

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1155

<u>Applicant</u>	: Starland Camping Development Limited represented by Mr. TANG Lok San
<u>Site</u>	: Lot 655 (Part) in D.D. 109, Kam Tin North, Yuen Long, New Territories
<u>Site Area</u>	: About 3,444.1m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
<u>Zoning</u>	: “Agriculture” (“AGR”)
<u>Application</u>	: Proposed Temporary Holiday Camp with Ancillary Facilities and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary holiday camp with ancillary facilities and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). Filling of land in the “AGR” zone also requires planning permission from the Board. The Site is mainly vacant and covered by lawn, partly hard-paved and erected with some temporary structures (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Shui Mei Road via local tracks (**Plans A-1 to A-3**). According to the applicant, the proposed use involves a lawn area of about 2,728.4m² (about 79% of the Site) to accommodate a maximum of 18 tents; and five structures of not more than two storeys with height of not more than 8m and a total floor area of about 439.5m² for function rooms, shower rooms and rain shelters (**Drawing A-1**). The applicant also applies for regularisation of filling of land for about 527.6m² (about 15.3% of the Site) and proposed filling of land for about 188.1m² (about 5.5% of the Site) with concrete of not more than 0.3m in depth (to a level of not more than 9.3mPD) for site formation (**Drawing A-2**). A loading and unloading space for light goods vehicle will be provided at the Site. No open storage/warehouse use, whistle-blowing, use of public announcement system or any form of audio amplification system will be involved at all times. The proposed operation hours will be between 9:00 a.m. and 7:00 p.m. daily

(except for overnight camping activities) including Sundays and public holidays. The proposed use will accommodate a maximum of 72 visitors per day at the Site. Plans showing the site layout and land filling area submitted by the applicant are on **Drawings A-1** and **A-2** respectively.

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

- (a) Application Form with attachments received on 28.7.2025 and 1.8.2025 (Appendix I)
 - (b) Further Information (FI) received on 15.9.2025* (Appendix Ia)
 - (c) FI received on 23.9.2025# (Appendix Ib)
 - (d) FI received on 5.11.2025* (Appendix Ic)
- * accepted and exempted from publication and recounting requirements
accepted but not exempted from publication and recounting requirements

1.4 On 19.9.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months as requested by the applicant.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FIs at **Appendices I** and **Ic**, and can be summarised as follows:

- (a) The proposed use could meet the pressing demand for outdoor recreational facilities in rural area of the New Territories. It is not incompatible with the surrounding areas and the temporary nature of the application would not frustrate the long-term planning intention of the “AGR” zone.
- (b) Sufficient space is allowed for vehicle manoeuvring within the Site and infrequent trip generation is anticipated. Adverse impacts generated by the proposed use are not anticipated. In support of the current application, the applicant has submitted drainage and fire service installations (FSIs) proposals.
- (c) The sewage generated by the proposed use will be treated by the existing septic tank. Application for water supply will also be made to the Water Supplies Department. As for waste management, regular waste collection by the staffs for disposal to the nearby refuse station will be arranged.
- (d) The proposed access to the Site will pass through the site of an application being processed (No. A/YL-KTN/1151) (**Plan A-1**) for temporary place of recreation, sports or culture submitted by a different applicant. The operation of the proposed use under the current application is not related to application No. A/YL-KTN/1151 and consent from the concerned applicant and land owner(s) has been obtained for the proposed access.
- (e) Regarding the Lands Department (LandsD)’s concerns on lease breaches at the Site, the applicant will take appropriate follow-up actions including submission of Short Term Waiver (STW) application to LandsD upon approval of the current

application.

- (f) The extent of excavation works for the proposed drainage system has been minimised which will not cause adverse impact from archeological impact.

3. **Compliance with the ‘Owner’s Consent/Notification’ Requirements**

The applicant is not a ‘current land owner’ but has complied with the requirement 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. 31B) by posting site notice and sending notice to the Kam Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

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

5. **Previous Application**

The Site is involved in one previous application No. A/YL-KTN/879 for temporary place of recreation, sports or culture (hobby farm) submitted by a different applicant approved with conditions by the Committee with filling of land in 2023, and the planning permission was revoked in 2024 due to non-compliance with approval conditions. The considerations of this application are not relevant to the current application due to different use involved. Details of the previous application are summarised at **Appendix II** and the location is shown on **Plan A-1**.

6. **Similar Applications**

There are 13 similar applications involving temporary holiday camp (including eight with hobby farm, fishing and/or prawning ground or barbeque site; and nine with filling of land) in the vicinity of the Site within or straddling the same “AGR” zone in the past five years. All these applications were approved with conditions by the Committee between 2021 and 2025 mainly on the considerations that the proposed/applied use on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone or could be tolerated; the proposed/applied use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comment or the concerns could be addressed by approval conditions. Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

7. **The Site and Its Surrounding Areas (Plans A-1 to A-4)**

7.1 The Site is:

- (a) mainly vacant and covered by lawn, partly hard-paved and erected with some temporary structures;

- (b) within the Yuen Shan Site of Archaeological Interest (**Plan A-1**); and
- (c) accessible from Shui Mei Road via local tracks.

7.2 The surrounding areas are rural in character with an intermix of outdoor place of recreation of Kam Tin Country Club (subject to an on-going planning application No. A/YL-KTN/1151), active farmland, grassland and woodland. To the further north and east are Lam Tsuen Country Park and grassland within the “Green Belt” zone respectively.

8. Planning Intention

- 8.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 8.2 According to the Explanatory Statement of the OZP for the “AGR” zone, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

9. Comments from Relevant Government Bureau/Departments

- 9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other bureau/departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided at **Appendices III** and **IV** respectively.
- 9.2 The following government department has adverse comments on the application:

Land Administration

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

- (a) has adverse comments on the application;
- (b) the Site comprises an Old Schedule Agriculture Lot No. 655 in D.D. 109 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;
- (c) there is/are unauthorised structure(s) and uses on the private lot covered by the application which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and
- (d) advisory comments are at **Appendix IV**.

9.3 The following government department does not support the application:

Agriculture and Nature Conservation

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

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the “AGR” zone and is generally vacant with temporary structures. Agricultural activities in the vicinity are active, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as greenhouses, plant nurseries, etc.;
- (c) no comment on the application from nature conservation perspective; and
- (d) advisory comments are at **Appendix IV**.

10. Public Comment Received During Statutory Publication Periods

On 5.8.2025 and 3.10.2025, the application and FI were published for public inspection. During the statutory public inspection periods, one public comment was received from an individual objecting to the application mainly on the grounds that the Site will be turned to brownfield uses; and approval conditions under the previous application were not complied with (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary holiday camp with ancillary facilities and associated filling of land for a period of three years at the Site zoned “AGR” on the OZP (**Plan A-1**). Whilst the proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 11.2 Filling of land in the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from drainage and environmental planning perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character with an intermix of outdoor place of recreation, farmland, grassland and woodland. The Chief Town Planner/Urban Design and Landscape

of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective considering that significant adverse landscape impact is not anticipated.

- 11.4 Other relevant government bureau/departments consulted, including the Chief Heritage Executive (Antiquities and Monuments) of the Antiquities and Monuments Office, Development Bureau, Commissioner for Transport and Director of Fire Services (D of FS), have no objection to or no adverse comment on the application. The submitted FSIs proposal is considered acceptable by D of FS. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the proposed use. Regarding DLO/YL, LandsD's concern on the unauthorised structure(s) and uses on the private lot of the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 There are 13 approved similar applications involving temporary holiday camp in the vicinity of the Site within or straddling the same "AGR" zone in the past five years as mentioned in paragraph 6 above. Approving the current application is in line with the Committee's previous decisions.
- 11.6 Regarding the public comment as mentioned in paragraph 10, the previous application was for a different use at the Site submitted by a different applicant. Besides, any unauthorized development at the Site would be subject to planning enforcement action.

12. Planning Department's View

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 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 three years until 21.11.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) 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 21.5.2026;
- (b) in relation to (a) 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 21.8.2026;

- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the implementation of the accepted 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 21.8.2026;
- (e) if the above planning condition (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;
- (f) if any of the above planning condition (a), (b) or (d) 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
- (g) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and fill materials and grassing of the site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

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

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

the proposed use with associated filling of land is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.
- 13.3 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.

14. **Attachments**

Appendix I	Application Form with attachments received on 28.7.2025 and 1.8.2025
Appendix Ia	FI received on 15.9.2025
Appendix Ib	FI received on 23.9.2025
Appendix Ic	FI received on 5.11.2025
Appendix II	Previous and similar applications
Appendix III	Government bureau/departments' general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comment
Drawing A-1	Site layout plan
Drawing A-2	Land filling plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**