

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTS/1106

<u>Applicant</u>	:	God Power Association Limited represented by R-riches Planning Limited
<u>Site</u>	:	Lots 777 RP, 778 RP, 779 RP and 926 in D.D. 103, Kam Tin, Yuen Long, New Territories
<u>Site Area</u>	:	About 3,271m ²
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
<u>Zoning</u>	:	“Agriculture” (“AGR”)
<u>Application</u>	:	Temporary Religious Institution with Ancillary Facilities and Associated Filling of Land for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary religious institution with ancillary facilities and associated filling of land for a period of five years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “AGR” zone, ‘Religious Institution’ (being not ancestral hall), which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is partly hard-paved and erected with some structures occupied by the applied use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Kam Ho Road via a footpath (**Plans A-2 to A-3**). According to the applicant, the applied use involves seven single-storey structures with height of not more than 5m and a total floor area of about 591m² for religious activities rooms/stage, ancillary site office, storage and E&M facilities; an existing pond in southern part of the Site retained for amenity purpose; and an uncovered area of about 1,980m² for activity areas, landscaping and circulation (**Drawing A-1**). The religious activities include worshipping, fellowship services and Bible study. The applicant also applies for regularisation of filling of land for about 1,065m² (32.5% of the Site) with concrete of not more than 0.2m in depth (to a level of about 5.7mPD) for site formation and pedestrian circulation (**Drawing A-2**). No parking or loading/unloading space is provided and all existing trees will be preserved within the Site. Visitors and staff will access the Site by means of public transport and walking, and visitors are required to make prior appointment

for visiting. No public announcement system or any form of audio amplification system will be used in the open area of the Site and no burning activities including burning of joss papers, offerings, incense and candles would be involved at the Site at all times. All outdoor lighting will be switched-off after operation hours. Septic tank and soakaway system will be provided. The applied use will accommodate a maximum of 30 visitors per day. The operation hours are between 9:00 a.m. and 9:00 p.m. daily, including Sundays and public holidays. 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 (Appendix I)
18.11.2025 and 24.11.2025
- (b) Further Information (FI) received on 2.1.2026* (Appendix Ia)
- (c) FI received on 6.1.2026* (Appendix Ib)
** accepted and exempted from publication and recounting requirements*

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 **Ib**, and can be summarised as follows:

- (a) The applicant is a religious charitable institution registered under section 88 of the Inland Revenue Ordinance and provides religious services to members of the institution to enhance their well-being and to develop positive relationships under Christian faith. The applied use will involve only passive religious activities including worshipping, fellowship services and Bible study, and is not incompatible with the surrounding areas. The temporary application would not frustrate the long-term planning intention of the “AGR” zone.
- (b) The Site is the subject of two approved previous applications (No. A/YL-KTS/799 and 857) for temporary hobby farm submitted by the same applicant. The hobby farm approved under the previous applications has been converted to the applied use to accommodate religious activities by the applicant, and the current application is to regularise the applied use at the Site.
- (c) The applicant will strictly follow the relevant environmental protection/pollution control ordinances, the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) issued by the Environmental Protection Department, and the Professional Persons Environmental Consultative Committee Practice Notes to minimise any adverse environmental nuisance to the surrounding areas.
- (d) In support of the current application, the applicant has submitted a fire service installations (FSIs) proposal and record of implemented drainage facilities.

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

The applicant is not the “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” Requirement under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting notice at the Site and sending notice to the Pat Heung 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. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance would be undertaken.

5. Previous Applications

The Site, in part or in whole, is the subject of four previous applications (No. A/YL-KTS/659, 697, 779 and 857). Application No. A/YL-KTS/697 for temporary place of recreation, sports or culture (including barbecue site and kiosks) was rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 2016. Applications No. A/YL-KTS/659, 779 and 857 for temporary hobby farm with/without filling of land were approved with conditions by the Committee between 2015 and 2020, and the planning permission under the last application No. A/YL-KTS/857 was lapsed on 10.10.2025. Considerations of these applications are not relevant to the current application due to different use involved. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Application

There is a similar application No. A/YL-KTS/979 for permanent religious institution (temple) with filling of land within the same “AGR” zone in the vicinity of the Site in the past five years, which was approved with condition by the Committee in 2023 mainly on the considerations that the Secretary for Home and Youth Affairs (SHYA) regarded the applicant a bona fide religious and charitable organisation and sympathetic consideration could be given; the proposed use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comment or their concerns and public comment could be addressed by approval condition. Details of the similar application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

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

7.1 The Site is:

- (a) accessible from Kam Ho Road via a footpath; and

- (b) partly hard-paved and erected with some structures occupied by the applied use without valid planning permission.
- 7.2 The surrounding areas are rural in character with an intermix of residential structures, hobby farms (including one site with valid planning permission), orchard, farmland and woodland. To the east of the Site across the footpath is Tsing Long Highway. Kam Sheung Road Station is located to the further northeast about 260m from the Site (**Plans A-1 and A-3**).

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 “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 bureau/department as set out in paragraphs 9.2 and 9.3 below, other 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 bureau has specific comments on the application:

Policy Aspect

Comments of SHYA:

- (a) no objection to the application; and
 - (b) the applicant was established to promote the extension and revival of the Christian religion and to preach the Gospel of Jesus Christ by public evangelism, and lead Christians to worship God in spirit and truth through church and other services. In view of the above, she is satisfied that the applicant is a bona fide religious organisation. Having checked the official website of the Inland Revenue Department, the applicant is noted to be a charitable organisation registered under section 88 of the Inland Revenue Ordinance (Cap. 112).
- 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. Agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.; and
- (c) no comment on the application from nature conservation perspective.

10. Public Comment Received During Statutory Publication Period

On 25.11.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary religious institution with ancillary facilities and associated filling of land for a period of five years at the Site zoned “AGR” on the OZP (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, according to the applicant, the applicant is a religious charitable institution and the applied use is for providing religious services to its members. SHYA has no objection to the application in view that the applicant is a bona fide religious organisation. Taking into account the above and the planning assessments below, there is no objection to the applied use with ancillary facilities and associated filling of land on a temporary basis for a period of five years.
- 11.2 Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent 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 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 applied use is considered not incompatible with the surrounding areas which are rural in character with an intermix of residential structures, hobby farms, orchard, farmland 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 the applied use is not incompatible with the surrounding landscape character and significant adverse landscape impact arising from the applied use is not anticipated.
- 11.4 Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services, who considers the submitted FSIs proposal acceptable, have no objection to or no adverse comment on the application. To

address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised 'CoP' to minimise any potential environmental nuisance caused by the applied use.

- 11.5 There is an approved similar application for permanent religious institution within the same "AGR" zone in the past five years as mentioned in paragraph 6 above. Whilst the current application is for temporary religious institution, the considerations under the similar application of being not incompatible with the surrounding areas and that the relevant government departments generally had no adverse comment are applicable to the current application. Approving the current application is in line with the Committee's previous decision.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11, 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 five years until 9.1.2031. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **9.7.2026**;
- (b) in relation to (a) above, the implementation of the 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 application site to the satisfaction of the Director of Planning or of the Town

Planning Board.

Advisory clauses

The recommended advisory clauses are attached in **Appendix IV**.

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

the applied 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 received on 18.11.2025 and SI received on 24.11.2025
Appendix Ia	FI received on 2.1.2026
Appendix Ib	FI received on 6.1.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	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
JANUARY 2026**