

**Similar s. 16 Applications within an area zoned as “Coastal Protection Area”
on the South Lantau Coast Outline Zoning Plan**

Rejected Application

Application No.	Proposed Development	Date of Consideration	Rejection Reasons
A/SLT/28	Holiday Camp to include Various Recreational Facilities	24.1.1992	R1 – R2

Rejection Reasons

- R1. The go-cart racing activity in the proposed development would cause excessive noise nuisance to the village, school and playground in its close proximity.
- R2. The motor oil and petrol contamination in the operation of the go-cart racing facility would cause environmental pollution to the nearby water course and Pui O Beach.

Approved Applications

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/SLT/29	Holiday Camp to include Various Recreational Facilities	22.5.1992	A1 – A3, A9
A/SLT/47	Holiday Camp	12.7.1996	A1 – A6, A9
A/SLC/88	Holiday Camp to include Various Recreational Facilities	6.6.2008	A1 – A3, A5 – A9

Approval Conditions

- A1. The submission of a master layout plan, including the details of the design of the buildings and an implementation programme of the proposed development, to the satisfaction of the Director of Planning or of the Town Planning Board.
- A2. The submission and/or implementation of a landscape plan and/or including the tree felling/replanting proposal, to the satisfaction of the Director of Planning or of the Town Planning Board.

- A3. The provision of sewage treatment and disposal facilities / sewage treatment facilities / wastewater treatment facilities to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.
- A4. The provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- A5. The provision of emergency vehicular access to the site to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- A6. The provision of car-parking spaces and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board.
- A7. The provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- A8. The submission and implementation of archaeological mitigation measures to the satisfaction of the Antiquities and Monuments Office, Leisure and Cultural Services Department or of the Town Planning Board.
- A9. The permission shall cease to have effect on XX.XX.XXXX unless prior to the said date either the development hereby permitted is commenced or this permission is renewed.

Recommended Advisory Clauses

1. to note the comment of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD) that currently, there is no Short Term Waiver (STW) application in connection with the Lots under processing. If this planning application is approved, the owners of the Lots have to submit an application for STW to cover the structure(s) built / to be built on the Lots. LandsD would process the application in the capacity of the landlord. There is no guarantee that the application will be approved. If the application is approved, the approval will be subject to such terms and conditions, including payment of fees, as may be imposed by LandsD;
2. to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that:
 - (a) some lots located in the middle of the Site, which are proposed to be used as track for access to the proposed development, do not form part of the Site. From urban design perspective, the applicant is advised to carefully consider the boundary treatment between the Site and these lots;
 - (b) one proposed caravan is placed in close proximity to the existing tree T1 which may affect the growth of the tree roots. The applicant should relocate the caravan away from the dripline of the tree; and
 - (c) approval of the application does not imply approval of tree works such as felling, transplanting or pruning under lease. The applicant is reminded to approach relevant authority/government department(s) direct to obtain necessary approval on tree works;
3. to note the comment of the Commissioner for Transport that sufficient number of parking spaces (e.g. 5m x 2.5m for a private car, etc.) should be provided to meet the relevant parking demand;
4. to note the comment of the Director of Environmental Protection that the septic tank and soakaway system is an acceptable means for collection, treatment and disposal of sewage provided that its design and construction follow the requirements of Environmental Protection Department's (EPD) Practice Note for Professional Person (ProPECC) 5/93 to be certified by an Authorized Person (AP);
5. to note the comments of the Director of Fire Services that:
 - (a) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from licensing authority. The arrangement of emergency vehicular access shall comply with Section 6, Part D of *Code of Practice for Fire Safety in Buildings 2011* which is administered by BD; and
 - (b) for the general licensing conditions on site location for caravan camp site, the applicant is reminded to observe the 'General Licensing Condition for Caravan Camp Site providing short-term sleeping accommodation (revised version)' and "A Guide to Licence Applications for Guesthouse (Holiday Camp) – Caravan Camp Site under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) (HAGAO), which could be found in the following link:

[http://www.hadla.gov.hk/filemanager/en/docs/General_Licensing_Conditions_for_Caravan_\(eng\).pdf](http://www.hadla.gov.hk/filemanager/en/docs/General_Licensing_Conditions_for_Caravan_(eng).pdf)

http://www.hadla.gov.hk/filemanager/en/docs/Guide_for_Caravan_Camp_Site_Eng.pdf

6. to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department that:
 - (a) the applicant should demonstrate that there would be adequate measures provided at the resources of the applicant to avoid the Site and its surrounding area from being flooded due to runoff of the Site, and that there would be no contaminated discharge or pollution to the surrounding area;
 - (b) the proposed development is surrounded by footpath and farmland with over one to two metre drop of ground level in comparison to the Site. The applicant shall ensure that adequate drainage collection and disposal facilities are provided to deal with the surface runoff of the Site or the same flowing on to the Site from the adjacent areas. There is no drainage calculation is provided in the submission and no DSD facilities at the discharge point indicated by the applicant. If the proposed stormwater drainage facilities would be connected to any existing drainage facilities, the applicant shall seek consent from the relevant owners or parties who are responsible for the maintenance of such existing facilities for the discharge of runoff collected from the Site;
 - (c) the Site is near the Pui O Ecologically Important Stream. The applicant should ensure that any contaminated runoff due to camp site activities should be collected and treated and not to be discharged to any existing drainage facilities or stream; and
 - (d) the applicant shall ensure that the proposed development would not increase the flood risk to the surrounding area and he shall be liable for and indemnify claims and demands arising out of damage or nuisance caused by any inadequate construction or maintenance of the drainage facilities completed under the development;

7. to note the comments of the Chief Building Surveyor/New Territories East(1) & Licence, Buildings Department (CBS/NTE(1)&L, BD) that:
 - (a) it is noted that the proposed temporary buildings including caravans, kiosk, pergola, storage, toilets, etc., will be constructed associated with the planning application:
 - (i) the permissible site coverage (SC) and plot ratio (PR) of the development(s) / building(s) should comply with Regulations 20 and 21 of the Building (Planning) Regulations (B(P)R);
 - (ii) if the Site does not abut on a specified street of width not less than 4.5m, the development intensities and building height shall be determined by the Building Authority (BA) under B(P)R19(3) upon formal submission of building plans to BD;

- (iii) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with B(P)R5 and 41D respectively;
 - (iv) detailed comments under Buildings Ordinance (BO) on the private development(s) / building(s) such as permissible PR, SC, emergency vehicular access, provision of means of escape, fire resisting construction, barrier free access and facilities, compliance with the sustainable building design guidelines, etc. will be formulated at the formal building plan submission stage;
- (b) before any new building works are to be carried out on the Site, the prior approval and consent of the BA should be obtained, otherwise they are unauthorized building works (UBW);
 - (c) if there are existing structures which had been erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the BO and should not be designated for any approved use under this application;
 - (d) 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 building works or UBW on the Site under the BO;
 - (e) if the proposed use under application is subject to the issue of a licence, please be reminded that the building safety and other relevant requirements as may be imposed by the licensing authority would need to be complied with; and
 - (f) in connection with the drainage/sewage proposal, the applicant's attention is drawn to the provisions of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, in particular its Regulations 40 and 41;
8. to note the comment of the Chief Engineer/Construction, Water Supplies Department that as the existing water supply system at South Lantau is a small system with limited capacity, and considering that there are other proposed residential developments in South Lantau that will also increase water demand, the water supply system in South Lantau may not be able to accommodate any further additional water demand;
9. to note the comment of the Director of Electrical and Mechanical Services that in the interest of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines;

10. to note the comment of the Chief Officer (Licencing Authority), Office of the Licensing Authority, Home Affairs Department (CO(LA), OLA, HAD) that:
 - (a) for caravan providing short-term sleeping accommodation at a fee, if their mode of operation falls within the definition of “hotel” and “guesthouse” under HAGAO (Cap. 349) (HAGAO), a licence must be obtained before operation. ‘A Guide to Licence Applications for Guesthouse (Holiday Camp) – Caravan Camp Site under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349)’ are available at the OLA’s website: <http://www.hadla.gov.hk>;
 - (b) for any structures to be included into the licence, the applicant should submit a copy of either an occupation permit issued by the Buildings Authority (BA) or a Certificate of Compliance issued by the LandsD when making an application under the HADGAO; and
 - (c) the licensing requirements will be formulated after inspections upon receipt of the application under HAGAO (Cap 349);
11. to note the comment of the Director of Food and Environmental Hygiene that in accordance with the laws in Hong Kong, any person who intends to prepare and/or manufacture of food for sale for human consumption off the premises in the territory must obtain a food licence issued by his department before commencement of such business.