

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

**APPLICATION NO. A/YL-KTN/1162**

<b><u>Applicant</u></b>	: Mr. TANG Lok San
<b><u>Site</u></b>	: Lots 822 and 824 in D.D. 109, Kam Tin North, Yuen Long, New Territories
<b><u>Site Area</u></b>	: About 1,151.2m <sup>2</sup>
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	: Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
<b><u>Zoning</u></b>	: “Agriculture” (“AGR”)
<b><u>Application</u></b>	: 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 partly hard-paved and partly covered by grass, and erected with some temporary structures (**Plans A-2 and A-4**).
- 1.2 The Site comprises eastern and western portions separated by Government land in between, and is accessible from Shui Mei Road via local tracks (**Plans A-1 to A-3**). According to the applicant, the proposed use involves a camping area of about 780.3m<sup>2</sup> (67.8% of the Site) and nine structures with height of not more than one storey and 7m and a total floor area of about 234m<sup>2</sup> for changing room, camping lounge, ancillary storage, toilet and rain shelter (**Drawing A-1**). The applicant also applies for regularisation of filling of land for about 370.9m<sup>2</sup> (32.2% of the Site) with soil and concrete of about 0.6m in depth (to a level of not more than 11.6mPD) and 780.3m<sup>2</sup> (67.8% of the Site) with soil of about 0.3m in depth (to a level of not more than 11.3mPD) for site formation and vehicular circulation (**Drawing A-2**). One parking space for private car for staff will be provided within the Site. The operation hours will be 24 hours daily including

Sundays and public holidays. The applicant estimates that a maximum of 40 visitors per day will be accommodated at the Site and the visitors will access the Site by means of public transport and walking. No warehouse, open storage, public announcement system or any form of audio amplification system will be involved at all times. Plans showing the site layout and land filling area submitted by the applicant are on **Drawings A-1** and **A-2** respectively.

- 1.3 The Site is the subject of a previous application No. A/YL-KTN/838 involving larger site area for temporary hobby farm and holiday camp submitted by the same applicant as the current application (details at paragraph 5 below). The previous application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2022 and the planning permission was subsequently revoked in 2024 due to non-compliance with approval conditions. Compared with the previous application, the current application involves reduction in site area (-2,518.4m<sup>2</sup>/-68.6%) by excluding the northern portions of the previous application site (**Plan A-1**), and the development parameters and layout under the current application remain similar to the concerned southern portions of the previous application.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 19.8.2025 (**Appendix I**) and 25.8.2025
  - (b) Further Information (FI) received on 1.9.2025<sup>#</sup> (**Appendix Ia**)
  - (c) FI received on 6.10.2025\* (**Appendix Ib**)
  - (d) FI received on 19.11.2025\* (**Appendix Ic**)
- <sup>#</sup> *accepted but not exempted from publication and recounting requirements*  
<sup>\*</sup> *accepted and exempted from publication and recounting requirements*
- 1.5 On 24.10.2025, the Committee 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** to **Ic**, and can be summarised as follows:

- (a) The proposed use is for meeting the outdoor leisure and recreational needs of the local residents and the public. The temporary nature of the application would not frustrate the long-term planning intention of the “AGR” zone. The proposed use is not incompatible with the surrounding areas and the Site is subject to a previous application for the same use as the current application.
- (b) Adverse impacts on the surrounding areas are not anticipated. In support of the current application, the applicant has submitted drainage and fire service installations (FSIs) proposals.

**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 the subject of a previous application No. A/YL-KTN/838 involving larger site area for temporary hobby farm and holiday camp submitted by the same applicant. The previous application was approved with conditions by the Committee in 2022 mainly on the considerations that the proposed use on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone; the proposed use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comments or their concerns and public comments could be addressed by approval conditions. The planning permission was subsequently revoked in 2024 due to non-compliance with approval conditions related to submission and/or implementation of drainage and FSIs proposals. Compared with the previous application, the current application involves reduction in site area and similar development parameters and layout as the concerned southern portions of the previous application as mentioned in paragraph 1.3 above. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

**6. Similar Applications**

There are 13 similar applications involving temporary holiday camp (including seven also involving hobby farm/barbecue site/eating place/fishing ground/prawning ground; and nine with filling of land) within/straddling the same “AGR” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between 2021 and 2025 mainly on the similar considerations as mentioned in paragraph 5 above. 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) comprising eastern and western portions separated by Government land in between;

- (b) partly hard-paved and partly covered by grass, and erected with some temporary structures;
  - (c) accessible from Shui Mei Road via local tracks; and
  - (d) within the Yuen Shan Site of Archaeological Interest (**Plan A-1**).
- 7.2 The surrounding areas are rural in character with an intermix of farm, residential structures, grassland, graves and woodland.

## **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 department as set out in paragraph 9.2 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, if any, are provided at **Appendices III** and **IV** respectively.
- 9.2 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;
- (b) the Site falls within the “AGR” zone and is partially cemented land. Agricultural infrastructures such as road access and water source are available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses and plant nurseries; and
- (c) no comment on the application from nature conservation perspective.

## **10. Public Comments Received During Statutory Publication Periods**

On 26.8.2025 and 12.9.2025, the application and FI were published for public inspection. During the statutory public inspection periods, three public comments were received, including two from Kadoorie Farm and Botanic Garden Corporation objecting to the

application mainly on the grounds that the proposed use is not in line with the planning intention of the “AGR” zone; and there would be potential impacts on the Agricultural Priority Areas, and one from an individual raising concerns on the non-compliance with approval conditions under the previous application (**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” (**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 farm, residential structures, grassland, graves 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 and considers that significant adverse landscape impact on existing landscape resources and character is not anticipated.
- 11.4 Other relevant government bureau/departments consulted, including the Commissioner for Transport and Director of Fire Services (D of FS), have no objection to or no adverse comment on the application. 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.
- 11.5 The Site is the subject of a previously approved application No. A/YL-KTN/838 involving temporary holiday camp submitted by the same applicant as detailed in paragraph 5 above. Whilst the planning permission under the previous application was revoked in 2024 due to non-compliance with approval conditions related to submission and/or implementation of drainage and FSIs proposals, the applicant has submitted the relevant proposals in support of the current application and the submitted FSIs proposal is considered acceptable by D of FS. In this regard, sympathetic consideration may be given to the current application. Should the application be approved, the applicant will be advised that should he

fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further application.

- 11.6 There are 13 approved similar applications involving temporary holiday camp within the same “AGR” zone in the vicinity of the Site in the past five years as mentioned in paragraph 6 above. Approving the current application is in line with the Committee’s previous decisions.
- 11.7 Regarding the public comments as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant.

## **12. Planning Department’s View**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments 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 9.1.2029. 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 9.7.2026;
- (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 9.10.2026;
- (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 9.10.2026;
- (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**

<b>Appendix I</b>	Application Form with attachments received on 19.8.2025 and 25.8.2025
<b>Appendix Ia</b>	FI received on 1.9.2025
<b>Appendix Ib</b>	FI received on 6.10.2025
<b>Appendix Ic</b>	FI received on 19.11.2025
<b>Appendix II</b>	Previous and similar applications
<b>Appendix III</b>	Government bureau/departments' general comments
<b>Appendix IV</b>	Recommended advisory clauses
<b>Appendix V</b>	Public comments
<b>Drawing A-1</b>	Site layout plan

<b>Drawing A-2</b>	Land filling plan
<b>Plan A-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plans A-4</b>	Site photo

**PLANNING DEPARTMENT  
JANUARY 2026**