

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-NTM/404

- Applicant** : Christian New Life Association Limited
- Site** : Lots 762 (Part), 763 (Part), 765 (Part), 790 (Part), 791 (Part) and adjoining Government Land (GL) in D.D.105, Ngau Tam Mei, Yuen Long
- Site Area** : About 1,280 m² (including GL of about 620 m² (48%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ngau Tam Mei Outline Zoning Plan (OZP) No. S/YL-NTM/12
- Zoning** : “Green Belt” (“GB”)
- Application** : Temporary Social Welfare Facility (Drug Dependent Persons Treatment and Rehabilitation Centre) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for a temporary social welfare facility (drug dependent persons treatment and rehabilitation centre) at the application site (the Site) for a period of 3 years. According to the Notes of the OZP for the “GB” zone, ‘Social Welfare Facility’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is paved, occupied by 8 temporary structures, and currently used for the applied use without planning permission.
- 1.2 The Site is accessible at the south of the Site via a local track leading from Shek Wu Wai Road (**Drawing A-3** and **Plan A-2**). The rehabilitation centre comprises 8 structures for dormitory, office, communal hall, kitchen and dining area, storage room and toilet uses (**Drawings A-1** to **A-2**). The rehabilitation centre is accommodating 40 patients/drug dependent persons. The major development parameters of the rehabilitation centre are summarized as follows:

Site Area	about 1,289 m ²
Gross Floor Area (GFA)	Domestic: 215 m ² Non-domestic: 320 m ² Total: 535 m ²

Plot Ratio (PR)	0.24
No. of Storeys (Building Height)	1 storey (2.3 m to 3.1 m)
No. of Blocks	8 - 3 Dormitories (Blocks 1, 7, 8) - 1 Office (Block 2) - 1 Hall (Block 3) - 1 Kitchen and Dining Area (Block 4) - 1 Storage Room (Block 5) - 1 Toilet (Block 6)
Site Coverage (SC)	about 41.8%
Parking Spaces	- 1 Private Car - 1 Light Goods Vehicle (LGV)
Accommodation	- 40 residential places for patients/drug dependent persons - 2 to 4 inhabitant places for staff /volunteers

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

- (a) Application Form and supporting documents (**Appendix I**) received on 21.5.2020
- (b) Further information (FI) received on 2.7.2020 (**Appendix Ia**) providing background information and responses to comments of Transport Department (TD) (exempted from publication and recounting requirements)

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the supporting documents attached to the application form and FI at **Appendices I and Ia**. They can be summarized as follows:

- (a) Christian New Life Association Limited (CNLA) is a non-profit making and non-Government subvented Christian organization, geared towards meeting the special needs of drug addicts and substance abusers. The organization is a gospel-based ministry for reclaiming the lives of those suffering from substance abuse and drug addiction. As there is a rising trend in drug abuse, demand for drug treatment and rehabilitation services is therefore greater. The organization hopes to continue to serve people in need.
- (b) A Certificate of Exemption (CoE) of Treatment Centre (Certificate No. 0410) has been granted by the Director of Social Welfare (D of SW). The Centre has been in operation at the Site since 2001. The Government (Narcotics Division of Security Bureau and Social Welfare Department) has been trying to identify a relocation site for the Centre, however, the site search is still in progress.

- (c) The organization is non-profit making and is under very limited financial and human resources with no expertise/knowledge on planning application submission. The current application is submitted on advice from D of SW that planning permission from the Board is required for temporarily accommodating the Centre at the Site until a relocation site is identified. Besides, they were also informed by the District Lands Office/Yuen Long (DLO/YL) of the Lands Department (LandsD) that unauthorized structures have been erected at the Site. The applicant hence seeks planning permission from the Board, if planning permission is granted, they will follow up with LandsD and apply for Short Term Waiver (STW) and Short Term Tenancy (STT) for leasing the Site to continue the operation of the Centre.
- (d) The Centre is housed and operating in some temporary structures which had been in existence before 2001 when the applicant moved in. Only furnishing of these structures was involved. No site formation, excavation/filling of land or tree felling have been taken place since the applicant moved into the Site. Only 1 private car and 1 LGV parking spaces are provided at the Site for transportation of staff and patients.

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

The applicant is not the “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by sending registered mail to the current land owner(s). Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “owner’s consent/notification” requirements as set out in the TPB PG-No. 31A are not applicable.

4. Town Planning Board Guidelines

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

- (a) There is a general presumption against development (other than redevelopment) in “GB” zone.
- (b) An application for new development in a “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the PR, SC and BH should be compatible with the character of surrounding areas.
- (c) Applications for G/IC uses and public utility installations must demonstrate that the proposed development is essential and that no alternative sites are available. The plot ratio of the development site may exceed 0.4 so as to minimize the land to be allocated for G/IC uses.

- (d) The design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment.
- (e) The vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposals should be provided.
- (f) The proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, road and water supply. It should not adversely affect drainage or aggravate flooding in the area.
- (g) The proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigating measures are provided, and it should not itself be the source of pollution.

5. **Background**

The Site is not subject to planning enforcement action. Should a material change of use be identified on site, which constitutes an unauthorized development (UD) under the Town Planning Ordinance, enforcement action would be instigated subject to sufficient evidence collected.

6. **Previous Application**

The Site is not the subject of any previous application.

7. **Similar Application**

7.1 There is a similar application (no. A/YL-NTM/239) for proposed social welfare facility (The Salvation Army - Ngau Tam Mei Community Development Project) within the "GB" zone which was approved by the Committee on 21.8.2009 on consideration that the proposed development was operating in an existing vacant house that only incurred internal alteration works; it did not involve extensive clearance of existing natural vegetation, and would not affect the existing natural landscape or cause any adverse visual impact on the surrounding environment; and the proposed social welfare facility was small in scale which would not result in significant adverse traffic, environmental, sewage, drainage, water supply and geotechnical impacts to the surrounding areas.

7.2 Details of the application is summarized at **Appendix II**. The location is shown on **Plan A-1**.

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

8.1 The Site is:

- (a) paved, occupied by 8 one-storey temporary structures for the applied use which is currently in operation; and
- (b) accessible via local track leading to Shek Wu Wai Road (**Plan A-1**);

8.2 The surrounding areas are rural in character which are predominantly agricultural/unused, with some warehouses, storage yards and scattered residential dwellings. Some warehouses and storage yards are suspected UDs subject to enforcement action by Planning Authority:

- (a) to its east are a pig farm, storage yards and some residential dwellings;
- (b) to its south are open storage yards, warehouse and unused land;
- (c) to its west are unused and agricultural land; and
- (d) to its north are a garden, storage, unused land and some residential dwellings.

9. Planning Intention

The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

10. Comments from Relevant Government Departments

10.1 The following Government departments have been consulted and their views are summarized as follows:

Social Welfare

10.1.1 Comments of the Commissioner for Narcotics, Security Bureau (C for Narcotics, SB):

- (a) C for Narcotics, SB agrees to give in-principle policy support to the application submitted by CNLA for using the Site for operation of the drug treatment and rehabilitation centre (DTRC) subject to the Centre meeting relevant requirements and ordinances as well as rectifying the discrepancy in site boundary.

Meanwhile, the Government will continue to assist CNLA in identifying a suitable site for long-term reprovisioning.

- (b) According to SB's records, the applicant, CNLA, has been operating a self-financing DTRC at Lot No. 791 in D.D.105, Shek Wu Wai San Tsuen, San Tin, Yuen Long. It is operating on the CoE issued by D of SW under the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap. 566). It is noted that parts of the Site under the captioned planning application (i.e. Lot No. 762 (Part), 763 (Part), 765 (Part), 790 (Part) and adjoining Government land) fall outside the area covered by the CoE issued by D of SW.

10.1.2 Comments of the Director of Social Welfare (D of SW):

- (a) CNLA has been operating a self-financing residential drug dependent persons treatment and rehabilitation centre, on CoE under the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap.566) (the Ordinance) at the Site since 2001. Since the Centre has been in operation before the commencement of the Ordinance but is unable to fully comply with the licensing requirements, it has been granted CoE with licensing capacity of 40, which would be subject to renewal for a period of not exceeding 12 months. The current CoE covers the period from 16 January 2020 to 15 January 2021.
- (b) The Centre occupies the subject private land lots which fall within an area zoned "GB" on the Ngau Tam Mei OZP. CNLA seeks planning approval to operate a temporary social welfare facilities (i.e. drug dependent persons treatment and rehabilitation centre) for a period of 3 years. To facilitate continual operation of the Centre, he has no objection to the application from the service and licensing perspectives, providing that CNLA should ensure that building safety, fire safety, land use, operation and management and / or other conditions of the treatment centre are in compliance with the statutory licensing requirements in accordance with the Ordinance and the Code of Practice for Drug Dependent Persons Treatment and Rehabilitation Centres.
- (c) As it is noted that there are unauthorised building works (UBWs) on both leased and unleased land within the Site, the applicant is required by the Buildings Department to remove the UBWs on the leased land. Or else, the applicant should provide substantiation of the legality of the existing structures or certification from an Authorised Person/Registered Structural Engineer on no obvious or imminent danger in terms of building safety. Regarding the structures erected, the applicant is required to apply to the LandsD for STT and STW.

Land Administration

10.1.3 Comments from the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site comprises GL and Old Schedule Agricultural Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (b) No permission is given for occupation of GL of about 620m² in area (subject to verification) included in the Site. The act of occupation of GL without Government's prior approval is not allowed.
- (c) Should planning approval be given to the application, the lot owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities on site, if any. The applicant has to exclude the GL from the Site and apply for a formal approval prior to the actual occupation of the GL. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by LandsD.
- (d) Regarding the proposed use of "Temporary Social Welfare Facility (Drug Dependant Persons Treatment and Rehabilitation Centre), policy support from relevant bureau(x)/department(s) should be obtained in advance for the consideration of any such direct grant of tenancy at nominal rate.

Traffic

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

- (a) He has no adverse comment from traffic engineering point of view.
- (b) The Site is connected to Shek Wu Wai Road via a section of a local access which is not managed by TD. The land status of the local access road should be clarified with the LandsD by the applicant. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.

- (c) Should the application be approved, the following condition should be incorporated:

No vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period.

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

- (a) He has no comment from highways maintenance point of view.
- (b) HyD is not/shall not be responsible for the maintenance of any vehicular access connecting the Site and Shek Wu Wai Road.
- (c) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.

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

He has no comment on the application from railway development point of view, as the Site falls outside any administrative route protection boundary, gazetted railway scheme boundary or existing railway protection boundary of any railway systems.

Environment

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

According to the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”, he has no objection to the application.

Nature Conservation

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

He has no adverse comment on the application from nature conservation point of view. His recent site inspection reveals that the Site is currently paved with some temporary facilities/structures. Some trees and shrubs of common species were found within the Site.

Fire Safety

10.1.9 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 (FSIs) being provided to his satisfaction.
- (b) In consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to D of FS for approval. The applicant should also be advised on the following points:
 - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
 - (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans.
- (c) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority respectively.

Landscaping

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

- (a) He has no objection from landscape planning perspective.
- (b) The Site falls within an area zoned “GB” on the Ngau Tam Mei OZP. The Site is not covered by any previous planning application.
- (c) Based in the aerial photo of 2018, the Site is situated in an area of disturbed rural landscape character comprising scattered tree groups, temporary structures and vacant land. The proposed use is considered not entirely incompatible with the surrounding environment. A few numbers of existing trees are observed within the Site. Most of the Site is paved and numbers of temporary structures are found within the Site. With reference to the submitted layout plan, the proposed development is not in direct conflict with existing trees. Also, referring to the application document, no tree felling is involved in the proposed development. Significant adverse impact to landscape resources within the Site is not anticipated.
- (d) The applicant is reminded that approval of the planning application does not imply approval of tree preservation/removal scheme under the Lease. If tree felling at the Site is required in future, the applicant should seek

approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate.

Drainage

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

- (a) He has no objection in principle to the planning application from the drainage operation and maintenance point of view.
- (b) The applicant shall submit a drainage submission to demonstrate how he will collect, convey and discharge rain water falling onto or flowing to the Site. A clear drainage plan showing full details of the existing drains and the proposed drains (e.g. cover & invert levels of pipes/catchpits/outfalls and ground levels justifying waterflow etc.) with supporting design calculations and charts should be included. (For preparation of the drainage proposal, the Guideline on preparation of the drainage proposal is available in DSD homepage at http://www.dsd.gov.hk/EN/Files/Technical_Manual/dsd_guideline/Drainage_Submission.pdf for reference). The applicant is reminded that approval of the drainage proposal must be sought prior to the implementation of drainage works on site.
- (c) After completion of the drainage works, the applicant shall provide DSD for reference a set of record photographs showing the completed drainage works with corresponding photograph locations marked clearly on the approved drainage plan. DSD will inspect the completed drainage works jointly with the applicant with reference to the set of photographs.
- (d) The applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas.
- (e) No public sewerage maintained by his office is currently available for connection. For sewage disposal and treatment, agreement from DEP shall be obtained.
- (f) The applicant is reminded that the drainage works as well as the site boundary should not cause encroachment upon areas outside his jurisdiction.
- (g) All the proposed drainage facilities should be constructed and maintained by the Applicant at his own cost. The applicant should ensure and keep all drainage facilities on site under proper maintenance during occupancy of the Site.

- (h) The applicant should consult DLO/YL regarding all the drainage works outside the site boundary in order to ensure the unobstructed discharge from the Site in future.

Building Matters

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

- (a) There is no record of approval by the Building Authority (BA) for the existing structures at the Site and his department is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) The following issues should be observed by the applicant:
 - (i) if the existing structures (not being New Territories Exempted House) are erected on leased land without approval of the BD, they are unauthorized building works (UBW) under the Building Ordinance (BO) and should not be designated for any approved use under the application;
 - (ii) for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing works or UBW on the Site under the BO;
 - (iii) before any new building works (including containers and open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, the prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iv) 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) Regulation (B(P)R) respectively; and
 - (v) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.
 - (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.

District Officer's Comments

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

He has no comment on the application and the local comments should be submitted to the Board directly, if any.

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

- (a) Commissioner of Police;
- (b) Chief Engineer/Construction, Water Supplies Department;
- (c) Director of Leisure and Cultural Services;
- (d) Director of Electrical and Mechanical Services;
- (e) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department; and
- (f) Project Manager (West), Civil Engineering and Development Department.

11. Public Comments Received During Statutory Publication Period

The application was published for public inspection on 29.5.2020. During the first three weeks of the statutory publication period which ended on 19.6.2020, two public comments (**Appendix III**) were received from San Tin Rural Committee (STRC) and an individual. STRC objects to the application that the Centre would adversely affect the nearby residential dwellings/villagers; while the individual raises concerns that no details of the social welfare facility were provided by the applicant.

12. Planning Considerations and Assessments

12.1 The application is for temporary social welfare facility (drug dependent persons treatment and rehabilitation centre) for a period of 3 years. The "GB" zone is intended primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. According to TPB PG-No. 10, development in a "GB" zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds, and development in the "GB" zone should not involve extensive clearance of existing natural vegetation and affect the existing natural landscape, adversely affect drainage or aggravate flooding and slope stability in the area. Applications for G/IC uses must demonstrate that the proposed development is essential and that no alternative sites are available. Although the applied use is not entirely in line with the planning intention of the "GB" zone, the facility is housed within existing structures at the Site and

will not involve clearance of existing natural vegetation, affect existing landscape or cause adverse impacts on the surrounding.

- 12.2 The existing rehabilitation centre at the Site provides drug treatment and rehabilitation services to help drug dependent persons. C for Narcotics, SB agrees to give in-principle policy support to the application from anti-drug policy perspective for the continued operation of the DTRC at the Site, and D of SW has no objection to the application to facilitate the centre's continual operation, before a suitable site could be identified for its long-term reprovisioning. According to the applicant and C for Narcotics, SB, the Government has been looking for relocation site for the Centre in past years but suitable alternative site could not be identified, and the Government will continue to assist CNLA in identifying a suitable site for long-term reprovisioning. The temporary social welfare facility is housed and operating within the existing temporary structures. Both DEP and DAFC have no adverse comment from environmental and nature conservation point of view. CTP/UD&L of PlanD is of the view that the development is not in direct conflict with existing trees, and adverse impacts to landscape resources within the Site is not expected. As the use of the Site neither involves site formation, land filling/excavation works nor felling of trees, the social welfare facility which is not large in scale would unlikely cause adverse environmental impacts on the surrounding areas. The temporary social welfare facility is considered not incompatible with the land uses of the surrounding areas which are predominantly agricultural/unused land to its west, with pig farm, some storage yards and scattered residential dwellings to its east.
- 12.3 Concerned departments, including DEP, DAFC, C for T, CE/MN of DSD CTP/UD&L of PlanD, D of FS and C of P have no objection to or adverse comments on the application from environmental, nature conservation, traffic, drainage, landscape, fire safety and security perspectives. The technical concerns/requirements of CE/MN of DSD and D of FS could be addressed by imposing approval conditions recommended in paragraph 13.2 (b) to (e) below should the Board decide to approve the application. Besides, the applicant will be advised to ensure that building safety, fire safety, land use, operation and management and/or other conditions of the treatment centre are in compliance with the statutory licensing requirements in accordance with the Ordinance and the Code of Practice for Drug Dependent Persons Treatment and Rehabilitation Centres.
- 12.4 The Committee has approved a similar application for proposed social welfare facility (the Salvation Army - Ngau Tam Mei community development project) within the "GB" zone as detailed in paragraph 7 above. Approval of the current application is in line with the previous decision of the Committee.
- 12.5 Two public comments were received during the statutory inspection period objecting to/raising concerns on the application as detailed in paragraph 11. The departmental comments and planning assessments above are of relevance.

13. Planning Department's Views

- 13.1 Based on the assessments in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until 10.7.2023. The following conditions of approval and advisory clauses are suggested for Members' reference:
- (a) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period.
 - (b) the submission of fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 10.1.2021;
 - (c) in relation to (b) above, the implementation of fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 10.4.2021;
 - (d) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 10.1.2021;
 - (e) in relation to (d) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 10.4.2021;
 - (f) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
 - (g) if any of the above planning conditions (b), (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
 - (h) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

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

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

The application is not in line with the planning intention of the "GB" zone and the TPB PG-No. 10 for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance in that there is a general presumption against development within this zone, and no strong planning justification has been provided in the submission to justify a departure from the planning intention, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form and supporting planning statement received on 21.5.2020
Appendix Ia	FI received on 2.7.2020
Appendix II	Similar Applications in "GB" Zone
Appendix III	Public Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Structures at the Site
Drawing A-3	Vehicular Access Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo

Plans A-4

Site Photos

**PLANNING DEPARTMENT
JULY 2020**