

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/360

- Applicant** : Mr. Yu Kim Ming represented by Mr. Wong Sun Wo William
- Site** : Lots 1288, 1289, 1290, 1291, 1293, 1294 in D.D. 129 and adjoining Government Land, Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 5,785 m² (including Government Land of about 1,588 m² (about 27% of the Site))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/9
- Zoning** : “Green Belt” (“GB”)
- Application** : Proposed Temporary Holiday Camp (Mongolian Yurt Holiday Camp) with Ancillary Office and Café for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for proposed temporary holiday camp (mongolian yurt holiday camp) with ancillary office and café for a period of 3 years (**Plan A-1**). The Site falls within an area zoned “GB” on the approved Lau Fau Shan and Tsim Bei Tsui OZP No. S/YL-LFS/9. According to the Notes of the OZP for the “GB” zone, ‘Holiday Camp’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently partly hard-paved and partly vegetated. Some temporary structures are found on site (**Plans A-4a and A-4b**).
- 1.2 The Site is accessible via a local track leading from Deep Bay Road (**Drawings A-1, A-3 and Plan A-2**). The ingress/egress point is located at the western boundary of the Site (**Drawing A-1**). As shown on the proposed layout plan at **Drawing A-1**, 13 one-storey temporary structures of 3.1m - 4.5m high with a total floor area of 371m² are proposed, including 10 mongolian yurts, 1 office and washroom, 1 café and 1 bicycle parking area. According to the applicant, apart from camping activities, the Site will also provide catering service and free bicycles for visitors to move around. The operation hours of the proposed development will be 8:30 a.m. to 8:30 p.m. daily. 2 private car parking spaces, 1 light goods vehicle parking space

and 1 24-seat light bus parking space will be provided. All visitors are required to take the 24-seat light bus to enter and leave the Site. No land/pond filling and excavation of land will be carried out at the Site.

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

- (a) Application Form received on 10.2.2020 with proposed (**Appendix I**) layout plan, drainage plan and vehicular access plan
- (b) Further Information received on 9.3.2020 providing (**Appendix Ia**) responses to the comment of the Geotechnical Engineering Office of the Civil Engineering and Development Department
(accepted and exempted from publication and recounting requirements)

1.4 In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 3.4.2020 for consideration of the application has been rescheduled, and the Board has agreed to defer consideration of the application. The application is now scheduled for consideration by the Rural and New Town Planning Committee (the Committee) at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Part 7 of the Application Form at **Appendix I**. They are summarized as follows:

- (a) The Site is situated amid natural environment, offering a relaxing place for visitors to enjoy their holidays.
- (b) No visitor parking space will be provided at the Site. All visitors are required to take the 24-seat light bus provided by the operator to enter and leave the Site.
- (c) Prior reservation for holiday camp is required. The café will provide service to campers only.

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

The applicant is not a “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 obtaining the consent of the current land owner of Lots 1288, 1289, 1290, 1291, 1293, 1294 in D.D. 129. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification Requirements” are not applicable to the Government land portion.

4. Background

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

5. Town Planning Board Guidelines

5.1 The Town Planning Board Guidelines for “Application for Development within the Green Belt zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 10) are relevant to the application. The relevant assessment criteria are summarized as follows and detailed at **Appendix II**.

- (a) there is a general presumption against development (other than redevelopment) in “GB” zone. In general, the Board will only be prepared to approve applications for development in the context of requests to rezone to an appropriate use;
- (b) an application for new development in “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds;
- (c) passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration;
- (d) the design and layout of any proposed development should be compatible with the surrounding area. It should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, and cause any adverse visual impact on the surrounding environment;
- (e) 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;
- (f) 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; and
- (g) any proposed development on a slope or hillside should not adversely affect slope stability.

5.2 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) are also relevant to this application. According to the said Guidelines, the Site falls within the Wetland Buffer Area (WBA). The relevant assessment criteria are summarized 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 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, an ecological impact assessment (EcoIA) would need to be submitted. Some local and minor uses (including temporary uses) are however exempted from the requirement of EcoIA.

6. Previous Application

The Site does not involve any previous planning application.

7. Similar Application

There is no similar application for holiday camp within the “GB” zone on the OZP.

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

8.1 The Site is:

- (a) within the WBA and in close proximity to the WCA; and part of the Site also falls within Mai Po Inner Deep Bay Ramsar Site (**Plan A-1**);
- (b) currently partly hard-paved and partly vegetated. Some temporary structures are found on site (**Plan A-4a and A-4b**); and
- (c) accessible via a local track leading from Deep Bay Road (**Drawing A-3 and Plan A-2**).

8.2 The surrounding areas have the following characteristics:

- (a) to its immediate north and south within the WBA are two Sites of Special Scientific Interest (SSSI), i.e. the Tsim Bei Tsui Egrettry SSSI, which are scrublands and woodlands;
- (b) to its immediate southeast within the WBA are two ponds; and to its east with the nearest distance of about 10m is the WCA where the Inner Deep Bay SSSI is located which are ponds and mangroves;
- (c) to its west and southwest within the WBA is a storage yard, parking of long vehicles and vacant land.

9. Planning Intention

The planning intention of “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. However, limited development may be permitted if they are justified on strong planning grounds.

10. Comments from Relevant Government Departments

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

Land Administration

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

- (a) The Site comprises Old Schedule Agricultural Lots 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) No permission is given for occupation of Government Land (G.L.) of about 1,588 m² in area (subject to verification) included in the Site. The act of occupation of G.L. without Government's prior approval is not allowed. With the implementation of the tightened arrangement for handling regularisation applications, LandsD will no longer accept application for regularisation of new or extension of unlawful occupation of G.L. or erection of new structures which is found commenced on or after 28 March 2017.
- (c) Should planning approval be given to the planning application, the lot owners will need to apply to his office to permit the structures to be erected or regularise any irregularity on Site. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Furthermore, the applicant has to either exclude the G.L. from the Site or apply for a formal approval prior to the actual occupation of the G.L. Application 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 rent or fee, as may be imposed by LandsD.

Landscaping

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

- (a) With reference to the site visit conducted on 2.3.2020 and the aerial photo taken in 2018, the northern part of the Site is hard paved, a few temporary structures and a pond are found in the centre of the Site. Tree clusters of weed species are observed at the eastern end of the Site, while the southern part of the Site is generally covered with bamboos, banana trees and wild vegetation. Tsim Bei Tsui Egrettry SSSI is located to the direct north and south of the Site, while the Inner Deep Bay SSSI is found to the direct east of the Site. The Site is situated in the area of coastal plains landscape character predominated by wooded knolls and fish ponds. The proposed use which involves vegetation clearance and land filling is incompatible with the surrounding environment.
- (b) When comparing the aerial photo taken in 2011 (**Plan A-3b**), the Site was originally vegetated with some trees and shrubs, and temporary structures were observed at the northern and southern portions of the Site.

However, site formation was carried out and most of the existing vegetation within the Site was cleared since then. Significant adverse landscape impact has taken place.

- (c) Approval of the application would set an undesirable precedent to encourage other similar developments to carry out site clearance prior to obtaining planning approval. The cumulative impact of which would result in a general degradation of the landscape quality of the surrounding SSSIs and undermine the integrity of the “GB” zone. In view of the above, she objects to the application from landscape planning perspective.

Nature Conservation

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

- (a) The Site falls within the WBA. It is in proximity to the fishponds in the WCA and part of the Site falls within Mai Po Inner Deep Bay Ramsar Site. In accordance with TPB PG-No. 12C, the proposal should not have a negative off-site disturbance impact on the ecological value of wetlands in WCA or cause net increase in pollution load in Deep Bay.
- (b) While the use under application is temporary in nature and the proposal involves building one-storey structures, she notes there is a general lack of information regarding the potential impact of the proposed use to the nearby environment, such as (i) treatment of sewage, in particular, from the proposed toilet and café; (ii) types of night-time outdoor lighting, in particular, if there are any upward-pointing light; (iii) noisy work or activities during both construction and operation phases of the proposed use.

Traffic

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

The applicant has not submitted information regarding estimated traffic flow and number of visitors. In this connection, there is insufficient information to demonstrate that the proposed development would not cause adverse traffic impact to the adjacent area. On this basis, he does not support the application.

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

- (a) The access arrangement should be commented by TD.
- (b) HyD shall not be responsible for the maintenance of any access connecting the Site and Deep Bay Road.

Environment

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

- (a) No environmental complaint pertaining to the Site has been received in the past three years.
- (b) ~~*Under s.16B of Waste Disposal Ordinance, Cap. 354, the landowner of private land needs to apply for a valid permission to deposit construction waste on a private land. The applicant should be asked to contact DEP. Should the planning application be approved, the applicant is advised to follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the environmental Aspects of Temporary Uses and Open Storage Sites" ("the COP").*~~

Geotechnical

1.1.2 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);

- (a) Part of the Site is overlooked by steep natural terrain and meets the alert criteria for a natural terrain hazard study (NTHS). The applicant is required to submit a Geotechnical Planning Review Report (GPRR) in support of the planning application. The GPRR should include a preliminary geotechnical review of the natural terrain hazards, assess the geotechnical feasibility of the proposed development, and where necessary, indicate the recommended extent of the NTHS study area and a commitment to undertake the NTHS and to carry out any necessary mitigation measures as part of the proposed development.
- (b) The application could affect or be affected by slope Feature Nos. 2SW-C/D2 (maximum height about 7m), 2SW-D/C12 (maximum height about 9.7m) and 2SE-D/C13 (maximum height about 4m) as shown on **Plan A-2**, and also meets the criteria for submission of a GPRR to support the application.
- (c) The application covers unallocated Government land, which could affect or be affected by part of slope Feature Nos. 2SW-D/C12 and /C13. In case PlanD and LandsD decide to dispose the unallocated Government land, it is recommended that LandsD should include the standard Green Hatched Black Clause in the Special Conditions of land disposal documents for maintenance, investigation and study, and carrying out of any necessary remedial works to these slopes.
- (d) The application covers existing structures on unallocated Government land. GEO does not have any design and construction records of these structures.
- (e) The applicant is reminded to submit building / site formation / drainage works to Buildings Department for approval as required under the provisions of the Buildings Ordinance.
- (f) The applicant proposes in the Further Information to submit the GPRR within three months upon the date of conditional approval of the planning application. The applicant is advised that for planning applications that

meet the criteria for submission of a GPRR to support the application, GEO cannot recommend PlanD to approve the application without assessment of the geotechnical feasibility of the proposed development, which should be included in the GPRR.

Drainage

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

- (a) He has no objection in principle to the proposed application from a drainage point of view, but he has some technical comments on the drainage proposal which are in **Appendix III**.
- (b) Should the Board consider that the application is acceptable from the planning point of view, he would suggest that a condition should be stipulated in the approval letter requiring the applicant to submit a revised drainage proposal, to implement and maintain the proposed drainage facilities to the satisfaction of his department.

Fire Safety

10.1.9 Comments of the Director of Fire Services (D of FS):

- (a) He has no objection in principle to the proposal subject to fire service installations (FSIs) being provided to his satisfaction.
- (b) In consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval.
- (c) 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.
- (d) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123) or license is required under Hotel and Guesthouse Accommodation Ordinance (HAGAO), Cap 349, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority respectively.

Building Matters

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

- (a) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the Buildings

Ordinance (BO) and should not be designated for any proposed use under the application.

- (b) For UBW erected on leased land, enforcement action may be taken by BD 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.
- (c) Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (d) 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.
- (e) The Site does not abut on a specified street of net less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.
- (f) If the proposed use under application is subject of 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.

Others

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

- (a) No Food and Environmental Hygiene Department's (FEHD) facilities will be affected and such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surroundings.
- (b) Proper license / permit issued by FEHD is required if there is any catering service / activities regulated by the Director of Food and Environmental Hygiene under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.
- (c) For any waste generated from such activity / operation, the applicant should arrange disposal properly at their own expenses.

District Officer's Comments

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

His office has received two comments from the representatives of Mong Tseng Wai Tsuen, Sha Kiu Tsuen and Mong Tseng Tsuen on the application objecting to the application mainly on the grounds of traffic, pollution, safety and ‘destroy first, build later’ problems (**Appendix IV**).

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

- (a) Project Manager (West), CEDD (PM(W), CEDD);
- (b) Chief Engineer/Sewerage Projects, DSD (CE/SP, DSD);
- (c) Director of Electrical and Mechanical Services (DEMS);
- (d) Secretary for the Environment (SEN);
- (e) Director of Leisure and Cultural Services (DLCS);
- (f) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (g) Commissioner of Police (C of P).

11. Public Comments Received During Statutory Publication Period

On 18.2.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period, 5 public comments were received from the Hong Kong Bird Watching Society, the Kadoorie Farm and Botanic Garden, the World Wide Fund for Nature Hong Kong, Designing Hong Kong and a member of the public (**Appendices V-1 to V-5**). All are objecting to the application and their reasons are summarized below:

- (a) the proposed use is not in line with the planning intention of “GB” zone and the TPB PG-No. 10;
- (b) vegetation clearance and site formation were observed at the Site. The Board should not encourage “develop first, apply later” attitude;
- (c) the proposed use will generate possible adverse noise, visual, drainage, sewerage, ecological, environmental and traffic impacts to the nearby fish ponds, the Hong Kong Wetland Park Special Area and the SSSIs in the proximity (i.e. the Tsim Bei Tsui Egretty SSSI and the Inner Deep Bay SSSI);
- (d) there is a lack of various impact assessments; and
- (e) approval of the application would set an undesirable precedent for future similar applications with the same “GB” zone and the WBA.

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary holiday camp (mongolian yurt holiday camp) with ancillary office and café for a period of 3 years at the Site zoned “GB”. The planning intention of “GB” zone is to define 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. However, limited development may be permitted if they are justified on strong planning grounds. The proposed use for the camping activity and ancillary café and office is not in line with the planning intention of the “GB” zone and there is no strong planning justification given in the submission for a departure of such planning intention, even on a temporary basis.

- 12.2 The Site is situated in area of coastal plain landscape character predominated by wooded knolls, fish ponds and mangroves. To its immediate north and south are the Tsim Bei Tsui Egrettry SSSIs while to its immediate east is the Inner Deep Bay SSSI. Part of the Site also falls within the Mai Po Inner Deep Bay Ramsar Site. The proposed use which involves vegetation clearance and land filling is incompatible with the surrounding environment.
- 12.3 According to the TPB PG-No.10, there is a general presumption against development within the “GB” zone. New development will only be considered in exceptional circumstances and must be justified with very strong planning grounds. For the current application, there is no strong planning justification in the submission to support the proposed use in the “GB” zone. Moreover, any proposed development should be compatible with the surrounding areas and should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, and cause any adverse visual impact on the surrounding environment. In this respect, CTP/UD&L, PlanD objects to the application from landscape planning perspective as the proposed use involving vegetation clearance and land filling (i.e. the hard-paved area) is incompatible with the surrounding environment. Besides, C for T does not support the application as there is no submitted information regarding estimated traffic flow and number of visitors. In this regard, there is insufficient information to demonstrate that the proposed development would not cause adverse traffic impact to the adjacent area. On the geotechnical aspect, part of the Site is overlooked by steep natural terrain and meets the alert criteria for a NTHS. The application could affect or be affected by slope features in the vicinity of the Site (**Plan A-2**) and also meets the criteria for submission of a GPRR to support the application. Although the applicant proposes to submit the GPRR within three months upon the date of conditional approval of the planning application, H(GEO), CEDD cannot recommend an approval of the application without assessment of the geotechnical feasibility of the proposed development. In this regard, the applicant fails to demonstrate that the proposed development would not result in adverse geotechnical impact on the Site and the surrounding area. In view of the above, the proposed use is not in line with the TPB PG-No. 10.
- 12.4 According to the TPB PG-No. 12C, the Site falls within the WBA which is intended 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. The proposal should not have a negative off-site disturbance impact on the ecological value of wetlands in WCA or cause net increase in pollution load in Deep Bay. In this connection, the Site falls within the WBA and is in proximity to the fishponds in the WCA. The applicant has not addressed DAFC’s concern on treatment of sewage, types of night-time outdoor lighting, and any noisy work or activities during both construction and operation phases of the proposed use. There is insufficient information in the submission to demonstrate that the development would not have adverse ecological impacts on the surrounding areas. In this regard, the proposed use is not in line with the TPB PG-No. 12C.

- 12.5 Relevant departments including CE/MN of DSD, DEP and D of FS have no adverse comment on the application on the drainage, environment and fire safety aspects.
- 12.6 No previous approval for similar holiday camp use has been granted by the Committee within the same “GB” zone. The Site is currently partly hard-paved and partly vegetated. Site formation and vegetation clearance have been observed on site. Approval of the application would set an undesirable precedent and encourage proliferation of similar use within the same “GB” zone thereby frustrating its planning intention. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.
- 12.7 There are 7 public comments received objecting to the application on the grounds as summarized in paragraphs 10.1.12 and 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.6 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 paragraphs 10.1.12 and 11 above, the Planning Department does not support the application for proposed temporary holiday camp (mongolian yurt holiday camp) with ancillary office and café for a period of 3 years for the following reasons:
- (a) the proposed use is not in line with the planning intention of the “GB” zone, which 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. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
 - (b) the proposed use is not in line with the TPB PG-No. 10 for Application for Developments within the “Green Belt” Zone in that the proposed use which involves clearance of natural vegetation will affect the natural landscape and is incompatible with the surrounding areas, and the applicant fails to demonstrate that the proposed development would not cause adverse traffic and geotechnical impacts;
 - (c) the proposed use is not in line with the TPB PG-No. 12C for Application for Developments within Deep Bay Area in that the applicant fails to demonstrate that the proposed use would not have adverse ecological impacts on the surrounding areas; and
 - (d) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications in the “GB” zone and the WBA, the cumulative effect of which would result in a general degradation of the environment of the area.
- 13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until **26.5.2023**. The following conditions of approval and advisory clauses are also suggested

for Members' reference:

Approval Conditions

- (a) no operation between 8:30 p.m. and 8:30 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (c) the submission of a Geotechnical Planning Review Report within **6** months from the date of planning approval to the satisfaction of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department or of the Town Planning Board by **26.11.2020**;
- (d) the submission of a revised 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 **26.11.2020**;
- (e) in relation to (d) above, the implementation of the revised 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 **26.2.2021**;
- (f) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **26.11.2020**;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **26.2.2021**;
- (i) if any of the above planning conditions (a), (b) or (f) 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;
- (j) if any of the above planning conditions (c), (d), (e), (g) or (h) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) 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 attached at **Appendix VI**.

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 reject the application, Members are invited to advise what reasons 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 period of which the permission should be valid on a temporary basis.

15. Attachments

Appendix I	Application Form received on 10.2.2020 with proposed layout plan, drainage plan and vehicular access plan
Appendix Ia	Further Information received on 9.3.2020 providing responses to the comment of the Geotechnical Engineering Office of the Civil Engineering and Development Department
Appendix II	Relevant Extracts of Town Planning Board Guidelines for Application for Development within the Green Belt Zone (TPB PG-No. 10)
Appendix III	Detailed comments of CE/MN, DSD
Appendices IV-1 and IV-2	Public Comments Relayed from DO/YL, HAD
Appendices V-1 to V-5	Public Comments Received During Statutory Publication Period
Appendix VI	Advisory Clauses
Drawing A-1	Proposed Layout Plan
Drawing A-2	Drainage Plan
Drawing A-3	Ingress/egress Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a and A-3b	Aerial Photos
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
MAY 2020**