平方米
	Total 總計 sq.m 平方米
(e) Proposed uses of different	Floor(s) Urrent use(s) 現時用途 Proposed use(s) 擬議用途
floors (if applicable) 不同樓層的擬議用途(如適用)	
(Please use separate sheets if the space provided is insufficient)	
(如所提供的空間不足・請另頁說 明)	

(ii) For Type (ii) application	ation 供第(ii)類申請
	□ Diversion of stream 河道改道
	□ Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 □About 約 Depth of filling 填塘深度 m 米 □About 約
(a) Operation involved 涉及工程	□ Filling of land 填土 Area of filling 填土面積 sq.m 平方米 □About 約 Depth of filling 填土厚度 m 米 □About 約
	□ Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 □About 約 Depth of excavation 挖土深度 m 米 □About 約 (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extend of filling of land/pond(s) and/or excavation of land) (請用圖則顯示有關土地 池塘界線、以及河道改道、填塘、填土及 / 或挖土的經節及/或範圍))
(b) Intended use/development 有意進行的用途/發展	
(iii) FörJype(iii) applic	cation 供第(iii)類申請
(iii) KorType (iii) applic	Cation 供第(iii)類申請  Public utility installation 公用事業設施裝置
(iii) For Type (iii) applic	
(iii) TörJlype (iii) applid	□ Public utility installation 公用事業設施裝置 □ Utility installation for private project 私人發展計劃的公用設施裝置 Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate
(a) Nature and scale 性質及規模	□ Public utility installation 公用事業設施裝置 □ Utility installation for private project 私人發展計劃的公用設施裝置 Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量,包括每座建築物/構築物(倘有)的長度、高度和闊度 Name/type of installation
(a) Nature and scale	□ Public utility installation 公用事業設施裝置 □ Utility installation for private project 私人發展計劃的公用設施裝置 Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量,包括每座建築物/構築物(倘有)的長度、高度和闊度 Name/type of installation
(a) Nature and scale	□ Public utility installation 公用事業設施裝置 □ Utility installation for private project 私人發展計劃的公用設施裝置 Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量,包括每座建築物/構築物(倘有)的長度、高度和闊度 Name/type of installation

(iv)	For Type (iv) applica	tion A	t第(iv)類申請					
(a)	Please specify the pro	posed	minor relaxation of stated	development restriction(s) and al	so fill in the			
	proposed use/development and development particulars in part (v) below — 請列明擬議略為放寬的發展限制 <u>並填妥於第(v)部分的擬議用途/發展及發展細節</u> —							
	研 <b>约1951採該四6</b> 局IX 見	的發展	限制 <u>亚填妥於第(v)部分的</u>	]摄誕用途/發展及發展細節 -				
	Plot ratio restriction 地積比率限制		From 由	to至				
	□ Gross floor area restriction 總樓面面積限制		From 由sq. m 3	From 由sq. m 平方米 to 至sq. m 平方米				
· [	□ Site coverage restriction 上蓋面積限制		From 由	% to 至%				
	Building height restric 建築物高度限制	tion .		n 米 to 至m米				
-			From 由	mPD 米 (主水平基準上) to 至				
		•	*************	mPD 米 (主水平基準上)				
ľ	•		From 由	storeys 層 to 至storey	's 層			
	Non-building area rest	riation	•	r				
-	□ Non-building area restriction 非建築用地限制		From 由	m to 至 m	•			
	Others (please specify)	)						
	其他(請註明)			***************************************	***********			
7.1			Ф. <b>ж</b> ен <b>≈</b>					
	Eoi Type (v) applicat		<b>多沙狼中</b> 醇					
			ran i sara di sala					
(a) Pr	oposed .	1	链議帳幕營也					
us	e(s)/development		, -	•	•			
チャー・チャー・チャー・チャー・チャー・チャー・チャー・チャー・チャー・チャー・	議用途/發展		· '		•			
ļ.	·	(Please	illustrate the details of the propo	sal on a layout plan 請用平面圖說明建議詞	 ***********************************			
(b) D	velopment Calcal 1. 25 E		The frequency of the proposition	an on a rayout plan all 717 十山(國家元少)是部院	十月)			
İ	evelopment Schedule 發展		Little Cate Later Transcript	715	,			
	oposed gross floor area (C		<b> </b>	フグ sq.m 平方米 の19	図About 約			
Į.	oposed plot ratio 擬議地種 oposed site coverage 擬諦		্ গ্ৰহ	19%	図About 約			
l .	oposed no. of blocks 擬議		<b>以</b>	4	図About 約			
Į.			、 每座建築物的擬議層數					
	.,		、 乌尼巴克里克科 [2]中 月次(時以] 自安文	□ include 包括 storeys of baseme	· ente 属铅菌			
				□ exclude 不包括 storeys of base				
Pr	oposed building height of	each blo	ck每座建築物的擬議高度	mPD 米(主水平基準上)	\ □Ahout ₩⊒			
	- Jan-19-19-19-19-19-19-19-19-19-19-19-19-19-		ALTONOUS LIVES THE STATE OF THE		」□About約			

777	
□ Domestic part 住用部分	
GFA 總樓面面積	sq. m 平方米
number of Units 單位數目	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
average unit size 單位平均面積	sq. m 平方米
estimated number of residents 估計住客數目	
	,
☑ Non-domestic part 非住用部分	GFA 總樓面面積
□ eating place 食肆	
□ hotel 酒店	• • • • • • • • • • • • • • • • • • • •
□ Moret 烟店	sq. m 平方米 □About 約
	(please specify the number of rooms
CG MAN STR	謂註明房間數目)
□ office 辦公室	sq. m 平方米 □About 約
□ shop and services 商店及服務行業	·····sq. m 平方米 □About 約
Government, institution or community facilities	(please specify the use(s) and concerned land
政府、機構或社區設施	area(s)/GFA(s) 請註明用途及有關的地面面積/總
	樓面面積)
•	
	•••••••••
· · · · · · · · · · · · · · · · · · ·	
· d other(s) 其他	(please specify the use(s) and concerned land
	area(s)/GFA(s) 講註明用途及有關的地面面積/總
	楼面面積)
•	·特勒体展高级120m2
	2- 约 動 套 物品 約 70m2
	3. 粉動工具高約10102
T A NEETWO	4.粉勃说并聞約5m²
□ Open space 休憩用地	(please specify land area(s) 請註明地面面積)
□ private open space 私人休憩用地	sq. m 平方米 🗆 Not less than 不少於
□ public open space 公眾休憩用地	sq. m 平方米 口 Not less than 不少於
(c) Use(s) of different floors (if applicable) 各樓層的用途 (如適戶	· 帮)
[Block number] [Floor(s)]	[Proposed use(s)]
[座數] [層數]	[
1.粉勒休息店 1 私人及公友	供基處 1.品、服棄物的。 工具
2.路動発物局! 農業有關的	0. 品、恢复物品。
3.绝助工具系 1 鬼童、快系)	r A
在钨铀洗净同 1 发色、排泄。	
and years and a second a second and a second a second and	
(d) Proposed use(s) of uncovered area (if any) 露天地方(倘有)	的擬議用途
体息處及過	••••••
	•

7. Anticipated Completion Time of the Development Proposal 擬議發展計劃的預計完成時間						
Anticipated completion time (in month and year) of the development proposal (by phase (if any)) (e.g. June 2023) 擬議發展計劃預期完成的年份及月份 (分期 (倘有)) (例: 2023 年 6 月) (Separate anticipated completion times (in month and year) should be provided for the proposed public open space and Government, institution or community facilities (if any)) (申請人須就擬議的公眾休憩用地及政府、機構或社區設施(倘有)提供個別擬議完成的年份及月份)						
挂额预計完	<b>衣</b> 25	22年12月20日				
***************************************						
8. Vehicular Access Arra 擬議發展計劃的行	angemen 車通道	t of the Development Proposal 安排				
Any vehicular access to the site/subject building?	Yes 是	<ul> <li>☑ There is an existing access. (please indicate the street name, where appropriate)</li> <li>有一條現有車路。(請註明車路名稱(如適用))</li> </ul>				
是否有車路通往地盤/有關 建築物?		□ There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示,並註明車路的闊度)				
	No 否					
Any provision of parking space for the proposed use(s)? 是否有為擬議用途提供停車位?	Yes 是	<ul> <li>☑ (Please specify type(s) and number(s) and illustrate on plan)         ij註明種類及數目並於圖則上顯示)         Private Car Parking Spaces 私家車車位         Motorcycle Parking Spaces 電單車車位         Light Goods Vehicle Parking Spaces 輕型貨車泊車位         Medium Goods Vehicle Parking Spaces 中型貨車泊車位         Heavy Goods Vehicle Parking Spaces 重型貨車泊車位         Others (Please Specify) 其他 (請列明)</li> </ul>				
	No否					
Any provision of loading/unloading space for the proposed use(s)? 是否有為擬議用途提供上落客貨車位?	Yes 是	□ (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示) Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他(請列明)				
	No否	<b>団</b>				

9. Impacts of D	evelopm	ent Proposal 擬議發展計劃的影響
justifications/reasons	for not prov	sheets to indicate the proposed measures to minimise possible adverse impacts or give riding such measures. 医减少可能出現不良影響的措施,否則請提供理據/理由。
Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?		□ Please provide details 請提供詳情
	No否	
Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程? (Note: where Type (ii) application is the subject of application, please skip this section. 註: 如申請涉及第(ii)類申請,調跳至下一條問題。)		□ (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (商用地盤平面倒頭狀有關土地,池塘界線,以及河道改道、镇塘、镇土及,或挖土的细節及/玄範圈) □ Diversion of stream 河道改道 □ Filling of pond 壤塘     Area of filling 填塘面積
	No 否	世
Would the development proposal cause any adverse impacts? 擬議發展計 捌會否造成不良影響?	On environ On traffic On water On draina On slopes Affected Landscap Tree Felli Visual Im Others (Piperson Please standiumeter a 請註明證 直徑及品	mment 對環境

# 10. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary. 現謝申請人提供申請理由及支持其申請的資料。如有需要,請另頁說明。

我們的位置視野廣闊,景觀開揚,可觀看
湿地和鳥名,還能欣赏日喜,讓孩子多接触大自
然,了解户外的基本知識,學會珍惜食物,户外安全, 到天水圍車程約十多分鐘,蓮接快速完路,交通
便利, 對, 近有失鼻咀 舊馬亭及失鼻咀后海灣觀室台、
引擎望误机 景色。
襄大家更多親近大自然的才幾會。望責局同意, 感謝!
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·
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星期回 约:30-17:30
星期方 0930-17:30
基期六 09:30 −17:30
基射日 09:30-17:30
2022年9月23日
世 建石

				•	Form 140, 210-	1 表格第 \$16-1 號
11. Declar	ration 聲明				95.5	
I hereby decla	re that the partic	ulars given in this applicat 申請提交的資料,據本人	tion are con	rect and true to t 信,均屬真實無	ne best of my know	ledge and belief.
to the Board's	website for bro	the Board to copy all the m wsing and downloading by 提交的所有資料複製及傳	the public	free-of-charge a	t the Board's discre	tion. 本人現准許委
Signature 簽署	黃建軍	,	•	applicant 申請力	√	gent 獲授權代理人
•	专基	\$		·		
	Nan	ne in Block Letters (請以正楷填寫)			osition (if applicabl 職位 (如適用)	e)
Professional C 專業資格	Qualification(s)	☐ Member 會員 / ☐ ☐ HKIP 香港規劃 ☐ HKIS 香港測量的 ☐ HKILA 香港園均 ☐ RPP 註冊專業規劃 Others 其他	師學會 / 狮學會 / 第師學會/	☐ HKIA 香河 ☐ HKIE 香河 ☐ HKIUD 看	巻建築師學會 / 世工程師學會 / F港城市設計學會	
on behalf of						
代表	······		1.00		Leader to the TI the site	( 4c) 476 F34 \
. [		ਰ / 🗌 Organisation Na			4	( VI) 20/13 /
Date 日期	23/9	/ voll	(DI	O/MM/YYYY	3/月/年)	·
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considers appr 委員會會向公 資料亦會上電	、眾披露申請人	所遞交的申請資料和委員 供公眾免費瀏覽及下載。	會對申請,	所作的決定。在 	E委員會認為合適的	的情況下,有關申請
		W	arning 榮	 <u>告</u>		<u> </u>
which is false	in any material	r wilfully makes any stater particular, shall be liable to 下,就這宗申請提出在任	o an offence	e under the Crim	es Ordinance.	
		Statement on Pers	onal Data	個人資料的勢	<b></b>	
		ed to the Board in this app	olication wi	ll be used by the	Secretary of the Bo	oard and Government
委員會就 劉委員會 (a) the p wher 處理 (b) facil	規劃指引的規定 processing of thi n making availat 遠宗申請,包括 itating communi	到的個人資料會交給委員 定作以下用途: s application which includ ble this application for pub 舌公布這宗申請供公眾查 cation between the applica	les making lic inspectio 関,同時/ int and the	available the na on; and 公布申請人的妈	me of the applicant :名供公眾查閱;以	for public inspection
		會秘書及政府部門之間進				
mentioned	d in paragraph I	ed by the applicant in this above. 内個人資料,或亦會向其				
3. An applic	ant has a right o	faccess and correction with	h respect to	his/her personal	data as provided u	nder the Personal Data

(Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary

For Developments involving Columbarium Use, please also con如發展涉及靈灰安置所用途,請另外填妥以下資料:	mplete the	following:
Ash interment capacity 骨灰安放容量 <sup>®</sup>		
Maximum number of sets of ashes that may be interred in the niches 在愈位內最多可安放骨灰的數量 Maximum number of sets of ashes that may be interred other than in niches 在非愈位的範圍內最多可安放骨灰的數量		
Total number of niches 確位總數		
Total number of single niches 單人裔位總數		
Number of single niches (sold and occupied) 單人龜位數目 (已售並佔用) Number of single niches (sold but unoccupied) 單人龜位數目 (已售但未佔用) Number of single niches (residual for sale) 單人龜位數目 (待售)		
Total number of double niches 雙人龕位總數		
Number of double niches (sold and fully occupied) 雙人愈位數目 (已售並全部佔用) Number of double niches (sold and partially occupied) 雙人愈位數目 (已售並部分佔用) Number of double niches (sold but unoccupied) 雙人愈位數目 (已售但未佔用) Number of double niches (residual for sale) 雙人愈位數目 (待售)		
Total no. of niches other than single or double niches (please specify type) 除單人及雙人愈位外的其他愈位總數 (請列明類別)	,	
Number. of niches (sold and fully occupied) 愈位數目 (已售並全部佔用) Number of niches (sold and partially occupied) 愈位數目 (已售並部分佔用) Number of niches (sold but unoccupied) 愈位數目 (已售但未佔用) Number of niches (residual for sale) 愈位數目 (待售)		
Proposed operating hours 擬談營運時間		
<ul> <li>Ash interment capacity in relation to a columbarium means – 就盛灰安置所而言,母灰安放容量指:</li> <li>the maximum number of containers of ashes that may be interred in each niche in th 每個爺位內可安放的骨灰容器的最高數目;</li> <li>the maximum number of sets of ashes that may be interred other than in niches in ar 在該鐵灰安置所並非爺位的範圍內,總共最多可安放多少份骨灰;以及</li> <li>the total number of sets of ashes that may be interred in the columbarium.</li> <li>在該骨灰安置所內,總共最多可安放多少份骨灰。</li> </ul>	·	•

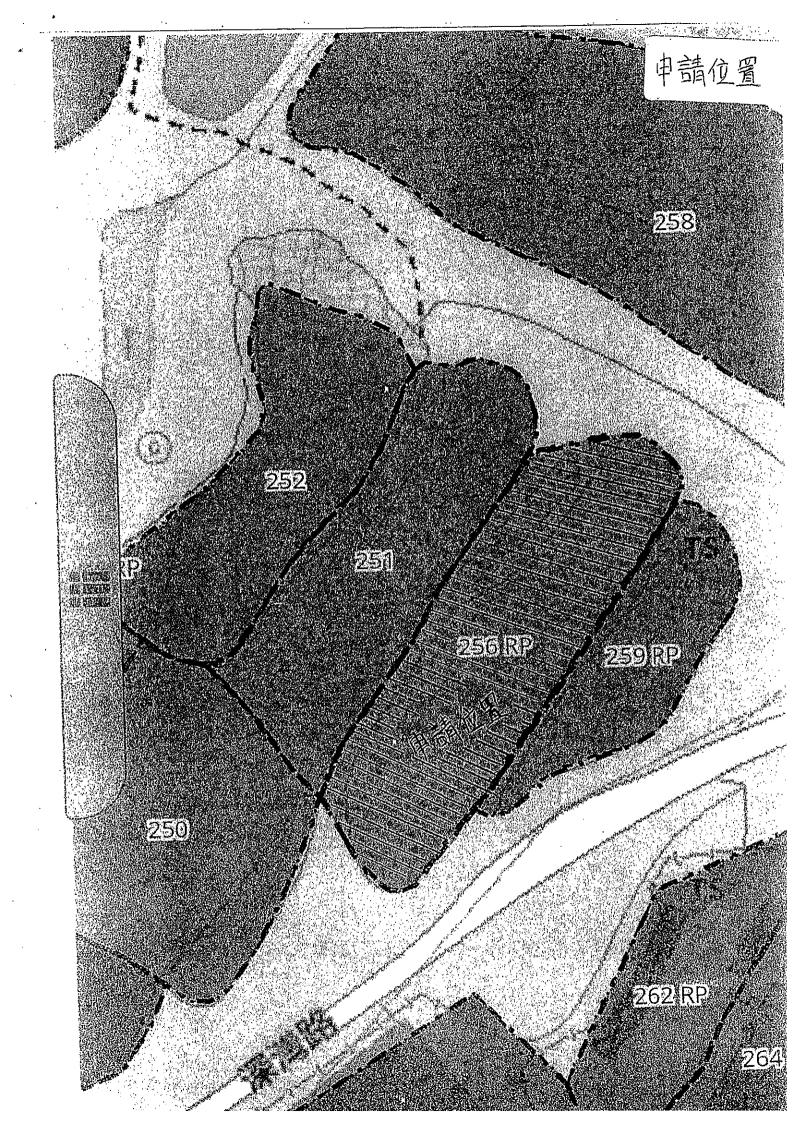
Gist of Applica	tion <b>F</b>	申請摘要			•	
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Application No.	(For Of	ficial Use Only) (請勿	勿填寫此欄)			
申請編號						
		· · · · · ·				
Location/address		1-1 11-	75600	Ŧ A !	D D 129.	• ,
位置/地址		LOT NO	LSOKP	<i>D</i> 10	1 0 109,	-
					•	
		YU EN	1 LOI	V G	•	
Site area 地盤面積				1057-2:	sq. m 平方米	: É About 約
	(includ	es Government land	of包括政府土	地	sq. m 平方米	: 🗆 About 約)
Plan 圖則		S/YL	- LF	5/11		· ,
Zoning	•	· · ·		•		•
地帶		简岸	保護區			t .
Applied use/ development 申請用途/發展		挺議帳	秦營也		,	
(i) Gross floor are	a		sq.m	平方米	Plot Ra	tio 地積比率
and/or plot rati 總樓面面積及		Domestic		□ About 約		□About 約
地積比率	./ ടൂ.	住用		□ Not more than 不多於		□Not more than 不多於
		Non-domestic		☑ About 約		🛮 About 約
		非住用	7.05	□ Not more than 不多於	19%	□Not more than 不多於
(ii) No. of block 幢數	. :	Domestic 住用		,		
Non-domestic Non-domestic						
		非住用	4			·
		Composite 綜合用途				
	-				- weeke	

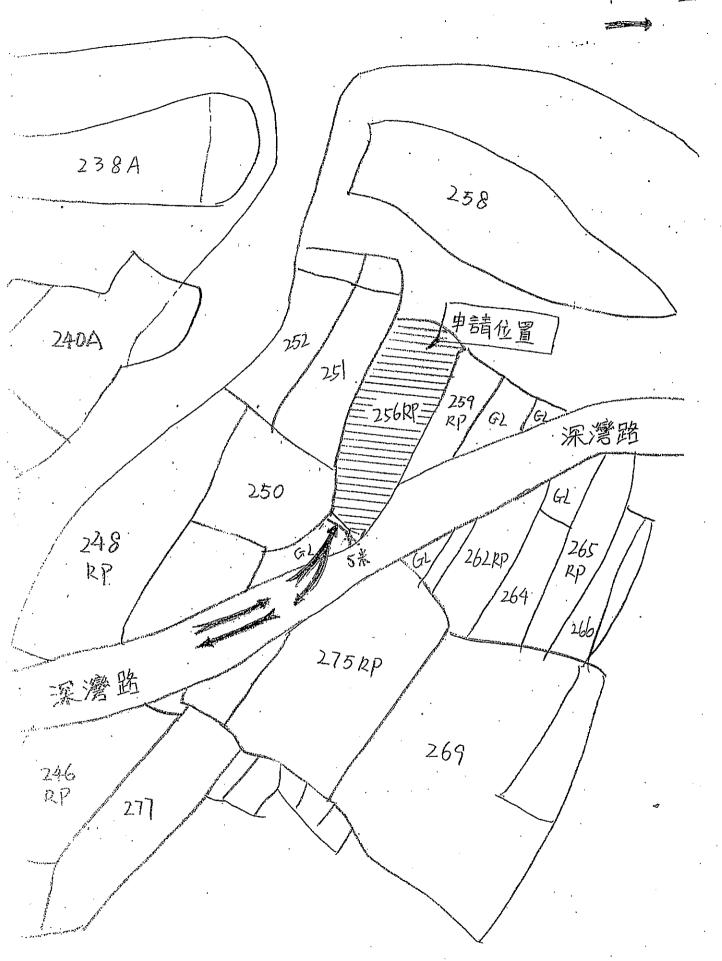
(iii)	Building height/No.	Domestic	
ζ,	of storeys 建築物高度/層數	住用	m 米 □ (Not more than 不多於)
	•		mPD 米(主水平基準上) □ (Not more than 不多於)
			Storeys(s) 層 □ (Not more than 不多於)
•			(□Include 包括/□ Exclude 不包括 □ Carport 停車間 □ Basement 地庫 □ Refuge Floor  防火層 □ Podium 平台)
		Non-domestic 非住用	3.3 m 米 凹 (Not more than 不多於)
			mPD 米(主水平基準上) □ (Not more than 不多於)
			Storeys(s) 層 ② (Not more than 不多於)
			(□Include 包括/□ Exclude 不包括 □ Carport 停車間 □ Basement 地庫 □ Refuge Floor 防火層 □ Podium 平台)
		Composite 綜合用途	m 米□ (Not more than 不多於)
			mPD 米(主水平基準上) □ (Not more than 不多於)
			Storeys(s) 層 口 (Not more than 不多於)
			(□Include 包括□ Exclude 不包括 □ Carport 停車間 □ Basement 地庫 □ Refuge Floor 防火層 □ Podium 平台)
(iv)	Site coverage 上蓋面積		% □ About 約
(v)	No. of units 單位數目		
(vi)	Open space 休憩用地	Private 私人	sq.m 平方米 🗆 Not less than 不少於
		Public 公眾	sq.m 平方米 🗆 Not less than 不少於

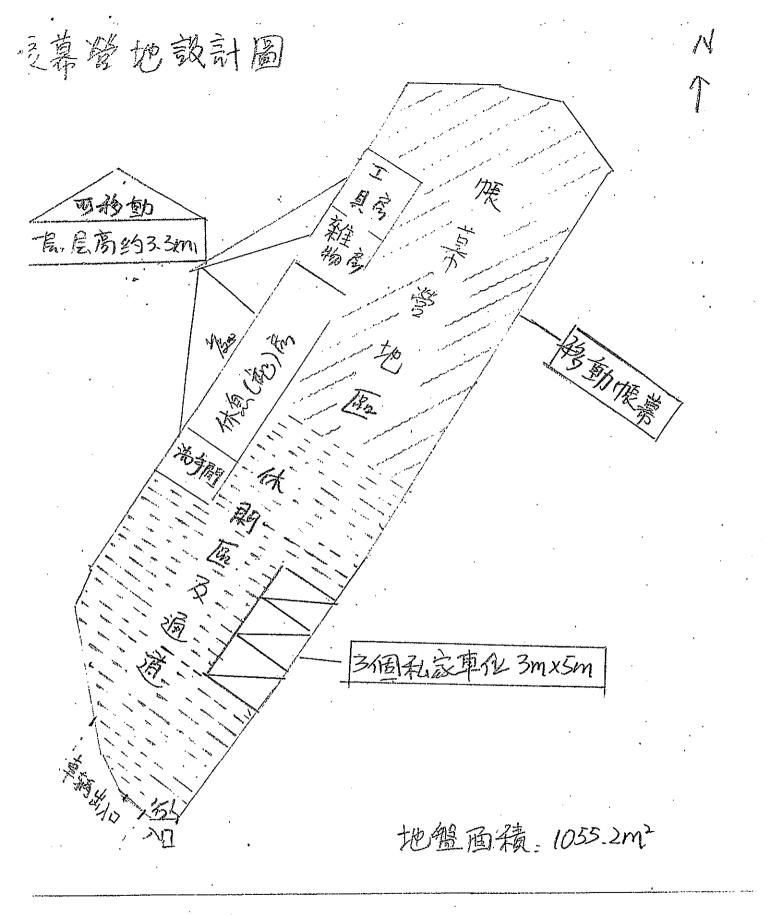
(vii)	No. of parking spaces and loading /	Total no. of vehicle parking spaces 停車位總數	3
	unloading spaces 停車位及上落客貨 車位數目	Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明)	. 3
		Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位/停車處總數	
•		Taxi Spaces 的土車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車位 Heavy Goods Vehicle Spaces 重型貨車位 Others (Please Specify) 其他(請列明)	

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese	English
	中文	英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖/布局設計圖		
Block plan(s) 樓宇位置圖		
Floor plan(s) 樓宇平面圖		
Sectional plan(s) 截視圖		
Elevation(s) 立視圖	· 🛮	
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片		
Master landscape plan(s)/Landscape plan(s) 園境設計總圖/園境設計圖		
Others (please specify) 其他(請註明)	L	L
Reports 報告書		<u> </u> 1
Planning Statement/Justifications 規劃綱領/理據		
Environmental assessment (noise, air and/or water pollutions)	Ц	<b>□</b>
環境評估(噪音、空氣及/或水的污染)	, —	
Traffic impact assessment (on vehicles) 就車輛的交通影響評估		. 🗖
Traffic impact assessment (on pedestrians) 就行人的交通影響評估		
Visual impact assessment 視覺影響評估		
Landscape impact assessment 景觀影響評估	LJ FM	
Tree Survey 樹木調查		
Geotechnical impact assessment 土力影響評估		· []
Drainage impact assessment 排水影響評估		
Sewerage impact assessment 排污影響評估		
Risk Assessment 風險評估		. L
Others (please specify) 其他(請註明)	<b>نا</b>	Ļ
		,
Note: May insert more than one「V」. 註:可在多於一個方格內加上「V」號		

- Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.
- 註: 上述申請摘要的資料是由申請人提供以方便市民大眾參考·對於所載資料在使用上的問題及文義上的歧異·城市規劃委員會概不負責。若有任何疑問,應查閱申請人提交的文件。

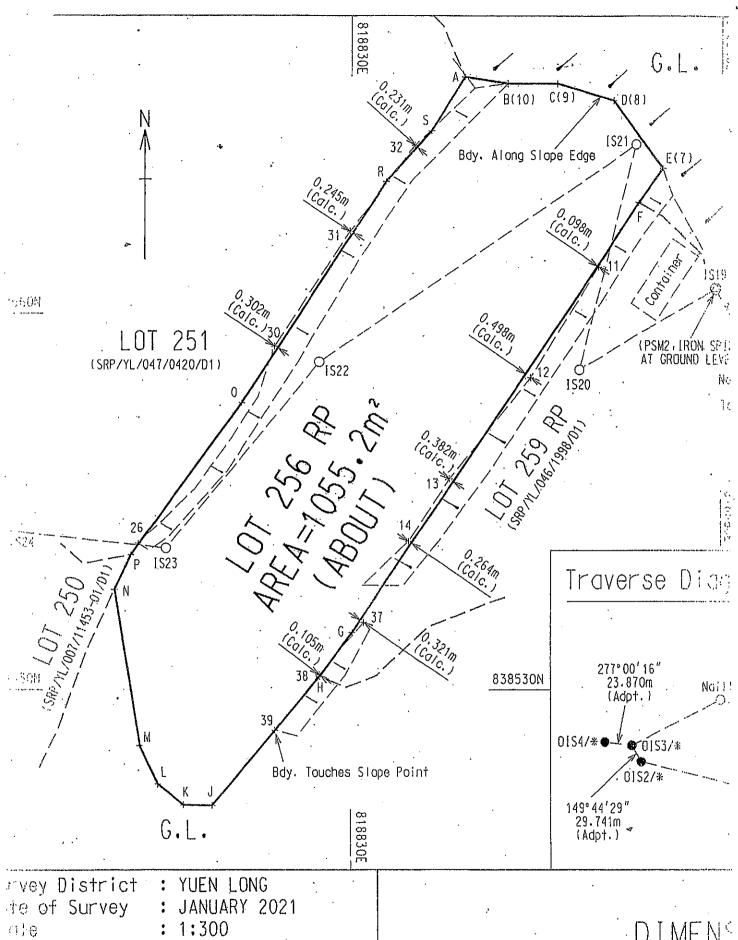






移動休息房約120m² 移動雜物房約70m² 帳幕營地約600m²

粉動工具房 約10m² 粉動洗針間 約5m² 停車位 約45m²



Hid Book

YL/047/129/256RP/D1

arvey Sheet No.

farence SRP

SRP/YL/047/0420/D1 SRP/YL/047/10834/D1

No. 256 RP

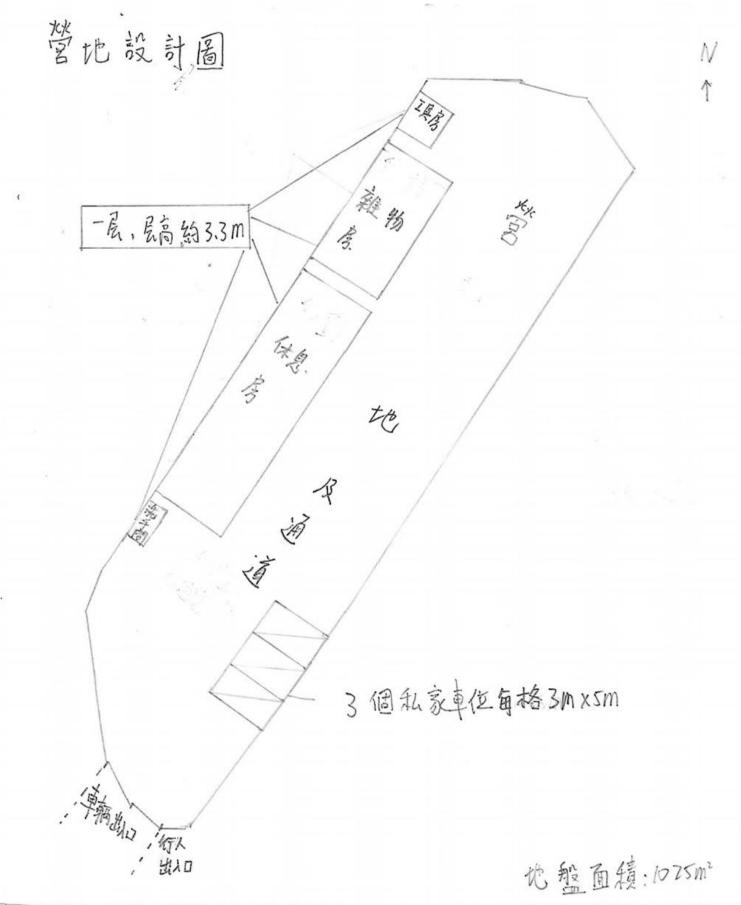
☐ Urgent	☐ Return Receipt Requested	☐ Sign ☐ Encrypt	☐ Mark Subject Restricted	☐ Expand personal&public
	補充資料 19/12/2022 11:58			
From: To:	"保密" "kpswong"			
History:	This message has been	forwarded.		
1 attachme	, e			

- 1.地盤面積改為1025平方米,地積比率為0.2,上蓋面積20%
- 2. 擬議用途改為: 度假營。

mmexport1671422253396.jpg

營運説明

入營時間為17:30分前。營友可選擇通宵留宿。可提供營友多士爐和焗爐,熱面小食服務,沒有提供燒烤爐。營地最多6名職員,最多留3名職員負責營地留宿事宜。營友可以坐小巴,的士,或私家車(約車位)到營地,每天出入約私家車五輛。最多容8個營,人數60。營地需收費,休息房可供聊天和飲食。洗手間為流動洗手間,主要提供小解,大解可移步到臨近公厠。建築物為組合屋,沒有填土和挖土工程。



沈盤面積:1025mi

休息房約12002 菜住物房 約 70m² 党地及通道的 775m2 工具房 約10分 浅手間 約 5m² 停車位 约45㎡ 10.11月三天

# Appendix Ib of RNTPC Paper No. A/YL-LFS/450

☐ Urgent ☐ Return Receipt Requested		☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public
	補充資料 <b>2</b> 16/01/2023 15:42	
From:	"保密"	
To:	"kpswong"	
History:	This message has been	n forwarded.

- 1.公眾假期及平日(包括星期二)改為開放。
- 2.洗手間為流動廁所3間,3個洗手盆,分男.女及老幼各一間。排入流動廁 所的附屬化糞箱,會定期半年一次及視情況安排抽水肥。
- 3.帳篷不設永久放置,有客人租用才放置,提供帳幕租借服務,客人也可自備帳幕,場地出租帳幕高度不超過2米。
- 4.垃圾會每天清去附近垃圾站,休息房有洗手池,污水經明管入流動廁所的附屬化糞箱。

#### Relevant extract of the Town Planning Board Guidelines for Application for Developments within Deep Bay Area (TPB PG-No. 12C)

On 16.5.2014, the Town Planning Board Guidelines for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C) were promulgated by the Town Planning Board, which set out the following criteria for the Wetland Buffer Area (WBA):

- (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. A buffer area of about 500m along the landward boundary of the WCA is thus designated as a WBA. As a substantial amount of the fish ponds within the WBA have already been lost over time through filling and certain areas have been degraded by the presence of open storage use, these degraded areas may be considered as target areas to allow an appropriate level of residential/recreational development so as to provide an incentive to remove the open storage use and/or to restore some of the fish ponds lost.
- (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. Development/redevelopment which may have negative impacts on the ecological value of the WCA would not be supported by the Board, unless the EcoIA can demonstrate that the negative impacts could be mitigated through positive measures. The assessment study should also demonstrate that the development will not cause net increase in pollution load to Deep Bay. Some local and minor uses are however exempted from the requirement of EcoIA. They are listed in Appendix A of TPB PG-No. 12C and include temporary uses.



香港新界葵涌葵昌路 8 號 萬泰中心 15 樓 15/F, Manhattan Centre 8 Kwai Cheong Road Kwai Chúng, N.T., Hong Kong 電話 Tel: +852 2526 1011 傳真 Fax:+852 2845 2764 wwf@wwf.org.hk wwf.org.hk

12 January 2023

Chairman and members
Town Planning Board
15/F North Point Government Offices,
333 Java Road, North Point, Hong Kong
(E-mail: tpbpd@pland.gov.hk)

By E-mail ONLY

Dear Sir/Madam,

Re: Proposed Holiday Camp with in "Coastal Protection Area" in Lau Fau Shan in Yuen Long (A/YL-LFS/450)

WWF would like to lodge an objection to the captioned proposal.

#### Planning intention of "Coastal Protection Area" ("CPA") zoning

The application site of the captioned proposal falls within an area zoned "Coastal Protection Area" ("CPA") under Approved Lau Fau Shan & Tsim Bei Tsui Outline Zoning Plan No. S/YL-LFS/11, which is "intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. [...] There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted." The captioned proposal is not in line with the planning intention of "CPA" zoning.

#### Suspected unauthorised development

By comparing the location plan and site plan in the gist of the captioned application with satellite images retrieved from Google Earth, it seems likely that the affected areas detailed below match with the boundary of the application site.

together possible...

Until at least November 2020, the application site consisted of dense vegetation and mature trees (Fig 1). However, by February 2021, part of the application site had been devegetated to bare earth together with the adjacent plot (Fig 2). By July 2021, it appears that all trees have been removed from the application site (Fig 3). According to the latest available satellite image (taken in October 2022) the application site has been degraded further and consists of bare earth with minimal vegetation (Fig 4).

We suspect a "destroy first, build later" approach has been adopted by degrading vegetation in order to obtain planning permission. As we do not have knowledge of the current environmental situation at the application site, we would ask the Town Planning Board to request for relevant government authorities to check whether the captioned proposal is linked with unauthorised development since at least 2021. If so, we would ask the Town Planning Board to proactively deter such "destroy first, build later" planning applications so as to be consistent with the Government press release on 4 July 2011 which states that "the [Town Planning] Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned".

#### Undesirable precedent

Approval of this proposal would set an undesirable precedent for other similar applications, the cumulative effect of which would adversely impact the surrounding areas.

We would be grateful if our comments could be considered by the Town Planning Board and the captioned proposal rejected.

Yours faithfully,
Cynthia Tung
Policy Analyst, WWF-Hong Kong

<sup>1</sup> http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm

Fig 1 Aerial view of application site and vicinity as of 24 November 2020



Image source: Google Earth (Accessed on 12 January 2023)

Fig 2 Aerial view of application site and vicinity as of 1 February 2021



Image source: Google Earth (Accessed on 12 January 2023)

Fig 3 Aerial view of application site and vicinity as of 22 July 2021



Image source: Google Earth (Accessed on 12 January 2023)

Fig 4 Aerial view of application site and vicinity as of 7 October 2022



Image source: Google Earth (Accessed on 12 January 2023)



# 嘉道理農場暨植物園公司 Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

12th January 2023.

By email only

Dear Sir/ Madam,

## Proposed Holiday Camp (A/YL-LFS/450)

- 1. We refer to the captioned.
- 2. The application site is entirely within Coastal Protection Area (CPA) zone. The planning intention of this zone is as follows:

'This zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.'

3. We urge the Board to reject this application as the proposed use is unlikely to be in line with the planning intention of CPA zone. We also urge the Board to consider the potential cumulative impacts of approving this application on the CPA zone of concern as the approval

<sup>1</sup> https://www2.ozp.tpb.gov.hk/plan/ozp\_plan\_notes/en/S\_YL-LFS\_11\_e.pdf#nameddest=CPA



# 嘉道理農場暨植物園公司 Kadoorie Farm & Botanic Garden Corporation

would set a precedent for similar cases in this CPA zone.

- 4. We also urge the Board to liaise with relevant authorities as to whether the potential impacts associated with the proposed use such as the sewage generated by the campers have been appropriately addressed. We hope the Board can notice that the site is indeed not far from the ecologically sensitive Deep Bay coast and runoff from the site would drain into this bay.
- 5. We also urge the Board to note that under Key Action Direction (5) Implementing a Proactive Conservation Policy to Create Environmental Capacity of the Northern Metropolis Development Strategy (NMDS) announced by the Government, the CPA zone along the Deep Bay coast is proposed to be designated as a Coastal Protection Park through land resumption (Section 98 of the NMDS report<sup>2</sup>). We urge the Board to also consider whether this is a concern when assessing applications in this CPA zone.
- 6. Thank you for your attention.

Ecological Advisory Programme Kadoorie Farm and Botanic Garden

https://www.policyaddress.gov.hk/2021/eng/pdf/publications/Northern/Northern-Metropolis-Development-Strategy-Report.pdf

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	A/YL-LFS/450 DD 129 11/01/2023 02:02	Tsim Bei Tsui CPA		S E		
From: To: File Ref:	tpbpd <tpbpd@pland.gov.hk></tpbpd@pland.gov.hk>			H g g g g g g g g g g g g g g g g g g g		

A/YL-LFS/450

Lot 256 RP in D.D. 129, Tsim Bei Tsui, Yuen Long

Site area: About 1,025sq.m

Zoning: "Coastal Protection Area"

Applied use: 8 Holiday Camp / 3 Vehicle Parking

Dear TPB Members,

Strongest objections. Application mentions 8 holiday camps but 60 visitors, so one has to question the numbers quoted. 60 people generate a lot of waste and a lot of discharges. In addition there is parking, so there would be considerable filling of land.

This zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with **overriding public interest may be permitted**.

There are now daily news bulletins and alarming footage of the impact of global warming from all parts of the world. HK is way behind the curve when it comes to the urgency in preparing for adverse weather conditions in coming years. Any plans that involve incursion into CPA zoning going forward must be rejected.

Mary Mulvihill

#### **Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
  - (i) the application site (the Site) comprises an Old Schedule Agricultural Lot 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;
  - (ii) according to the prevailing policy of LandsD, no Short Term Waiver application to permit structure for domestic purpose will be considered. LandsD reserves the right to take enforcement action against such domestic purpose structure on the Site, if any; and
  - (iii) the owner(s) of the lot will need to immediately apply to DLO/YL of LandsD for permitting the structures (except the rest room) to be erected or to regularise any irregularities on site, if any. Besides, 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;
- (b) to note that comments of the Director of Environmental Protection (DEP) that an Environmental Permit is required for construction and operation of the proposed development, as it falls within Deep Bay Buffer Zone 1 and is a potential designated project under Item P.1, Part I of Schedule 2 of the Environmental Impact Assessment Ordinance (EIAO), i.e. "A residential or recreational development, other than New Territories exempted houses, within Deep Bay Buffer Zone 1 or 2". The applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use. As the portable toilet would be adopted on the site, the sewage from the site should be collected by a sewage holding tank and tankered away off site by a licensed collector. If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall 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" including percolation test and selection of proper location for the septic tank and soakaway system to meet the relevant separation distances under ProPECC PN 5/93;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the Site is in an area where no public stormwater drainage and sewerage connections are available;
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that provision of periphery planting along the site boundary should be explored as far as possible so as to respect the rural setting of the locality;
- (e) to note the comments of the Commissioner for Transport (C for T) that sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue

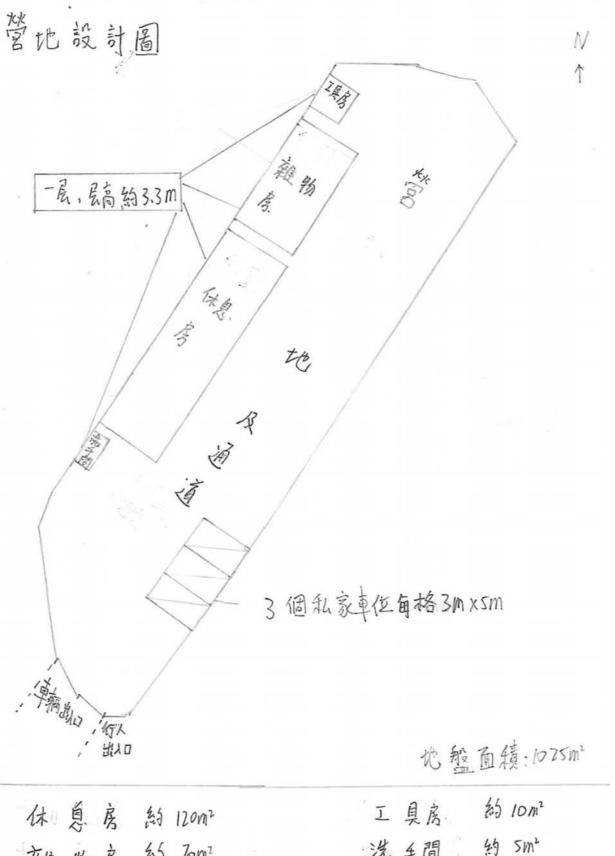
back to public roads or reverse onto/from public roads. The local track leading to the Site is not under Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as vehicular access to the Site;

- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains. The access road connecting the Site with Deep Bay Road is not and will not be maintained by HyD. HyD should not be responsible for maintaining any access connecting the Site with Deep Bay Road;
- (g) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. The applicant shall submit relevant layout plans incorporated with the proposed FSIs to the Fire Services 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. if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans. Moreover, licensing requirement will be formulated upon receipt of formal application via relevant licensing authority;
- (h) to note the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that some unregistered slopes, which may affect or be affected by the proposed development, are present within the Site. In addition, a steep slope with gradient of more than 50°, is present to the northeast of the Site. The applicant should clarify whether there will be any geotechnical works/site formation involved for the proposed development. In addition, the applicant should provide a detailed layout plan showing the relationship between the proposed structures, the lot boundary, the unregistered slopes, and the proposed geotechnical works, if any;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, BD (CBS/NTW, BD) that:
  - (i) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations [B(P)R] respectively;
  - (ii) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
  - (iii) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
  - (iv) for UBW erected on leased land, enforcement action may be taken by the Buildings Department to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any

- planning approval should not be construed as an acceptance of any existing building works or UBW on the application site under the BO;
- (v) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R;
- (vi) if the proposed use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority; and
- (vii) detailed checking under the BO will be carried out at building plan submission stage;
- (j) to note the comments of the Chief Officer (Licensing Authority), Home Affairs Department (CO(LA), HAD) that:
  - (i) according to the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) ("HAGAO"), "hotel" and "guesthouse" mean any premises whose occupier, proprietor or tenant holds out that, to the extent of his available accommodation, he will provide sleeping accommodation at a fee for any person presenting himself at the premises, unless all accommodation in the premises is provided for a period of 28 consecutive days or more for each letting which is exempted under the Hotel and Guesthouse Accommodation (Exclusion) Order (Cap. 349C);
  - (ii) under the Clubs (Safety of Premises) Ordinance (Cap. 376) ("CuSPO"), "club" means any corporation or association of persons formed for the purpose of affording its members facilities for social intercourse or recreation and which:
    - provide services for its members (whether or not for the purpose of gain); and
    - has a club-house of which only its members and their accompanied guests have the right of use;
  - (iii) if the mode of operation falls within the definition of "hotel" or "guesthouse" under HAGAO or "club" under the CuSPO, a licence under the HAGAO or a Certificate of Compliance under the CuSPO must be obtained before operation respectively;
  - (iv) for any structure which constitute as "building works" or "building" under the Building Ordinance to be included into the licence or Certificate of Compliance, the applicant should submit a copy of either an occupation permit issued by the Building Authority or a Certificate of Compliance issued by LandsD when making an application under the HAGAO and/or CuSPO; and
  - (v) detailed requirements will be formulated upon receipt of application under HAGAO and/or CuSPO; and
- (k) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
  - (i) the toilet use proposal by the applicant (viz. only urination allowed at the toilets of the Site; defectaion to be carried out at public toilets) is not acceptable. The toilet use is part of the service for the proposed holiday camp, provision of which

should be the applicant's own responsibility and at his expenses. The refuse collection points managed by the Food and Environmental Hygiene Department (FEHD) are mainly responsible for the collection of domestic wastes. Hence, for any waste generated from the proposed holiday camp, which is regarded as trade refuse, the applicant should handle them at his own expenses. In this connection, the proposal to dispose of trade refuse to the nearby refuse collection point(s) is not acceptable;

- (ii) proper licence/permit issued by the FEHD is required if there is any food business/catering service/activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. The operation of any eating place should be under a food licence issued by the FEHD. If the operator intends to operate a restaurant business in the territory, a restaurant licence should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132). For the operation of other types of food business, relevant food licences should also be obtained from FEHD in accordance with Cap. 132. Under the Food Business Regulation, Cap. 132X, a Food Factory Licence should be obtained from FEHD for food business which involves the preparation of food for sale for human consumption off the premises before commencement of such business. application for food business licences under Cap.132, if acceptable by FEHD, will be referred to relevant government departments for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;
- (iii) any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement, a Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment; and
- (iv) the operation of the food business place must not cause any environmental nuisance to the surrounding. The refuse generated by the proposed eating place are regarded as trade refuse. The management or owner of the Site is responsible for its removal and disposal at their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity.



菜住物房 紹 70m² 營地及通道約 775m 洗手間 約5m² 停車位 约45m2

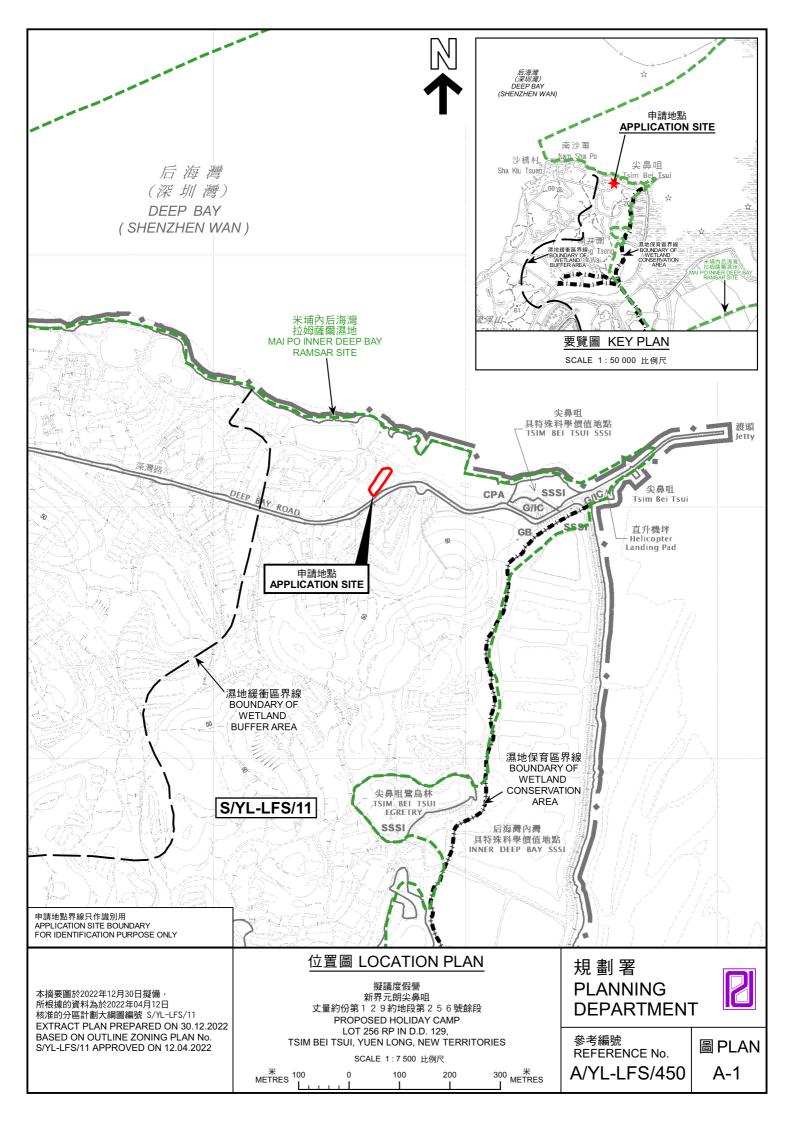
參考編號 REFERENCE No. A/YL-LFS/450

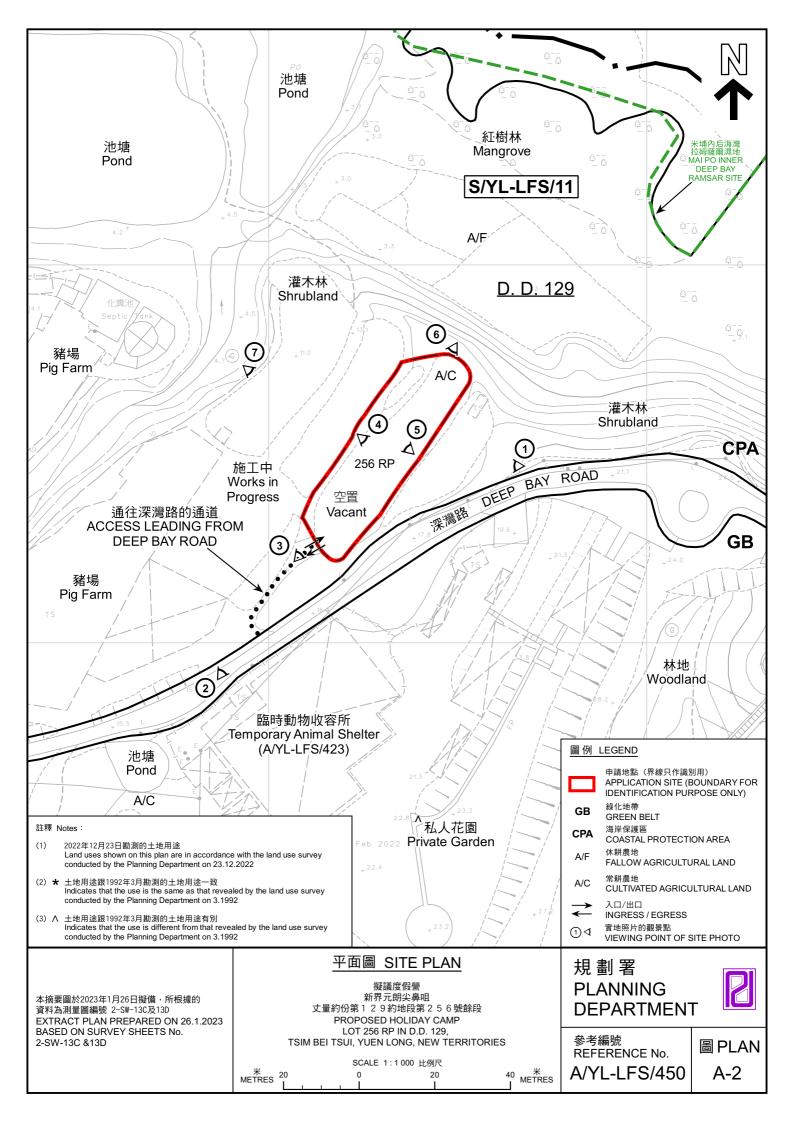
繪圖 DRAWING

# 行車路線圖 238A 258 申請位置 240A 252 25 259 256RP GL RP 深灣路 250 42 248 265 262RP RP 264 275 RP 深灣路 269 246 RP 277

參考編號 REFERENCE No. A/YL-LFS/450

繪圖 DRAWING A-2







本摘要圖於2023年1月6日擬備,所根據 的資料為地政總署於2022年1月19日拍得 的航攝照片編號 E146843C EXTRACT PLAN PREPARED ON 6.1.2023 BASED ON AERIAL PHOTO No. E146843C TAKEN ON 19.1.2022 BY LANDS DEPARTMENT

#### 2022年1月19日拍攝的航攝照片 AERIAL PHOTO TAKEN ON 19.1.2022

擬議度假營 新界元朗尖鼻咀 丈量約份第 1 2 9 約地段第 2 5 6 號餘段 PROPOSED HOLIDAY CAMP LOT 256 RP IN D.D. 129, TSIM BEI TSUI, YUEN LONG, NEW TERRITORIES

# 規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. A/YL-LFS/450

圖 PLAN A-3a



本摘要圖於2023年1月9日擬備,所根據 的資料為地政總署於2021年1月15日拍得 的航攝照片編號 E127524C EXTRACT PLAN PREPARED ON 9.1.2023 BASED ON AERIAL PHOTO No. E127524C TAKEN ON 15.1.2021 BY LANDS DEPARTMENT

#### 2021年1月15日拍攝的航攝照片 AERIAL PHOTO TAKEN ON 15.1.2021

擬議度假營 新界元朗尖鼻咀 丈量約份第129約地段第256號餘段 PROPOSED HOLIDAY CAMP LOT 256 RP IN D.D. 129, TSIM BEI TSUI, YUEN LONG, NEW TERRITORIES

# 規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. A/YL-LFS/450

圖 PLAN A-3b







申請地點界線只作識別用 APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本圖於2023年1月6日擬備,所根據的 資料為攝於2022年12月23日的實地照片 PLAN PREPARED ON 6.1.2023 BASED ON SITE PHOTOS TAKEN ON 23.12.2022

## 實地照片 SITE PHOTOS

擬議度假營 新界元朗尖鼻咀 丈量約份第 1 2 9 約地段第 2 5 6 號餘段 PROPOSED HOLIDAY CAMP LOT 256 RP IN D.D. 129, TSIM BEI TSUI, YUEN LONG, NEW TERRITORIES

# 規 劃 署 PLANNING DEPARTMENT



參考編號 REFERENCE No. A/YL-LFS/450

圖 PLAN A-4a







申請地點界線只作識別用 APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本圖於2023年1月6日擬備,所根據的 資料為攝於2022年12月23日的實地照片 PLAN PREPARED ON 6.1.2023 BASED ON SITE PHOTOS TAKEN ON 23.12.2022

## 實地照片 SITE PHOTOS

擬議度假營 新界元朗尖鼻咀 丈量約份第 1 2 9 約地段第 2 5 6 號餘段 PROPOSED HOLIDAY CAMP LOT 256 RP IN D.D. 129, TSIM BEI TSUI, YUEN LONG, NEW TERRITORIES

# 規 劃 署 PLANNING DEPARTMENT



參考編號 REFERENCE No. A/YL-LFS/450

圖 PLAN A-4b



申請地點界線只作識別用 APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本圖於2023年1月13日擬備,所根據的 資料為攝於2021年3月23日的實地照片 PLAN PREPARED ON 13.1.2023 BASED ON SITE PHOTO TAKEN ON 23.3.2021

#### 實地照片 SITE PHOTOS

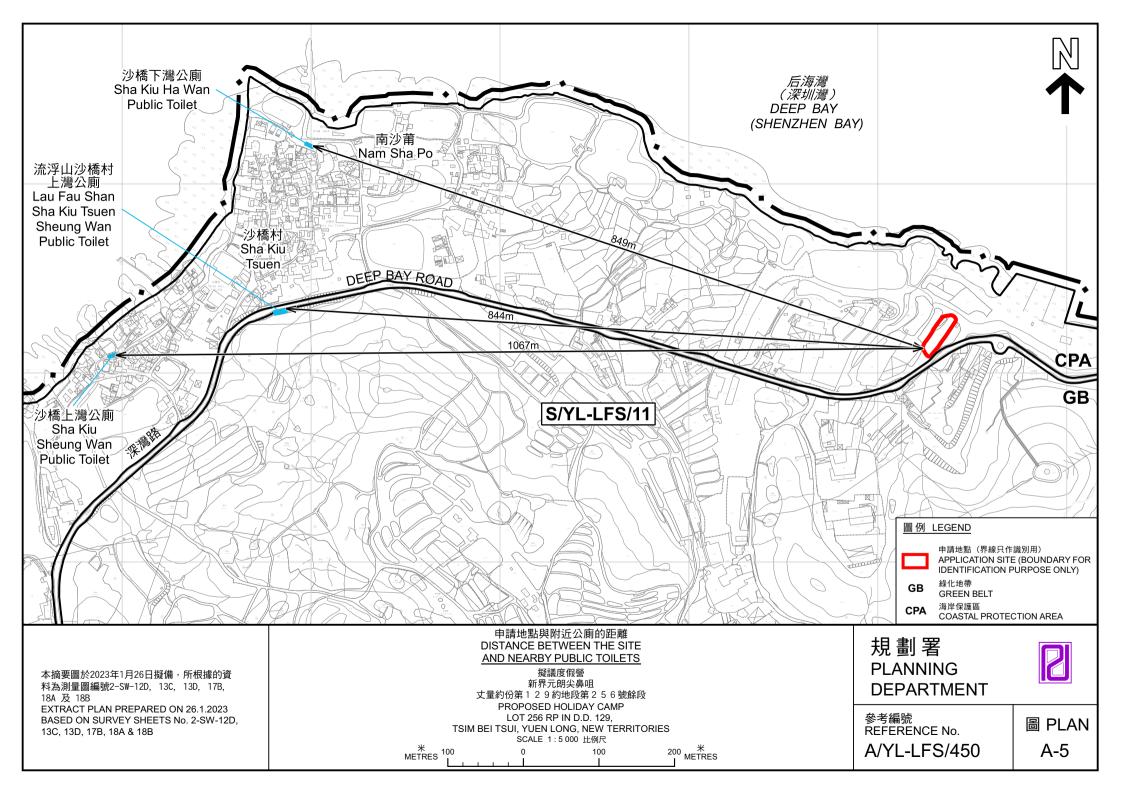
擬議度假營 新界元朗尖鼻咀 丈量約份第129約地段第256號餘段 PROPOSED HOLIDAY CAMP LOT 256 RP IN D.D. 129, TSIM BEI TSUI, YUEN LONG, NEW TERRITORIES

# 規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. A/YL-LFS/450

圖 PLAN A-4c



# Extract of Minutes of the RNTPC Meeting held on 3.2.2023 Agenda Item 43

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/450 Proposed Holiday Camp in "Coastal Protection Area" Zone, Lot 256

RP in D.D. 129, Tsim Bei Tsui, Yuen Long

(RNTPC Paper No. A/YL-LFS/450)

#### Presentation and Question Sessions

144. With the aid of some plans, Mr Eric C.Y. Chiu, STP/TMYLW, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

145. Members had no question on the application.

#### **Deliberation Session**

146. A Member noted from the Plans in the Paper that there was vegetation clearance at the application site. The Chairman remarked that should there be any unauthorised development, the Planning Department would follow up, where appropriate.

147. After deliberation, the Committee <u>decided</u> to <u>reject</u> the application. The reasons were :

"(a) the proposed use is not in line with the planning intention of the "Coastal Protection Area" zone, which is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from such planning intention;

- (b) the proposed use, which falls within the Wetland Buffer Area, is not in line with the Town Planning Board (TPB) Guidelines for 'Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance' (TPB PG-No. 12C) in that no ecological impact assessment is submitted to demonstrate the ecological impact of the proposed development and propose any mitigation measures; and
- (c) the applicant fails to demonstrate that the proposed development would not be susceptible to adverse environmental impact and would not have adverse landscape impacts on the surrounding areas."

## 市規劃委員會

Paper No. 10901

Annex C of TPB

TOWN PLANNING BOARD

15/F., North Point Government Offices 333 Java Road, North Point, Hong. Kong.

香港北角渣華道三百三十三號 北角政府合署十五樓

真 Fax: 2877 0245 / 2522 8426

話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/YL-LFS/450

By Email

17 February 2023

Huang Jianjun



Dear Sir/Madam,

## Proposed Holiday Camp in "Coastal Protection Area" Zone, Lot 256 RP in D.D. 129, Tsim Bei Tsui, Yuen Long

I refer to my letter to you dated 30.1.2023.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reasons are:

- the proposed use is not in line with the planning intention of the "Coastal Protection Area" zone, which is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from such planning intention;
- the proposed use, which falls within the Wetland Buffer Area, is not in line (b) with the TPB Guidelines for 'Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance' (TPB PG-No. 12C) in that no ecological impact assessment is submitted to demonstrate the ecological impact of the proposed development and propose any mitigation measures; and
- you fail to demonstrate that the proposed development would not be susceptible to adverse environmental impact and would not have adverse landscape impacts on the surrounding areas.

A copy of the TPB Paper in respect of the application is available at TPB website at this link (https://www.info.gov.hk/tpb/tc/meetings/RNTPC/Agenda/712 rnt agenda.html). A copy of the TPB Paper in Chinese in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 3.2.2023, in both English and Chinese, are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 10.3.2023). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Town Planning Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Town Planning Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Mr. Eric Chiu of Tuen Mun & Yuen Long West District Planning Office at 2158 6288.

Yours faithfully,

(Leticia LEUNG) for Secretary, Town Planning Board

(With Chinese Translation)

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□ Urgent	☐ Return Receipt Requested	☐ Sign ☐ Encrypt	Mark Subject Restricted	☐ Expand personal&public



From:

Sent: Thursday, March 9, 2023 5:54 PM To: tpbpd <tpbpd@pland.gov.hk> Subject: TPB/A/YL-LFS/450覆核

編號:TPB/A/YL-LFS/450,根據城規條例第17條要求作出覆核,謝謝。

☐ Urgent ☐ Return Receipt Requested		$\square$ Sign $\square$ Encrypt $\square$ Mark Subject Restricted	☐ Expand personal&public
	TPB/A/YL-LFS/450 复核 15/03/2023 16:59		
From: To:		, "tpbpd" <tpbpd@pland.gov.hk></tpbpd@pland.gov.hk>	

編號:TPB/A/YL-LFS/450。想表達幾點:1.沒有填土,挖土工程。2.沒有工業等生産。3.高度不超3.3米低于周邊環境,不影響景觀。由此不會對環境產生不良影響。改善方案:1.建議營位由最多8個改為最多4個,人數上限60人改為上限30人。2.營地公示會加條標明西面有豬場及會產生氣味。3.營地厠所可供大小便,垃圾會自行處理。除以上改善方案,其他於第16條申請的發展建議不變。多謝各署的寶貴意見,如有其他改善的內容本人會盡力配合。望各署給予支持,謝謝。



# 長春社 since1968

#### The Conservancy Association

會址:香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期

電子郵件 E-mail:cahk@cahk.org.hk

電話 Tel.:(852)2728 6781 傳真 Fax.:(852)2728 5538

13 樓 1305-6 室

Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port Road, Kwai Chung, New Territories, H.K.

網址 Website:www.cahk.org.hk

11th April 2023

Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

RECEIVED

1 1 APR 2023

Town Planning
Board

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam,

Comments on the Section 17 Review of TPB's Section 16 Decision No. A/YL-LFS/450

The Conservancy Association (CA) OBJECTS to the captioned application.

1. Not in line with the planning intention of Coastal Protection Area (CPA) zone According to the approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-LFS/11, the planning intention of CPA zone is:

"To conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development."

"In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted."

From the application, however, we cannot see any details to justify that the plan would fulfill the above planning intention.



# 長春社 since 1968

#### The Conservancy Association

會址:香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期

■ 1305-6 室 電子郵件 E-mail:cahk@cahk.org.hk

電話 Tel.:(852)2728 6781 傳真 Fax.:(852)2728 5538

Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port Road, Kwai Chung, New Territories, H.K.

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#### 2. Not in line with the planning intention of Wetland Buffer Area (WBA)

According to Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C), the intention of WBA is "to protect the ecological integrity of the fish ponds and wetland within the WCA and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds". Even the applicant reduced the visitor numbers and camping places during this review application, we still cannot find that the applicant is able to achieve above intention with provision of an ecological impact assessment.

#### 3. Adverse environmental impacts in adjacent area

We worry that there would be several potential adverse environmental impacts caused by the application:

- No plans on land recovery: Various structures/uses, including 4 structures of about 3.3m in height would be temporarily proposed in the application site. Besides, there were 45m<sup>2</sup> and 600m<sup>2</sup> for car parking and tent camping. However, no details are available to illustrate how the land would be recovered after the proposed temporary use.
- Adverse sewage impact: The applicant does not provide any details of sewage arrangement, such as design, collection, treatment, disposal of sewage, back-up plans, and so on, but only claimed that the applicant will collect the sewage once every 6 months. Especially, insufficient details are available to identify sources of wastewater arising from operation, particularly potential oily wastewater from camping activities and how these pollution sources would be treated. We worry that if the above issues cannot be properly addressed, it may lead to serious environmental and hygiene problems within the application site and its surrounding area.
- Other sources of environmental impacts not clearly addressed: There are no site management and operational plans to describe issues such as crowd control, details plan on waste management, additional provision of ancillary utilities, and so on. All these would help identify source of environmental impacts and then suggest measures to minimize or mitigate potential environmental disturbance, but we



# 長春社 810081968

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cannot see the project proponent has attempted to address this.

#### 4. Undesirable precedent of "destroy first, build later"

This site has been subject to land formation and vegetation clearance (Figure 1-2). It is suspected that this is a case of "destroy first, build later".

Planning Department and members of Town Planning Board (TPB) should alert that TPB has announced approaches to deter "destroy first, build later" activities in 2011. It stated that "the Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned". Therefore, this application should not be given any sympathetic consideration, or it will set an undesirable precedent for similar cases in future.

Yours faithfully, Chow Oi Chuen Campaign Officer The Conservancy Association

<sup>&</sup>lt;sup>1</sup> TPB Press Release. Available at: http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm



## The Conservancy Association

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Figure 1-2 The proposed site (marked in red) has been subject to land formation and vegetation clearance (Source: Google Earth Pro). It is suspected that this is a case of "destroy first, build later."







# 嘉道理農場暨植物園公司 Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

11th April 2023.

By email only

Dear Sir/ Madam,

# Proposed Holiday Camp (A/YL-LFS/450) (Review under Section 17)

- 1. We refer to the captioned.
- 2. We would like to remind the Board that the site is within Coastal Protection Area (CPA) zone and is also not too far from ecological sensitive receivers (i.e., along the Deep Bay coastline); the site is also located not more than 300 m from the Tsim Bei Tsui SSSI zone.
- 3. The proposed use is unlikely to be in line with the planning intention of CPA zone and we urge the board to reject this application.
- 4. Thank you for your attention.

Ecological Advisory Programme Kadoorie Farm and Botanic Garden



1

Urgent	☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public
	Fwd: A/YL-LFS/450 DD 129 Tsim Bei Tsui CPA 06/04/2023 02:52
From: To: File Ref:	tpbpd <tpbpd@pland.gov.hk></tpbpd@pland.gov.hk>

Dear TPB Members,

#### Rejected 2/3/23

Visitors wishing to defecate are required to go to the nearby public toilets (the nearest at about 840m to the west of the Site)

The toilet use proposal by the applicant (viz. only urination allowed at the toilets of the Site; defecation to be carried out at public toilets) is not acceptable. The Site is formed and fenced off, with the northern portion being used for cultivation, whilst the remaining portion is largely vacant;

The proposal to dispose of trade refuse to the nearby refuse collection point(s) is not acceptable.

DEP: There is a pig farm at about 25m to the west of the Site, and the buffer distance recommended in paragraph 3.3.9, Chapter 9 of HKPSG, i.e. "usually a buffer distance of at least 200m from nearby sensitive uses is required" cannot be met

Having compared the site condition through the aerial photo in 2021 and site photos in December 2022 (Plans A-3b and A-4a), **tree felling and vegetation clearance had been undertaken at the Site.** No landscape proposal was provided in the submission.

Felling of mature trees had been undertaken between November 2020 and July 2021. The Site had been further degraded into bare earth by October 2022

Absolutely no justification to review. Members however should question if enforcement action has been undertaken.

Mary Mulvihill

From:
To: tpbpd <tpbpd@pland.gov.hk>

Date: Wednesday, 11 January 2023 2:02 AM CST

Subject: A/YL-LFS/450 DD 129 Tsim Bei Tsui CPA

A/YL-LFS/450

Lot 256 RP in D.D. 129, Tsim Bei Tsui, Yuen Long

Site area: About 1,025sq.m

Zoning: "Coastal Protection Area"

Applied use: 8 Holiday Camp / 3 Vehicle Parking

Dear TPB Members,

Strongest objections. Application mentions 8 holiday camps but 60 visitors, so one has to question the numbers quoted. 60 people generate a lot of waste and a lot of discharges. In addition there is parking, so there would be considerable filling of land.

This zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with **overriding public interest may be permitted**.

There are now daily news bulletins and alarming footage of the impact of global warming from all parts of the world. HK is way behind the curve when it comes to the urgency in preparing for adverse weather conditions in coming years. Any plans that involve incursion into CPA zoning going forward must be rejected.

Mary Mulvihill

致:香港北角渣華道 333 號 政府合署 15 樓 香港城市規劃委員會秘書處

敬啟者,

有關反對: 覆核規劃申請編號: A/YL-LFS/450

擬議度假營

新界元朗尖鼻咀丈量約份第129約地段第256號餘段

就上述標題申請,我們提出以下反對理由:

- (1) 擬議發展地點在綠化地帶「海岸保護區」及濕地緩衝區範圍,與地帶不協調;
- (2) 擬識現場位於非法發展黑點地帶;
- (3) 申請人沒有標明發展如何確保四周環境不受負面影響;
- (3) 擬談發展涉及填土,挖土及興建搭建物等等工程會影響周邊生態環境;及
- (4) 發展導致囤積雨水/污水,破壞四周生態環境;
- (5) 擬議申請的棄置物/廢物會破壞幣區自然生態環境,包括濕地級衝區/蠔田等;
- (6) 擬識發展造成周邊環境滋擾、破壞景觀等;及
- (7) 對毗連土地/魚塘/農作物/養猪場及住宅造成負面影響,包括排水及排污等...;
- (8) 申請人並沒有提供測量、排水、排污、生態等...相關評估報告以釋大眾疑慮:
- (9) 部門難以監控訪客數目及遊人噪音:
- (10) 擬識發展對附近道路交通網絡構成嚴重影響;
- (11) 擬議改劃地帶用途申請,會對整區同類型立下不良先例。

日期: 2023年4月10日

#### **Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
  - (i) the application site (the Site) comprises an Old Schedule Agricultural Lot 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;
  - (ii) according to the prevailing policy of LandsD, no Short Term Waiver application to permit structure for domestic purpose will be considered. LandsD reserves the right to take enforcement action against such domestic purpose structure on the Site, if any; and
  - (iii) the owner(s) of the lot will need to immediately apply to DLO/YL of LandsD for permitting the structures (except the rest room) to be erected or to regularise any irregularities on site, if any. Besides, 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;
- (b) to note that comments of the Director of Environmental Protection (DEP) that an Environmental Permit is required for construction and operation of the proposed development, as it falls within Deep Bay Buffer Zone 1 and is a potential designated project under Item P.1, Part I of Schedule 2 of the Environmental Impact Assessment Ordinance (EIAO), i.e. "A residential or recreational development, other than New Territories exempted houses, within Deep Bay Buffer Zone 1 or 2". The applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use. As the portable toilet would be adopted on the site, the sewage from the site should be collected by a sewage holding tank and tankered away off site by a licensed collector. If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall 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" including percolation test and selection of proper location for the septic tank and soakaway system to meet the relevant separation distances under ProPECC PN 5/93:
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the Site is in an area where no public stormwater drainage and sewerage connections are available;
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that provision of periphery planting along the site boundary should be explored as far as possible so as to respect the rural setting of the locality;
- (e) to note the comments of the Commissioner for Transport (C for T) that 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. The local track leading to the Site is not under Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as vehicular access to the Site;

- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains. The access road connecting the Site with Deep Bay Road is not and will not be maintained by HyD. HyD should not be responsible for maintaining any access connecting the Site with Deep Bay Road;
- (g) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. The applicant shall submit relevant layout plans incorporated with the proposed FSIs to the Fire Services Department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of the proposed FSIs to be installed should be clearly marked on the layout plans. if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans. Moreover, licensing requirement will be formulated upon receipt of formal application via relevant licensing authority;
- (h) to note the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that some unregistered slopes, which may affect or be affected by the proposed development, are present within the Site. In addition, a steep slope with gradient of more than 50°, is present to the northeast of the Site. The applicant should clarify whether there will be any geotechnical works/site formation involved for the proposed development. In addition, the applicant should provide a detailed layout plan showing the relationship between the proposed structures, the lot boundary, the unregistered slopes, and the proposed geotechnical works, if any;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, BD (CBS/NTW, BD) that:
  - (i) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations [B(P)R] respectively;
  - (ii) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
  - (iii) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
  - (iv) for UBW erected on leased land, enforcement action may be taken by the Buildings Department to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any

- planning approval should not be construed as an acceptance of any existing building works or UBW on the application site under the BO;
- (v) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R;
- (vi) if the proposed use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority; and
- (vii) detailed checking under the BO will be carried out at building plan submission stage;
- (j) to note the comments of the Chief Officer (Licensing Authority), Home Affairs Department (CO(LA), HAD) that:
  - (i) according to the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) ("HAGAO"), "hotel" and "guesthouse" mean any premises whose occupier, proprietor or tenant holds out that, to the extent of his available accommodation, he will provide sleeping accommodation at a fee for any person presenting himself at the premises, unless all accommodation in the premises is provided for a period of 28 consecutive days or more for each letting which is exempted under the Hotel and Guesthouse Accommodation (Exclusion) Order (Cap. 349C);
  - (ii) under the Clubs (Safety of Premises) Ordinance (Cap. 376) ("CuSPO"), "club" means any corporation or association of persons formed for the purpose of affording its members facilities for social intercourse or recreation and which:
    - provide services for its members (whether or not for the purpose of gain); and
    - has a club-house of which only its members and their accompanied guests have the right of use;
  - (iii) if the mode of operation falls within the definition of "hotel" or "guesthouse" under HAGAO or "club" under the CuSPO, a licence under the HAGAO or a Certificate of Compliance under the CuSPO must be obtained before operation respectively;
  - (iv) for any structure which constitute as "building works" or "building" under the Building Ordinance to be included into the licence or Certificate of Compliance, the applicant should submit a copy of either an occupation permit issued by the Building Authority or a Certificate of Compliance issued by LandsD when making an application under the HAGAO and/or CuSPO; and
  - (v) detailed requirements will be formulated upon receipt of application under HAGAO and/or CuSPO; and
- (k) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
  - (i) proper licence/permit issued by the Food and Environmental Hygiene Department (FEHD) is required if there is any food business/catering service/activities regulated by DFEH under the Public Health and municipal Services Ordinance

(Cap. 132) and other relevant legislation for the public. The operation of any eating place should be under a food licence issued by FEHD. If the operator intends to operate a restaurant business in the territory, a restaurant licence should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132). For the operation of other types of food business, relevant food licences should also be obtained from FEHD in accordance with Cap. 132. Under the Food Business Regulation, Cap. 132X, a Food Factory Licence should be obtained from this department for food business which involves the preparation of food for sale for human consumption off the premises before commencement of such business. The application for food business licences under Cap.132, if acceptable by FEHD, will be referred to relevant government departments for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;

- (ii) any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement, a Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment; and
- (iii) the operation of the food business place must not cause any environmental nuisance to the surrounding. The refuse generated by the proposed eating place are regarded as trade refuse. The management or owner of the Site is responsible for its removal and disposal at their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity.