

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

**APPLICATION NO. A/NE-LT/662**

<b><u>Applicant</u></b>	City University of Hong Kong represented by P.K. NG & Associates (HK) Limited
<b><u>Site</u></b>	Lots 335 S.B (Part), 336 S.A, 336 S.B, 336 S.C, 337 S.B, 338, 339, 340, 341, 345 S.A and 346 in D.D. 16, Wo Tong Pui, Tai Po, New Territories
<b><u>Site Area</u></b>	About 9,330 m <sup>2</sup>
<b><u>Lease</u></b>	Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	Approved Lam Tsuen Outline Zoning Plan (OZP) No. S/NE-LT/11
<b><u>Zonings</u></b>	“Recreation” (“REC”) (about 9,274m <sup>2</sup> or 99.4%) and “Green Belt” (“GB”) (about 56m <sup>2</sup> or 0.6%)
<b><u>Application</u></b>	Proposed Temporary Educational Institution (Teaching Farm) for a Period of 3 Years and Excavation of Land

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary educational institution (teaching farm) for a period of 3 years and excavation of land at the application site (the Site), which falls within an area largely zoned “REC” (99.4%) with a very small portion at the south-eastern part encroaching onto the adjoining “GB” zone (0.6%) on the approved Lam Tsuen OZP No. S/NE-LT/11 (**Plans A-1 and A-2**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding three years, notwithstanding that the use or development is not provided for in terms of the OZP, and excavation of land in “REC” and “GB” zones requiring planning permission from the Town Planning Board (the Board). The Site is mostly vacant with a container and some tree clusters.
- 1.2 According to the applicant, the Site will be used as a demonstration and teaching farm operated by the Jockey Club College of Veterinary Medicine and Life Sciences of the City University of Hong Kong (CityU). The proposed farm is mainly for the milking of Jersey cows (comprising 32 cows and 25 younger stock) for students to gain hands-on experience with the cattle. There will be two barns on the site, with one for cattle (i.e. adult barn) and another one for calves (i.e. young stock barn). Both the cattle and calves will be kept in barns

instead of grazing to avoid causing any environmental impacts within the Site and on the surrounding area. The applicant states that a maximum number of six veterinary students will undertake internship at the proposed farm on a roster basis. On-site accommodation for the farm manager and veterinary students is proposed at Block 5 (**Drawing A-1**) as the milking of cows has to begin early in the morning. The proposed development will be operating 24 hours a day and seven days a week. Moreover, a maximum number of ten visitors will visit the farm under guidance in a month.

- 1.3 As shown on the proposed master layout plan at **Drawing A-1**, there will be 15 single-storey structures and a covered walkway (linking Blocks 3 & 4) (with building heights ranging from 3.0m to 5.8m) on the Site with a total GFA of 2,871m<sup>2</sup>, which will be mainly used for farm operation/supporting facilities including barns, main building, changing room, caretaker's quarters, transformer room, pump rooms and other associated facilities. In association with these structures, excavation of land with a depth ranging from 0.5m to 2.5m will be required for the construction of raft footing, underground facilities and emergency vehicular access (EVA). Moreover, to address Geotechnical Engineering Office (GEO)'s concerns that the south-eastern part of the Site is overlooked by steep natural terrain and a natural terrain hazard study (NTHS) is required, the applicant proposes to designate a "no-build" zone thereat (**Plan A-2**) with no works and no structures. As such, the requirement for NTHS is waived by GEO.
- 1.4 The Site is accessible from Ngau Kwu Leng Path and the proposed ingress/ egress is at the south-western side of the Site (**Drawing A-1**). Three private car parking spaces (including one accessible parking space) and two loading/unloading spaces will be provided on the Site. The proposed master layout plan and layout/section plans for the barns are shown on **Drawings A-1** to **A-3**.
- 1.5 In support of the application, the applicant has submitted the following documents:
  - (a) Application form with attachment received on (**Appendix I**) 28.1.2019
  - (b) Supplementary information received on 30.1.2019 (**Appendix Ia**)
  - (c) Further information (FI) received on 31.7.2019# (**Appendix Ib**)\* providing a revised carpark layout plan, swept path analysis and water and air quality impact assessment (WAQIA)\*
  - (d) FI received on 3.9.2019^ providing supplementary (**Appendix Ic**) information to WAQIA
  - (e) FI received on 20.11.2019# providing a revised (**Appendix Id**)\* layout plan, drainage proposal, tree survey plan and supplementary information to WAQIA

- (f) FI received on 4.12.2019<sup>^</sup> providing a revised layout plan (**Appendix Ie**)\*
- (g) FI received on 17.3.2020<sup>#</sup> providing revised layout/section plans, revised WAQIA, revised stormwater drainage proposal and responses to departmental and public comments (**Appendix If**)\*
- (h) FI received on 25.3.2020<sup>^</sup> providing a revised layout plan (**Appendix Ig**)\*
- (i) FI received on 26.3.2020<sup>^</sup> providing clarifications on background information (**Appendix Ih**)
- (j) FI received on 21.4.2020<sup>^</sup> providing a revised layout plan, supplementary information to WAQIA, revised drainage proposal and information on consultation with local villagers (**Appendix Ii**)\*
- (k) FI received on 27.4.2020<sup>^</sup> providing a revised layout plan, Environmental Assessment (EA) Report, revised drainage proposal, a letter from the Provost of CityU, leaflet/information on the proposed teaching farm, the Veterinary Medicine degree programme and site selection criteria and supplementary information on local consultation (**Appendix Ij**)
- (l) FI received on 8.5.2020<sup>^</sup> providing updated layout and section plans, replacement pages to EA report, and response to departmental and public comments (**Appendix Ik**)

*(# accepted but not exempted from publication and recounting requirements)*

*(^ accepted and exempted from publication and recounting requirements)*

*(\* submissions in the FI superseded by **Appendix Ij**)*

1.6 On 22.3.2019, 31.5.2019, 20.9.2019 and 7.1.2020, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicant's request to defer making a decision on the application each for two months to allow time for the applicant to prepare FI in support of the application. The latest FI was received on 8.5.2020 and the application is scheduled for consideration by the Committee on 15.5.2020.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the attachment of the Application Form at **Appendix I** and FI submissions at **Appendices Ib to Ik**. They can be summarized as follows:

- (a) the Bachelor of Veterinary Medicine degree programme of CityU was approved by the University Grants Committee (UGC) in 2018 to meet the society's need for a professional community of veterinarians. With the UGC's support, CityU

(i.e. the applicant) is able to offer an affordable programme for local students to study veterinary medicine and become professional veterinarians. They will contribute to improving the public health and food safety of the community. The proposed teaching farm is a required facility for accreditation by the Australian Veterinary Boards Council, which is a prerequisite for becoming a licensed veterinarian college. An information leaflet and website link to video clips introducing the teaching farm have been provided by the applicant at **Appendix Ij**;

- (b) it is the programme requirement for veterinary students to gain hands-on experience to a variety of animals including dogs, cats, food animals (pigs, cattle and poultry), horses and wildlife/exotic animals. Since there is no active dairy farm in Hong Kong, it is essential to develop and operate a dairy farm for the training of veterinary students;
- (c) the applicant has assessed more than 50 pieces of land in the whole territory. The application site has been chosen for a number of reasons: it is large enough to allow the building of an adult barn and young stock barn; the location and disposition of the barns could protect the cattle from direct sunshine and strong wind; there is a direct vehicular access to public road; and the land is good for agricultural use with electricity and water supply;
- (d) the proposed development is designed according to the highest possible international standards for sustainable development. State-of-the-art systems are in place to ensure it is environmental friendly and uphold the stringent standards of environmental and social responsibility. The design is based on those farms operating in the USA with similar climate, ensuring that the waste management systems, hygiene, animal health and welfare, and management systems and processes are based on a proven and existing fit-for-purpose design;
- (e) the cattle will be imported from Australia, which is listed by the World Organization for Animal Health as having a negligible risk of bovine spongiform encephalopathy (BSE) (i.e. normally known as 'mad cow disease'). In the event of a sick/injured animal, it will be treated within the barn/moved into the isolation unit;
- (f) from animal health perspective, no chemicals (including pesticides, insecticides, flammable solvents, etc.) will be permitted. Agrochemical would not be stored or used on-site. The only operation involving chemicals in the proposed farm is the dairy plant and barn cleaning. Wastewater including detergent and sanitizer from barns will be properly collected and conveyed to holding tank;
- (g) all barns will be fully fenced and gated, therefore no animal will be able to escape. The proposed development is a totally closed system with properly engineered livestock waste storage facilities (including leakage detection system installed at both inner and outer sewage holding tanks and there is sufficient capacity for the holding tanks in case of unpredicted extreme weather conditions) designed by specialists who specialize in mitigating the risk of livestock effluent into the environment. Therefore, contribution to the water gathering ground (WGG) will be zero;

- (h) sewage generated from the proposed development will be collected, treated by an on-site Reverse Osmosis sewage treatment unit and stored in the sewage storage tank. The treated sewage will be collected by licensed tanker and delivered to the Tai Po Sewage Treatment Works for disposal with consent from Drainage Services Department (DSD). No wastewater will be discharged to existing stormwater drainage system. The capacity of drainage design is sufficient to convey the surface runoff of the Site discharging towards Lam Tsuen River under the designed return period of 1 in 50 years. Also, the applicant will set up a round-the-clock hotline to inform WSD's operation team immediately for any incident that may cause pollution to WGG;
- (i) students and site staff will travel to the Site via public transport. As the farm is not designed for any tour or public visit, no significant traffic impact to the road network will be generated by the proposed development;
- (j) the proposed development will not involve extensive land cutting or excavation, only minimal excavation at a depth of 0.5m to 2.2m is required for the raft footing and EVA construction and a depth of 2.5m for constructing the underground facilities. All the existing trees will be retained at the Site;
- (k) drainage plans will be submitted to Buildings Department (BD), DSD and Environmental Protection Department (EPD) for approval, and consent will be obtained prior to commencement of site works. Drainage works will be carried out in compliance with regulations and requirements of BD, DSD and EPD, hence it will not cause adverse environmental impacts;
- (l) the applicant has submitted WAQIA (in the EA Report at **Appendix Ij**) to demonstrate that the proposed development, with the implementation of mitigation/preventive measures as mentioned in (f), (g) and (h) above, would not cause adverse impact on the surrounding environment; and
- (m) the applicant has arranged meeting/site visits with the village representatives (VRs) and villagers of Lam Tsuen to explain the operation of the farm and respond to their concerns on traffic and environmental impacts arising from the proposed development. A total of 40 supporting letters (**Appendix Ij**) are received from the current and the then VR of Fong Ma Po, villagers of Hang Ha Po and Chai Kek, a LegCo member, Chairman of Federation of Hong Kong Agricultural Associations, a guest lecturer of the Education University of Hong Kong and individuals. The supporting reasons include the proposed farm is compatible with the surrounding rural environment; the proposed EVA will also benefit the nearby villagers in case of a fire; the small number of students and staff on site will not cause adverse impact to the traffic; the proposed farm is essential for the training of veterinary students to improve human and animal health; and the level of pollution of cows is lower than that of other livestock such as pigs and chicken.

### **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 Member's inspection.

**4. Previous Application**

There is no previous application at the Site.

**5. Similar Application**

There is no similar application within the same “REC” and “GB” zones.

**6. The Site and Its Surrounding Areas (Plans A-1, A-2 and photos on Plan A-3 and A-4a to A-4d)**

6.1 The Site is:

- (a) covered by grass with some tree clusters;
- (b) mostly vacant with a container;
- (c) situated to the immediate northwest of a vegetated slope; and
- (d) accessible from Lam Kam Road via Ngau Kwu Leng Path.

6.2 The surrounding areas are predominantly rural in character with a mix of village houses, active and fallow agricultural land and tree groups. Temporary structures are found to the northwest of the Site and village clusters of Hang Ha Po and Kau Liu Ha are located to the further south and east of the Site respectively. Lam Tsuen River is located about 50m away in the north.

**7. Planning Intention**

The planning intention of the “REC” zone is primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

**8. Comments from Relevant Government Departments**

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

Policy Aspect

8.1.1 Comments of the Secretary of Education (SED):

- according to the applicant, the proposed development is mainly in support of the teaching and learning activities of UGC-funded programmes. In view of the above, policy support is given to the proposed development.

### Land Administration

#### 8.1.2 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) no objection to the application;
- (b) the Site consists of 11 private lots, namely Lot Nos. 335 S.B, 336 S.A, 336 S.B, 336 S.C, 337 S.B, 338, 339, 340, 341, 345 S.A and 346, all in D.D. 16 of Wo Tong Pui of Tai Po. As these private lots are all held under Block Government Lease demised for agricultural purpose, no structure shall be erected on the above lots without the prior approval from LandsD;
- (c) there is no guarantee of right-of-way to the above-mentioned lots or approval of EVA thereto;
- (d) Lot No. 337 S.B in D.D. 16 is partially covered by a Modification of Tenancy No. 429 for dwelling purposes and there is no structure thereon; and
- (e) if planning permission is granted by the Board, the registered owners of the private lots with proposed structures to be erected are required immediately to submit Short Term Waiver (STW) applications to DLO. However, there is no guarantee at this stage that the STW applications would be approved. If the STW applications are approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD including the payment of waiver fee and administrative fees as considered appropriate.

### Traffic

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

- no in-principle objection to the application from traffic engineering point of view.

### Environment

#### 8.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) no objection to the application;
- (b) the application is to construct and operate a teaching farm which is entirely within the upper indirect WGG and where there is no public sewer connection available in the vicinity. The relevant environmental impacts, including water quality, air quality, waste management and land contamination assessments and the

relevant mitigation measures have been submitted by the applicant in the EA report (*Appendix Ij*);

- (c) according to the EA report, with implementation of relevant mitigation measures and/or contingency plans for identified scenarios, the risk of water pollution to Lam Tsuen River WGG is considered unlikely, and the effluent discharged from the Site is anticipated to meet the Technical Memorandum Standards for Effluents Discharged into Drainage and Sewerage Systems, Inland and Coastal Waters;
- (d) should the application be approved by the Board, the following approval conditions should be imposed:
  - (i) the submission of a revised EA report for the latest design of the proposed development to confirm the overall environmental acceptability; and
  - (ii) the implementation of mitigation measures identified in the revised EA report prior to cattle occupation; and
- (e) the applicant should also be reminded to comply with all relevant environmental protection/pollution control legislations, and fully address any odour nuisance, noise impact, waste and wastewater arisings, management and disposal. Moreover, the applicant is reminded to follow relevant environmental guidelines such as “Recommended Pollution Control Clauses for Construction Contracts”, and good practices such as “Good Practices on Pumping System Noise Control and Good Practices on Ventilation System Noise Control” to ensure no insurmountable environmental impact would be caused.

#### Water Supply

##### 8.1.5 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) no objection to the application;
- (b) the Site is located at the upper indirect WGG and is about 50m away from the nearest watercourse, Lam Tsuen River;
- (c) there is no existing/planned public sewer in the vicinity of the Site available for connection;
- (d) if the application is approved by the Board, the following approval conditions should be imposed:
  - (i) the implementation of the mitigation and preventive measures proposed by the applicant in the Water Quality Impact Assessment (in the EA Report at **Appendix Ij**).



Additional mitigation measures may be required when the actual situations render the initial water quality impact assessment inviable;

- (ii) the submission and implementation of an effective water monitoring programme (with test parameters and frequencies) prior to cattle occupation to verify WSD's principle of "no material increase in pollution effect in the WGG" on the following areas:
  - Parasites (e.g: Cryptosporidium oocysts, Giardia cysts)
  - Pollutants (e.g: BOD, COD, nitrate, nitrite)
  - Bacteria (e.g. E.coli)
  - Pharmaceutical residuals (please specify)
  - Others (please specify); and
- (iii) there will be no material increase in pollution effect resulting from the proposed development at all times; and
- (e) a testing laboratory which has been accredited by the Hong Kong Laboratory Accreditation Scheme (HOKLAS) operated by the Hong Kong Accreditation Service or by one of the laboratory accreditation bodies with which HOKLAS has concluded mutual recognition arrangement should be engaged, where available, for the collection and testing of samples.

### Drainage

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

- (a) no in-principle objection to the application from public drainage viewpoint;
- (b) if the application is approved, a condition on submission and implementation of drainage proposal for the Site is required to ensure that it will not cause adverse drainage impact to the adjacent area;
- (c) there is no existing DSD maintained public drain available for connection in the area. The proposed development should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site. The proposed development is located on unpaved ground and will increase the impervious area, which will result in a change of the flow pattern and an increase of the surface runoff and thus flooding risk in the area. The applicant should take this into account when preparing the drainage proposal. The applicant/owner is also required to maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant/owner

shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;

- (d) the applicant should design the drainage proposal based on the actual site conditions for DSD's comment/agreement. In the design, the applicant should consider the workability, the impact to the surrounding environment and seek comments from other concerned parties/departments if necessary. The applicant should make sure no adverse impact will be caused to the area due to the proposed works. The existing natural streams, village drains, ditches and the adjacent areas should not be adversely affected; and
- (e) there is no public sewer connection available in the vicinity of the proposed development, views and comments from DEP should be sought regarding the sewage disposal arrangement of the proposed development.

#### Urban Design and Landscape

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

- (a) the Site is situated in an area of rural landscape character comprising woodland patches, scattered tree groups and village houses. The Site adjoins Ngau Kwu Leng Path leading to Lam Kam Road to the south. Village houses are concentrated within "V" zone to the further east of the Site across "GB" zone. Given the proposed buildings are low-rise single-storey structure (i.e. not exceeding 6m), the proposed development is considered not incompatible with the surrounding landscape character;
- (b) the Site is vacant and covered with grass and groundcovers. Number of existing tree and palm of common species such as *Archontophoenix alexandrae* (假檳榔), *Celtis sinensis* (朴樹), *Dimocarpus longan* (龍眼), *Ficus microcarpa* (細葉榕), *Litchi sinensis* (荔枝), *Roystonea regia* (王棕) and *Spathodea campanulata* (火焰木) are recorded within the Site;
- (c) in view of the above, there is no objection to the application from the landscape planning perspective as all the existing trees are proposed to be retained and hence significant adverse impact on landscape resources is not anticipated;
- (d) should the application be approved, an approval condition requiring the applicant to properly maintain all existing trees within the Site at all times during the planning approval period is recommended; and

- (e) besides, the applicant is advised that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the tree works.

Agriculture and Nature Conservation

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

- (a) no comment on the application; and
- (b) the Site is a piece of fallow agricultural land covered by weeds and occupied by several temporary structures.

Building Matters

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

- (a) no objection to the application under the Buildings Ordinance (BO);
- (b) the Site shall be provided with means of obtaining access thereto from a street and EVA in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
- (c) 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;
- (d) the applicant is reminded that, under BO, no person shall commence or carry out any building works without having first obtained approval and consent from the Building Authority before commencement of works on leased land unless they are exempted under s.41 of the BO, or fall within minor works under the Building (Minor Works) Regulation;
- (e) an Authorized Person must be appointed to coordinate all new building works in accordance with BO; and
- (f) detailed consideration will be made at building plan submission stage.

### Fire Safety

#### 8.1.10 Comments of the Director of Fire Services (D of FS):

- (a) no comment on the application subject to fire service installations being provided to his satisfaction;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. As no details of the EVA have been provided, comments could not be offered at the present stage; and
- (c) the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by Buildings Department.

### Geotechnical Aspect

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

- (a) the Site is overlooked by steep natural terrain and meets the alert criteria for a natural terrain hazard study (NTHS). According to the layout plan submitted by the applicant, no facility is proposed within the 'no-build' zone. By imposing the 'no-build' zone, the requirement for a NTHS can be waived; and
- (b) if the planning application is approved by the Board, a relevant clause for the proposed 'no-build' zone should be included in the lease document for the Site.

#### 8.2 The following Government departments have no comment on the application:

- (a) Director of Electrical and Mechanical Services;
- (b) Commissioner of Police;
- (c) Chief Highway Engineer/New Territories East, Highways Department;
- (d) Project Manager/North, Civil Engineering and Development Department; and
- (e) District Officer/Tai Po, Home Affairs Department.

## **9. Public Comments Received During Statutory Publication Periods (Appendix II)**

- 9.1 On 12.2.2019, 9.8.2019, 13.12.2019 and 31.3.2020, the application and FI were published for public inspection. During the statutory public inspection periods, a total of 47 public comments were received which are summarised as follows:

	<b>Publication Period</b>	<b>Opposing</b>	<b>Supporting</b>	<b>Providing views</b>	<b>Total</b>
1	12.2.2019 – 5.3.2019	20	0	1	21
2	9.8.2019 – 30.8.2019	8	0	1	9
3	13.12.2019 – 3.1.2020	9	1	1	11
4	31.3.2020 – 21.4.2020	6	0	0	6
	<b>Total</b>	<b>43</b>	<b>1</b>	<b>3</b>	<b>47</b>

9.2 The 43 opposing comments were from the VR of Hang Ha Po Village, Designing Hong Kong Limited, local villagers and individuals raising objection to the application mainly on the following grounds:

- (a) the proposed development is not in line with the planning intention of “REC” and “GB” zones and the Site should be reserved for recreational purposes;
- (b) the proposed development would cause traffic congestion and road safety issues since the road adjoining the Site (i.e. Ngau Kwu Leng Path) is steep and has two-way single lane only. There are difficulties for large vehicles to manoeuvre during the construction and operation periods of the proposed development;
- (c) the proposed development will attract visitors to the area and therefore increase the pedestrian flow and traffic load;
- (d) manure from animals will pollute Lam Tsuen River as the proposed development is located within WGG. Also, the Site is at a low-lying location which is prone to flooding;
- (e) the operation of the proposed development, especially the excrement from the animals, will pose adverse environmental impacts (such as noise, light, water, air and land pollution) and cause nuisance to the nearby residents;
- (f) the proposed excavation works and the construction of the structures will affect the agricultural land and the habitat of the surrounding areas; and
- (g) the Site is in close proximity to the residents. Animal breeding and livestock farming will bring import diseases and virus. It will cause potential hygiene and health problems (for example outbreak of infectious diseases) to both human beings and animals.

9.3 Of the remaining four comments, three of them were submitted by WWF-Hong Kong expressing that the proposed development should be confined within the “REC” zone to safeguard the buffer function of the adjoining “GB” zone. The remaining one comment from an individual indicating support to the establishment of teaching facilities.

- 9.4 In addition, two opposing comments also point out that the site notice dated 13.12.2019<sup>1</sup> was “taken away” by somebody and the site notice for FI received on 17.3.2020<sup>2</sup> requiring publication was missing.

## 10. Planning Considerations and Assessments

- 10.1 The application is for a proposed temporary teaching farm for a period of 3 years and excavation of land with a depth ranging from 0.5m to 2.5m. The Site is largely zoned “REC” (about 9,274m<sup>2</sup> or 99.4% of site area) with a very minor portion (about 56m<sup>2</sup> or 0.6% of site area) encroaching onto the adjoining “GB” zone on the OZP. The proposed development, with a total GFA of about 2,871m<sup>2</sup>, is intended to serve as a demonstration and teaching farm operated by the Jockey Club College of Veterinary Medicine and Life Sciences of the CityU for veterinary students to gain hands-on experience with the cattle. In this regard, SED has given policy support to the proposed development as it is mainly in support of the teaching and learning activities of UGC-funded programmes. Although the proposed development is not entirely in line with the planning intention of the “REC” zone which is primarily for recreational developments for the use of the general public, there is not yet any programme or known intention to implement the zoned use on the OZP. Hence, approval of the application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the “REC” zone.
- 10.2 The Site is situated in Wo Tong Pui, Lam Tsuen with the surrounding area predominantly rural in character comprising active and fallow agricultural land, scattered tree groups and village houses (**Plan A-2**). The proposed teaching farm is considered not incompatible with the land uses in the surrounding area. CTP/UD&L of PlanD has no objection to the application from landscape perspective as all the existing trees are proposed to be retained and significant adverse impact on landscape resources is not anticipated.
- 10.3 The Site is accessible from Ngau Kwu Leng Path and the proposed ingress/egress is at the south-western side of the Site (**Drawing A-1**). Three private car parking spaces and two loading/unloading spaces will be provided on site. According to the applicant, students and site staff will travel to the Site via public transport and the farm is not intended for public visit (there will only be a maximum of 10 visitors under guidance in a month) and thus it will not cause adverse traffic impact to the surrounding area. In this regard, C for T has no in-principle objection to the application from traffic engineering point of view.
- 10.4 The Site is located within the upper indirect WGG. According to the applicant, the proposed farm is a totally closed system with properly engineered livestock waste storage facilities designed by specialists to mitigate the risk of livestock effluent into the environment. Sewage generated from the proposed development will be collected, treated and stored in the sewage storage tank.

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<sup>1</sup> The site notice dated 13.12.2019 was removed by PlanD after the expiry of the statutory public inspection period.

<sup>2</sup> In view of the situation of COVID-19, PlanD announced on 23.3.2020 that only essential and limited public services would be provided. Therefore, no site notice was posted for the FI received on 17.3.2020. It should be noted that public services were resumed by phases starting from 4.5.2020.

The treated sewage will then be collected by licensed tanker and delivered to the Tai Po Sewage Treatment Works for disposal. CE/C of WSD and DEP have no objection to the application as the applicant has undertaken to implement various mitigation/preventive measures and water monitoring programme to ensure the proposed development would not cause water pollution to the WGG. To address the concerns of CE/C of WSD and DEP, relevant approval conditions are recommended in paragraphs 11.2 (a), (b) and (d) to (g) below if the application is approved by the Committee. Moreover, the applicant will be advised to follow the “Recommended Pollution Control Clauses for Construction Contracts” and “Good Practices on Pumping System Noise Control and Good Practices on Ventilation System Noise Control” issued by DEP to ensure no insurmountable environmental impact would be caused. Besides, noting that the applicant has proposed to designate the south-eastern part of the Site, which is overlooked by steep natural terrain, as “no-build” area (**Plan A-2**) with no works and no structures, H(GEO) of CEDD advises that the requirement for NTHS could be waived and has no objection to the application. Other relevant departments including DLO/TP of LandsD, CE/MN of DSD, CHE/NTE of HyD, D of FS and DO/TP of HAD have no comment on the application.

- 10.5 Regarding local concern to the application, the applicant has arranged meeting and site visit with VRs and local villagers to explain the operation of the proposed farm and respond to their concerns mainly on traffic and environmental aspects. Moreover, a total of 40 supporting letters from the current and the then VR of Fong Ma Po, villagers of Hang Ha Po and Chai Kek, a LegCo member, Chairman of Federation of Hong Kong Agricultural Associations, a guest lecturer of the Education University of Hong Kong and individuals are submitted by the applicant in support of the application (**Appendix Ij**). For public comments objecting to the application on the grounds as detailed in paragraph 9, Government departments’ comments and the planning assessments above are relevant.

## **11. Planning Department’s Views**

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments mentioned in paragraph 9, the Planning Department considers that the proposed development could be tolerated for a period of 3 years.
- 11.2 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 15.5.2023. The following approval conditions and advisory clauses are also suggested for Members’ reference:

### Approval Conditions

- (a) the proposed development shall not cause any water pollution to the water gathering ground at any time during the planning approval period;

- (b) no cattle occupation on the Site is allowed prior to the compliance of approval conditions (e) and (g);
- (c) the maintenance of the existing trees on the Site at all times during the planning approval period;
- (d) the submission of a revised Environmental Assessment Report within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection and the Director of Water Supplies or of the Town Planning Board by 15.11.2020;
- (e) in relation to (d) above, the implementation of the mitigation and preventive measures identified therein within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection and the Director of Water Supplies or of the Town Planning Board by 15.2.2021;
- (f) the submission of water monitoring programme within 6 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the Town Planning Board by 15.11.2020;
- (g) in relation to (f) above, the implementation of water monitoring programme within 9 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the Town Planning Board by 15.2.2021;
- (h) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 15.11.2020;
- (i) in relation to (h) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 15.2.2021;
- (j) the submission of fire service installations (FSIs) and water supplies for firefighting 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 15.11.2020;
- (k) in relation to (j) above, the implementation of FSIs and water supplies for firefighting 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 15.2.2021;
- (l) if the above planning conditions (a), (b) or (c) 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; and



- (m) if any of the above planning conditions (d), (e), (f), (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

### Advisory Clauses

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

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

- the proposed development is not in line with the planning intention of the "REC" zone, which is primarily for recreational developments for the use of the general public. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

## **12. Decision Sought**

12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

12.2 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.

12.3 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.

## **13. Attachments**

Appendix I	Application form and attachments received on 28.1.2019
Appendix Ia	Supplementary information received on 30.1.2019
Appendix Ib	FI received on 31.7.2019
Appendix Ic	FI received on 3.9.2019
Appendix Id	FI received on 20.11.2019
Appendix Ie	FI received on 4.12.2019
Appendix If	FI received on 17.3.2020
Appendix Ig	FI received on 25.3.2020
Appendix Ih	FI received on 26.3.2020
Appendix Ii	FI received on 21.4.2020
Appendix Ij	FI received on 27.4.2020
Appendix Ik	FI received on 8.5.2020
Appendix II	Public comments
Appendix III	Recommended advisory clauses

Drawing A-1	Master layout plan
Drawings A-2 to A-3	Layout/section plans
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plans A-4a to A-4d	Site photos

**PLANNING DEPARTMENT  
MAY 2020**