

# TOWN PLANNING BOARD

**TPB Paper No. 10608**

**For Consideration by  
the Town Planning Board on 20.12.2019**

**REVIEW OF APPLICATION NO. A/SLC/155  
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE**

**Proposed Temporary Holiday Camp (Caravan Holiday Camp) for a Period of 5 years and  
Excavation of Land (Sewerage and Drainage Facilities) in “Coastal Protection Area” zone,  
Lots 626 (Part), 627 (Part), 628 to 630, 632, 633 (Part),  
634 to 637, 639 to 642, 647 to 650, 710 to 712,  
715 RP, 716, 717 and 718 RP in D.D. 316L, Pui O, Lantau Island**

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to 712, 715 RP, 716, 717 and 718 RP in D.D. 316L, Pui O, Lantau Island**

**1. Background**

- 1.1 On 12.6.2019, the applicant, JK Group Ltd., sought planning permission for temporary holiday camp (caravan holiday camp) for a period of 5 years and excavation of land (sewerage facilities) at the Application Site (the Site) under s.16 of the Town Planning Ordinance. The Site falls within the “Coastal Protection Area” (“CPA”) zone on the approved South Lantau Coast Outline Zoning Plan (OZP) No. S/SLC/21 (**Plan R-1**).
- 1.2 On 2.8.2019, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) decided to reject the application and the reasons were:
  - (a) the application is not in line with the planning intention of the “CPA” zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
  - (b) the applicant fails to demonstrate that the proposed development would not have adverse ecological and landscape impacts on the surrounding areas; and
  - (c) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “CPA” zone and the cumulative effect of approving such applications would lead to a general degradation of the natural environment of the area.
- 1.3 For Members’ reference, the following documents are attached:
  - (a) RNTPC Paper No. A/SLC/155 (Annex A)

- (b) Extract of minutes of the RNTPC meeting held on 2.8.2019 (Annex B)
- (c) Secretary of Town Planning Board's letter dated 16.8.2019 (Annex C)

**2. Application for Review**

2.1 On 2.9.2019, the applicant applied, under s.17(1) of the Ordinance, for review of the RNTPC's decision to reject the application (Annex D). In support of the review application, the applicant submitted the following documents:

- (a) further information (FI) received on 9.10.2019 with clarifications on background information, responses to departmental comments, a concept plan and a revised drainage proposal (not exempted); (Annex E)
- (b) FI received on 28.11.2019 with responses to departmental and public comments, a revised layout plan, revised drainage and landscape proposals, a revised existing tree plan, a revised landscaping plant plan and a revised sewage layout plan (exempted); and (Annex F)
- (c) FI received on 11.12.2019 with responses to departmental comment and further clarification on the background information (exempted). (Annex G)

2.2 Compared with the rejected s.16 application, there is no change to the development parameters except the change in location of some caravans (Drawing No. R-2) and revision of the drainage proposal which would require additional excavation of land within the Site (Drawing No. R-3). For Members' reference, the proposed development parameters are shown in the following table:

Use	Number	Floor Area	Height
Caravan	10	154m <sup>2</sup> (15.4m <sup>2</sup> each)	2.5m
Garden Centre and Kiosk (green house)	1	215m <sup>2</sup>	4m
Movable pergola	2	144m <sup>2</sup>	4m
B1 Movable Storage	1	18.36m <sup>2</sup>	3m
B2 Movable Storage	3	44.65m <sup>2</sup>	3m
Portable Toilet	1	8.4m <sup>2</sup>	2.6m
Sand Pool	1	-	Depth: 1.5m
Lookout Platform	1	-	3m
Sign	1	-	1.8m
Electric Box	1	-	2.5m
<b>Total</b>	<b>22</b>	<b>584.41m<sup>2</sup></b>	-

### **3. Justifications from the Applicant**

The justifications put forth by the applicant in support of the review application are detailed in **Annexes E, F and G**. They are summarised as follows:

- (a) the Site was previously used as a vehicle workshop for more than ten years. It is not located within wetland area nor in its close proximity. It is located 80m away from the Pui O Stream (i.e. the Pui O Ecologically Important Stream (EIS)) and 600m away from the Pui O Beach. The surrounding areas and uses include Pui O Lo Wan Tsuen and Ham Tin Tsuen, vehicle repair workshops, carparks, storage, farmland, veterinary clinic, private club, bus terminus and the Pui O Public School;
- (b) the proposed holiday camp use will benefit the society by organising various activities e.g. fun fair, flea market, Halloween party, wedding/birthday party, meetings of local society/community groups, workshops, farming and family education;
- (c) in response to the comments from the Sustainable Lantau Office of Civil Engineering and Development Department (SLO, CEDD), the proposed holiday camp development will improve the environment and landscape quality and achieve sustainable development by providing leisure and recreational activities;
- (d) in response to the comments from the Urban Design & Landscape Unit of the Planning Department (UD&L, PlanD), the Site is located in a rural area and surrounded by vegetation, farmland and villages. The proposed holiday camp will improve the landscape character. The caravan will be relocated away from the existing tree and concrete slabs will be provided under the movable containers to avoid adverse impact on soil (**Drawing No. R-2**); and
- (e) to address the comments from the Agriculture, Fisheries and Conservation Department (AFCD), UD&L, PlanD and the Drainage Services Department (DSD), a revised drainage proposal (**Drawing R-3**) is submitted to indicate the location of surface channel and sand trap for discharge of the surface runoff to an existing nullah to the west of the Site and the proposal will be implemented by professional engineer. Very little surface runoff will be drained through the drainage facilities as it will be percolated to the soil where more than 80% of the Site is covered by grass. A detailed surface water drainage plan will be submitted to DSD for approval prior to construction. There is no other source of pollutant by the proposed holiday camp development. DSD and the Environmental Protection Department (EPD) have no objection to the proposed development. EPD also advises that no environmental complaint at the Site was received in the past three years. Most of the public comments objecting the application are not submitted by local residents and the objectors are not familiar with the area.

### **4. The Section 16 Application**

#### **The Site and the Surrounding Area (Plans R-1 to R-5a and R-5b)**

4.1 The situation of the Site and the surrounding area at the time of the consideration

of the s.16 application by the RNTPC was described in paragraphs 6.1 and 6.2 of **Annex A**. There has been no material change of the situation since then.

4.2 The Site has the following characteristics:

- (a) it is accessible from South Lantau Road and a bus stop is located near the entrance of the Site (**Plans R-2 and R-4a**);
- (b) the northern part of the Site is currently paved and occupied by a garden centre, a grassland and six caravans (**Plans R-4a and R-4b**);
- (c) the western part of the Site is occupied by a grassland with tables and chairs under the pergolas (**Plan R-4c**);
- (d) the southern part of the Site is currently occupied by temporary open storage of containers and scrap metal and some trees (**Plan R-4c**); and
- (e) as shown in the aerial photos (**Plans R-5a to R-5b**), the Site was mainly covered by vegetation in 1995. Vegetation clearance was found in the southern part of the Site in 1996 and some structures were erected in 1998. In 2010, further vegetation clearance in the western part of the Site and some temporary structures and open storage were found at the Site. Since 2011, more temporary structures and open storage have been found on the Site.

4.3 The surrounding areas have the following characteristics:

- (a) predominantly rural in character with fallow or active farmland / marshes to the immediate east, south and west of the Site where buffaloes can be found (**Plan R-4d**);
- (b) there are some private lands encircled by the Site which are used as track and occupied by containers/scrap metal and a house (**Plans R-4d**);
- (c) car parks and open storages are found to the north and further southwest of the Site abutting South Lantau Road;
- (d) Pui O Lo Wai Tsuen and Ham Tin San Tsuen are located to the northwest (across South Lantau Road) and southeast of the Site respectively; and
- (e) Pui O EIS and Pui O gazetted beach are located about 50m to the east and 600m to the south of the Site respectively (**Plans R-2 and R-3**).

Planning Intention

4.4 There has been no change of the planning intention of the “CPA” zone, which is mentioned in paragraph 7 of **Annex A**.

4.5 The “CPA” zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value,

with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted. These scenic and ecologically sensitive coastal areas should also be protected against land filling, land excavation or stream diversion and encroachment by developments.

#### Previous Application

- 4.6 The Site was the subject of a previous application No. A/SLC/147 for a proposed temporary holiday camp (caravan holiday camp) and tent camping ground with ancillary hobby farm for a period of 3 years and excavation of land (sewerage facilities) by the same applicant which was subsequently withdrawn by the applicant on 26.10.2017 (**Plan R-2**). Compared with the previously withdrawn application, the current application mainly involves a reduction of application site area (from 4,993.88m<sup>2</sup> to 3,672m<sup>2</sup>) and number of caravans (from 15 to 10), a deletion of tent camping ground and ancillary hobby farm and an addition of 4 parking spaces for electric vehicles.

#### Similar Applications

- 4.7 There are four similar applications (No. A/SLT/28, 29, 47 and A/SLC/88) for proposed holiday camp involving the same or similar sites within the same "CPA" zone (**Plans R-1 and R-2**). Application No. A/SLT/28 was rejected by the Committee in 1992 while the other 3 applications were approved with conditions by the Committee in 1992, 1996 and 2008 respectively.
- 4.8 Application No. A/SLT/28 for a proposed holiday camp involving the upgrading of an existing go-cart racing course and development of other new recreational facilities was rejected by the Committee on 24.1.1992 mainly on the grounds that the go-cart racing activity would cause excessive noise nuisance and the motor oil and petrol contamination would cause environmental pollution to nearby water course and Pui O Beach.
- 4.9 Application No. A/SLT/29 for a similar holiday camp development with the deletion of the go-cart racing course was approved with conditions by the Committee on 22.5.1992 mainly on the grounds that the application was in line with the planning intention of the area which was identified suitable for low-density recreational developments under the consultancy study "South Lantau Planning and Development Study" in 1989; the proposed development would add and provide a variety of recreational facilities compatible with surrounding development and would enhance Pui O as an attractive holiday resort in South Lantau and the environmental problems caused by the existing go-cart racing activities would be relinquished.
- 4.10 Application No. A/SLT/47 involved a similar holiday camp development with change in configuration and boundary of site, an increase of development intensity and an addition of a restaurant as compared with Application No. A/SLT/29. On

12.7.1996, the Committee approved the application with conditions mainly in view of the improved building design and the inclusion of a restaurant would not be incompatible with the proposed holiday camp development.

- 4.11 Application No. A/SLC/88 for the same holiday camp development was submitted due to the lapse of the previous planning permission under Application No. A/SLT/47 and more time was required for the land exchange process. The application was approved with conditions by the Committee on 6.6.2008 mainly on the grounds that there were no significant changes in the planning circumstances; the development was not incompatible with the surrounding areas; and the development was in line with the recommendation of the “Revised Concept Plan for Lantau” in 2007 in which Pui O was recommended to be developed into a family-oriented recreation hub; and the sewage concerns could be addressed by an approval condition on sewage treatment facilities. An Occupation Permit for a 3-storey holiday camp building (Hong Kong Victoria Resort) was issued by Building Authority on 6.11.2015.
- 4.12 Details of the similar applications are summarized at Appendix II of **Annex I** and their locations are shown on **Plans R-1 and R-2**.

## **5. Comments from Relevant Government Departments**

- 5.1 Comments on the s.16 application made by relevant government departments are stated in paragraph 8 of **Annex A**.
- 5.2 For the review application, the following government departments have been further consulted and their views on the review application are summarized as follows:

### **Sustainable Lantau Blueprint**

- 5.2.1 Comments of the Head of Sustainable Lantau Office, Civil Engineering and Development Department (H(SLO), CEDD):
- (a) the Sustainable Lantau Blueprint (the Blueprint) embraces the overarching principle of “Development in the North; Conservation for the South”. The predominant part of Lantau, in particular the South Lantau, is proposed for conservation with sustainable leisure and recreational uses. Therefore, any camping ground proposal at or in the proximity of Pui O wetland must ensure that the development should not result in adverse impact to the wetland habitat, and at the same time, encourage upgrading the environment and enhancing the ecology; and
  - (b) noting the change of the wetland to brownfield for various uses over the years, the approval of the application may encourage the practice of ‘destroy first’, particularly in South Lantau where non-conforming land uses or activities are not enforceable by the Planning Authority.

### **Land Administration**

#### 5.2.2 Comments of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD):

- (a) the lots are old scheduled agricultural lots demised under the Block Government Lease. No structure shall be erected on the Lots without LandsD's prior approval;
- (b) warning letters against the unauthorised structures on Lots No. 641, 642, 710, 711, 712, 715 R.P., 716, 717 and 718 R.P. in D.D. 316 were issued by LandsD on 27.6.2017. Except those on Lot 715 R.P., all breaches on other lots had been rectified according to the findings in his site visit on 29.8.2018. At present further lease enforcement action against the irregularities on Lot No. 715 R.P. is being withheld pending the outcome of this planning application;
- (c) 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 such application will be approved. If such application is approved, the approval will be subject to such terms and conditions, including payment of fees, as may be imposed by LandsD; and
- (d) as at 26.11.2019, the Lots are not affected by any known government development, project or land sale proposal.

### **Nature Conservation**

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

- (a) he has reservation on the application as the FI submitted by the applicant fails to address his concerns raised on the s.16 application. The FI just reiterates that the applicant would follow the current ordinances and guidelines of sewage and drainage treatment overseen by the relevant departments (e.g. DSD and EPD); and
- (b) generally speaking, the Pui O wetland comprises several parcels of abandoned farmland which are divided by roads and Pui O Stream and are seasonally or permanently inundated. The abandoned farmland and marshes are ecologically linked to the Pui O EIS. Considering the close proximity of the Site to the ecologically sensitive Pui O wetland, and the connectivity and integrity of the wetland, the potential impact of the proposed development (such as water pollution, human



disturbances, spill-over effect, etc.) should not be undermined. It is doubtful whether the measures to be implemented by the applicant would be effective in protecting the adjacent wetland and watercourse(s).

### Landscape

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

- (a) having reviewed the FIs, she has no objection to the application from the landscape planning perspective;
- (b) the applicant is advised that 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; and
- (c) since the Site is located at “CPA” zone facing the public frontage, should the Board approve the application, the following approval condition is recommended:

submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Board.

### Drainage

#### 5.2.5 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

- (a) he has no objection to the application on the condition that the applicant can submit a satisfactory drainage proposal to 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 information provided in the drainage proposal (**Drawing R-3**) is minimal and no drainage connection to the existing/drainage facilities are indicated on the drainage plan. The applicant shall clarify and re-submit the drainage proposal to DSD;
- (c) the proposal should clearly indicate the proposed drainage connection works including the size of surface channel, the cover levels, invert levels and outlet levels of sand trap. Catchpit should be provided where the proposed drains change their direction horizontally and vertically;

- (d) downstream details through the proposed sand trap discharge to the existing culvert must be provided for consideration. The Site is near the Pui O EIS (**Plan R-2**). 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
- (e) consent from EPD and AFCD should be sought on the proposed discharge to stream; and
- (f) 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.

### **Building Matters**

#### 5.2.6 Comments of the Chief Building Surveyor/New Territories East 1 & Licensing, Buildings Department (CBS/NTE1&L, BD):

- (a) according to the applicant, the proposed temporary buildings including caravans, kiosk, pergola, storage, toilets, etc., will be constructed associated with the planning application. He has the following comments under the Buildings Ordinance (BO):
  - (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; and
  - (iv) detailed comments under 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;
- (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; and
- (g) site inspection by BD on 2.9.2019 revealed that single storage structures, including containers and shelters, had been erected on the Site. No enforcement action would be taken by BD as the associated building works fall within the exemption criteria set out in the Schedule to Buildings Ordinance (Application to the New Territories) Ordinance. Since existing caravans are not regarded as building works under the BO, no enforcement action would be taken by BD.

### **Hotel / Guesthouse Licencing**

5.2.7 Comments of the Chief Officer (Licencing Authority), Office of the Licensing Authority, Home Affairs Department (CO(LA), OLA, HAD:

- (a) no objection to the application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO);
- (b) 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>;

- (c) 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 HAGAO;
- (d) the licensing requirements will be formulated after inspection upon receipt of the application under HAGAO (Cap 349);
- (e) no licence application was received by his office and no licence has been obtained for the operation of a caravan holiday camp at the Site; and
- (f) the OLA received one complaint regarding unlicensed guesthouse operation at the Site in November 2018. According to various site inspections, the evidence collected so far could not substantiate that the above caravan camp site was operated as unlicensed guesthouse. The OLA shall take continual actions to monitor the case and take necessary enforcement action if sufficient evidence could be established.

5.3 The following government departments have no further comments on the review application and maintain their previous views on the s.16 application as stated in paragraph 8 in **Annex A** which are recapitulated below:

### **Traffic**

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

- (a) he has no objection to the application from traffic engineering and transport operation point of view;
- (b) it is noted that four car parking spaces for electricity vehicles which will also be used for loading/unloading will be provided within the Site. However, the use of parking spaces for one type of vehicle as the loading/unloading bays for another type of vehicle is not preferred as the demand for the same space may appear at the same time;
- (c) it is also noted that there will be short stay of vehicles. Moreover, the visitors may drive to the Site through the “Driving on Lantau Island” scheme. It is suggested 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. It is suggested to impose approval condition on the submission and provision of sufficient number of loading/unloading bays and parking spaces within the Site to the satisfaction of C for T or the Board; and
- (d) should the Board approve the application, no vehicle is allowed to queue back to or reverse onto/from public road at any time

during the planning approval period.

### **Urban Design and Visual**

#### 5.3.2 Comments of the CTP/UD&L, PlanD:

- (a) the Site is located between Pui O Lo Wai Tsuen and Ham Tin San Tsuen, with the northern part abutting South Lantau Road providing vehicular access to the Site. It is surrounded by fallow agricultural land to its east, south and west. The Site is mainly covered by grassland with plant nursery and temporary open storage;
- (b) compared with the existing condition, the proposal would improve the amenity of the Site. Although no visual materials have been submitted, it is anticipated that the proposed maximum height of the structures at 4m is compatible with the low-rise village type development in the surroundings and the proposed development would not cause adverse visual impact; and
- (c) it is noted that 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.

### **Sewerage and Environment**

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

- (a) he has no objection to the application;
- (b) in view of its scale and nature, he considers that there is no major environmental problem from the proposed development;
- (c) 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); and
- (d) no environmental complaint concerning the Site was received in the past three years.

### **Fire Safety**

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

- (a) he has no in-principle objection to the application subject to fire

service installations (FSI) and water supplies for firefighting being provided to the satisfaction of Fire Services Department;

- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. 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
- (c) 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](http://www.hadla.gov.hk/filemanager/en/docs/Guide_for_Caravan_Camp_Site_Eng.pdf)

### **Water Supply**

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

- (a) he has no objection to the application as the applicant advises that they would not apply for WSD’s water supply; and
- (b) 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.

### **Electricity Supply**

5.3.6 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) he has no particular comment on the application from electricity supply safety aspect; and
- (b) 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.

### **Food Licencing**

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

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.

### **Others**

5.3.8 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) he has no comment from district management perspective as the sewerage will not be discharged to the gazetted beaches including Pui O Beach; and
- (b) he also has no comment from tree preservation perspective given that no roadside tree maintained by his department will be affected.

5.4 The following government departments have been further consulted and maintain their previous views of having no comment on / no objection to the review application:

- (a) Chief Highway Engineer/NT East, Highways Department (CHE/NTE, HyD);
- (b) Commissioner of Police (C of P);
- (c) District Officer (Islands), HAD; and
- (d) Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD).

## **6. Public Comments on the Review Application Received During Statutory Publication Periods**

6.1 On 13.9.2019 and 18.10.2019, the review application and FI were published for public inspection. During the three-week statutory public inspection periods which ended on 4.10.2019 and 8.11.2019 respectively, 27 public comments from Kadoorie Farm and Botanic Garden Corporation (KFBG), World Wide Fund for

Nature Hong Kong (WWFHK), the Hong Kong Bird Watching Society (HKBWS), Designing Hong Kong Limited (DHK), Save Lantau Alliance (SLA), the Conservancy Association (CA), Living Island Movement (LIM), Temple Chambers and individuals were received raising objection to and/or concern on the application (**Annex F**). The main grounds of objection and concern include that the proposed development is not in line with the planning intention of the “CPA” zone and the Blueprint on “Conservation for the South”; adverse ecological impact on the wetland, the EIS and the wildlife habitat of the buffaloes; adverse environmental and noise impacts; adverse landscape and drainage impacts to the Site and the surrounding wetland area; adverse sewage impact by the portable toilets and the septic tank; adverse traffic impact by the visitors and staff; fire safety and waste management concerns; no licence for holiday camp development; compromising the access and future land use of the lots encircled by the Site; suspected “Destroy First, Build Later” case; and undesirable precedent to similar application.

- 6.2 At the stage of s.16 application, 785 public comments on the application from KFBG, LIM, DHK, HKBWS, CA, WWFHK, SLA, TrailWatch and Country Parks X, Temple Chambers and individuals were received raising objection to and/or concern on the application. Details of the comments are in paragraph 9 and Appendix III of **Annex A**.

## **7. Planning Considerations and Assessments**

- 7.1 The application is for a review of RNTPC’s decision on 2.8.2019 to reject the subject application for a proposed temporary development for 5 years with holiday camp (caravan holiday camp) as well as excavation of land for sewerage facilities within the “CPA” zone. The subject application was rejected by the RNTPC mainly on the grounds that the proposed development is not in line with the planning intention of the “CPA” zone; no information has been provided to demonstrate that the proposed development would not have adverse ecological and landscape impacts; and approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “CPA” zone.
- 7.2 In support of the review application, the applicant has provided further justifications, and provided responses to departmental and public comments that the holiday camp use will benefit the society by organising various activities, improve the environment and landscape quality and achieve sustainable development by providing leisure and recreational activities. A concept plan, a revised layout plan, revised drainage and landscape proposals, a revised existing tree plan, a revised landscaping plant plan and a revised sewage layout plan are also submitted. Compared with the rejected s.16 application, there is no change to the development parameters except the change in location of some caravans and revision of the drainage proposal which would require additional excavation of land within the Site. There is no change to other parameters of the proposed development.
- 7.3 The planning intention of the “CPA” zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment,



including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted. These scenic and ecologically sensitive coastal areas should also be protected against land filling, land excavation or stream diversion and encroachment by developments. The proposed development and excavation of land are not in line with this planning intention to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment and to safeguard the beaches and their immediate hinterland. There is no strong planning justification in the review submission for a departure from such planning intention, even on a temporary basis.

- 7.4 The Site is situated in an area of rural landscape character surrounded by agricultural land, vegetated areas and village houses (**Plans R-2, R-3 and R-4d**). To address RNTPC's concerns on landscape impact, the applicant has submitted FI with a revised layout plan and a revised existing tree plan to indicate that the caravan will be relocated away from the existing tree and concrete slabs will be provided under the moveable containers to avoid adverse impact on soil. Having reviewed the FIs, CTP/UD&L of PlanD has no objection to the application and an approval condition for submission and implementation of landscape proposal is recommended should the Board decide to approve the application on review.
- 7.5 Regarding ecological impact, the applicant submits a revised drainage proposal to indicate the surface channel and sand trap for discharge of the surface runoff to an existing nullah and claims that there is no other source of pollutant by the proposed development. However, DAFC maintains his reservation on the application as the applicant fails to address his concern on whether the measures to be implemented would be effective in protecting the adjacent wetland and watercourse(s). Generally speaking, the Pui O wetland comprises several parcels of abandoned farmland which are divided by roads and Pui O Stream and are seasonally or permanently inundated. The abandoned farmland and marshes in the area are ecologically linked to the Pui O EIS. Considering the close proximity of the Site to the ecologically sensitive Pui O wetland, and the connectivity and integrity of the wetland, the potential impact of the proposed development (such as water pollution, human disturbances, spill-over effect, etc.) should not be undermined. While CE/HK&I, DSD has no objection to the application, he advises that the information provided in the drainage proposal is minimal and should be resubmitted with drainage connection indicated and downstream details through the proposed sand trap discharge to the existing culvert provided to ensure no contaminated runoff due to camp site activities. The applicant should submit a satisfactory drainage proposal to demonstrate that there would be adequate measures 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. DEP maintains his no objection to the use of the septic tank and soakaway system provided that its design and construction follow the requirements of EPD ProPECC 5/93 to be certified by an AP.

- 7.6 The applicant states in the review submission that the Site was previously used as a vehicle workshop for more than ten years and the proposed development will improve the environment and landscape quality and achieve sustainable development by providing leisure and recreational activities. According to the aerial photos (**Plans R-3, R-5a to R-5b**), the Site was mainly covered by vegetation in 1995. Vegetation clearance has gradually occurred at the Site since 1996 and some temporary structures could be found since 1998. The Site is currently formed and used for various activities, including storage. H(SLO) of CEDD advises that there were changes of the wetland to brownfield for various uses over the years, the approval of the application may encourage the practice of 'destroy first', particularly in South Lantau.
- 7.7 The similar applications (No. A/SLT/29 and 47 and A/SLC/88) for holiday camp use were first approved by the Board in 1992 mainly on the ground that the proposed holiday camp was in line with the recommendation of the "South Lantau Planning and Development Study" in 1989 that Pui O was identified suitable for low-density recreational development. H(SLO) of CEDD advises that the Blueprint embraces the overarching principle of "Development in the North; Conservation for the South". The predominant part of Lantau, in particular the South Lantau, is proposed for conservation with sustainable leisure and recreational uses. Therefore, any camping ground proposal at or in the proximity of Pui O wetland must ensure that the development should not result in adverse impact to the wetland habitat, and at the same time, encourage upgrading the environment and enhancing the ecology. There are other existing caravan holiday camps within the "CPA" zone in South Lantau Coast area without valid planning permission. Granting of approval to the application, even on a temporary basis, would set an undesirable precedent for similar applications within the "CPA" zone and the cumulative effect of approving such applications would result in a general degradation of the natural environment of the area.
- 7.8 The Site is accessible from South Lantau Road. C for T maintains his views on s.16 application and has no objection to the application but considers that sufficient number of loading/unloading bays and parking spaces should be provided to meet the relevant demand. Other relevant departments consulted have no objection to/adverse comment on the review application. There is no major change in planning circumstance of the Site and its surrounding areas since the rejection of the subject application and there is no strong justification to warrant a departure from the RNTPC's rejection of the application.
- 7.9 There are 27 public comments objecting to/raising concern on the application mainly on grounds of adverse landscape, ecological, sewage, visual, noise, traffic impacts, fire safety and waste management concerns, non-compliance with planning intention and relevant government regulations; and suspected "Destroy First, Build Later" case. The planning assessment and government departments' comments above are relevant.

## **8. Planning Department's Views**

- 8.1 Based on the assessments made in paragraph 7 and having taken into account the public comments in paragraph 6 and given that there is no change in planning

circumstances since the rejection of the application by the RNTPC, PlanD maintains its previous view of not supporting the review application for the following reasons:

- (a) the application is not in line with the planning intention of the “CPA” zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development would not have adverse ecological impact to the surrounding areas; and
- (c) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “CPA” zone and the cumulative effect of approving such applications would lead to a general degradation of the natural environment of the area.

8.2 Alternatively, should the Board decide to approve the review application, it is suggested that the permission shall be valid on a temporary basis for a period of 5 years until **20.12.2024**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the submission of landscape proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the Town Planning Board **by 20.6.2020**;
- (c) in relation to (b) above, the implementation of landscape proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Planning or of the Town Planning Board **by 20.9.2020**;
- (d) the submission of drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board **by 20.6.2020**;
- (e) in relation to (d) above, the implementation of drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board **by 20.9.2020**;
- (f) the submission of proposals of fire service installations and water supplies

for firefighting within 6 months from the date of the planning approval to the satisfaction of Director of Fire Services or of the Town Planning Board **by 20.6.2020**;

- (g) in relation to (f) above, the provision of fire service installations and water supplies for firefighting within 9 months from the date of the planning approval to the satisfaction of Director of Fire Services or of the Town Planning Board **by 20.9.2020**;
- (h) the submission of loading/unloading bay and parking space proposal within 6 months from the date of the planning approval to the satisfaction of Commissioner for Transport or of the Town Planning Board **by 20.6.2020**;
- (i) in relation to (h) above, the provision of loading/unloading bays and parking spaces within the Site within 9 months from the date of the planning approval to the satisfaction of Commissioner for Transport or of the Town Planning Board **by 20.9.2020**;
- (j) 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;
- (k) if any of the above planning conditions (b) to (i) 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
- (l) upon expiry of the planning permission, the reinstatement of the application 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 **Annex I**.

### **9. Decision Sought**

- 9.1 The Board is invited to consider the application for a review of the RNTPC's decision and decide whether to accede to the application.
- 9.2 Should the Board decide to reject the review application, Members are invited to advise what reasons for rejection should be given to the applicant.
- 9.3 Alternatively, should the Board decide to approve the application, Members are invited to consider the approval conditions and advisory clauses, if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

**10. Attachments**

<b>Drawing R-1</b>	Concept Plan
<b>Drawing R-2</b>	Revised Layout Plan
<b>Drawing R-3</b>	Revised Drainage Proposal
<b>Drawing R-4</b>	Revised Landscape Proposal
<b>Drawing R-5</b>	Revised Existing Tree Plan
<b>Drawing R-6</b>	Revised Landscape Plants Plan
<b>Drawing R-7</b>	Revised Sewage Layout Plan
<b>Plan R-1</b>	Location Plan
<b>Plan R-2</b>	Site Plan
<b>Plan R-3</b>	Aerial Photo
<b>Plans R-4a to R-4d</b>	Site Photos
<b>Plans R-5a to R-5b</b>	Aerial Photos
<b>Annex A</b>	RNTPC Paper No. A/SLC/155
<b>Annex B</b>	Extract of minutes of the RNTPC meeting held on 2.8.2019
<b>Annex C</b>	Secretary of Town Planning Board's letter dated 16.8.2019
<b>Annex D</b>	Letter dated 2.9.2019 from the applicant applying for a review of the RNTPC's decision
<b>Annex E</b>	Further information by the applicant received on 9.10.2019
<b>Annex F</b>	Further information by the applicant received on 28.11.2019
<b>Annex G</b>	Further information by the applicant received on 11.12.2019
<b>Annex H</b>	Public Comments received during the Statutory Publication Period
<b>Annex I</b>	Recommended Advisory Clauses

**PLANNING DEPARTMENT  
DECEMBER 2019**