

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1253

- Applicant** : Mr. WU Wai Ho represented by R-riches Planning Limited
- Site** : Lots 1775 RP (Part), 1785 RP, 1786, 1787 S.B, 1787 RP and 1790 RP (Part) in D.D. 107 and Lots 21 (Part), 22 (Part) and 28 (Part) in D.D. 109, Fung Kat Heung, Kam Tin, Yuen Long
- Site Area** : About 11,456m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Holiday Camp, Place of Recreation, Sports or Culture, Barbecue Site and Eating Place with Ancillary Facilities and Associated Filling of Land and Pond for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary holiday camp, place of recreation, sports or culture, barbecue site and eating place¹ with ancillary facilities and associated filling of land and pond 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 or pond in the “AGR” zone also requires planning permission from the Board. The Site is currently fenced-off, partly covered by lawn and trees and partly hard-paved, erected with some temporary structures and used for the applied uses without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Chi Ho Road via a local track (**Plans A-1 to A-4a**). According to the applicant, the applied uses involve 16 single-storey holiday camp huts with height of about 4.5m and a total floor area of about 544m², as well as 14 single-storey structures with height of not more than 8m and a total floor area of about 1,160m² for eating place, barbecue area, recreational activities area,

¹ According to the Notes of the OZP for the “AGR” zone, ‘Holiday Camp’, ‘Place of Recreation, Sports or Culture’ (being not a Horse Riding School, Hobby Farm or Fishing Ground), privately owned and/or commercially operated ‘Barbecue Site’ and ‘Eating Place’ are neither Column 1 nor Column 2 uses.

reception and office, store room, kitchen, washroom and pump room. The activities to be held at the Site include dancing, painting, drawing, yoga classes and wedding events, etc. The remaining open area is mainly for open space for recreational activities, parking, loading/unloading (L/UL) spaces and circulation (**Drawing A-1**). 22 parking spaces for private car, one loading/unloading (L/UL) space for light goods vehicle and three L/UL spaces for light bus are provided at the Site. The applicant also applies for regularisation of filling of land for about 2,847m² (about 24.9% of the Site) with gravels or concrete of 0.2m in depth and regularisation of filling of pond for about 5,824m² (about 50.1% of the Site) with soil of 0.5m and gravels or concrete of 0.2m in depth (to a level of not more than 5.6mPD) for site formation and vehicular circulation (**Drawing A-2**). Ancillary solar panels are installed atop the holiday camp huts to support the operation of the applied uses. 45 existing trees identified within the Site will be retained in-situ (**Drawing A-3**). The operation hours are between 7:00 a.m. and 10:00 p.m. daily (except for overnight holiday camping activities), including Sundays and public holidays. It is anticipated that the applied uses will accommodate not more than 90 visitors per day, and prior registration of visitors is required before accessing to the Site. Plans showing the site layout, land/pond filling areas and landscape plan submitted by the applicant are on **Drawings A-1 to A-3** respectively.

- 1.3 Various parts of the Site are the subject of four previous applications (details at paragraph 5 below), including the last application (No. A/YL-KTN/1044) for the same use submitted by the same applicant as the current application which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2024, and the planning permission was subsequently revoked in 2026 due to non-compliance with approval conditions. Compared with the last application (No. A/YL-KTN/1044), the current application involves increases in site area (+4,087m²/+55.5%), number of parking spaces for private car (+2/+10%) and L/UL spaces for light bus (+2/+200%), as well as reduction in total floor area (-145m²/-7.8%).
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 26.6.2026 (**Appendix I**)
 - (b) Further Information (FI) received on 28.8.2026* (**Appendix Ia**)
 - (c) FI received on 2.10.2026* (**Appendix Ib**)
 - (d) FI received on 14.10.2026* (**Appendix Ic**)

** accepted and exempted from publication and recounting requirements*
- 1.5 On 14.8.2026, 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 applied uses can cater for the demand for holiday camp and recreational, sports or cultural activities in the New Territories. As compared to the last application No. A/YL-KTN/1044, the applicant intends to enlarge the Site for serving more families and visitors. The temporary nature of the application will not frustrate the long-term planning intention of the “AGR” zone. The applied uses are not incompatible with the surrounding areas; and
- (b) sufficient space will be provided for vehicle to manoeuvre smoothly within the Site. Adverse impacts on the surrounding areas are not anticipated. In support of the current application, the applicant has submitted a Drainage Impact Assessment (DIA) and fire service installations (FSIs) proposal.

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 publishing notices in local newspapers 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. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance would be undertaken.

5. Previous Applications

Various parts of the Site are the subject of four previous applications (No. A/YL-KTN/536, 615, 693 and 1044) involving temporary place of recreation, sports or culture, holiday camp, barbecue site and/or eating place uses. All these applications were approved with conditions by the Committee between 2017 and 2024 mainly on the consideration that the proposed/applied use(s) on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone or could be tolerated; the proposed/applied use(s) was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comment or their concerns and public comments, if any, could be addressed by approval conditions. Except application No. A/YL-KTN/536, all the planning permissions were subsequently revoked between 2021 and 2026 due to non-compliance with approval conditions. For the last application No. A/YL-KTN/1044 submitted by the same applicant as the current application for the same uses, the planning permission was revoked due to non-compliance with approval conditions related to submission and/or implementation of drainage and FSIs proposals. Compared with the last application No. A/YL-KTN/1044, the current application involves changes in the scheme as mentioned in paragraph 1.3 above. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Applications

There are 28 similar applications involving temporary place of recreation, sports or culture, holiday camp, barbecue site and/or eating place uses with/without associated filling of land/pond (including one renewal of temporary approval granted) within/straddling the same “AGR” zone and the adjoining “Village Type Development” or “Green Belt” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between 2022 and 2026 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-4b)

7.1 The Site is:

- (a) accessible from Chi Ho Road via a local track; and
- (b) currently fenced-off, partly covered by lawn and partly hard-paved, erected with some temporary structures and used for the applied uses without valid planning permission.

7.2 The surrounding areas are rural in character with an intermix of open storage yards, plant nurseries, scattered residential structures, grassland, vacant land and pond.

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 or pond 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 Departments

9.1 Apart from the government department as set out in paragraph 9.2 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 department does not support the application:

Agriculture, Fisheries 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. The 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.;
- (c) no comment on the application from nature conservation perspective;
- (d) as no existing fishponds have been identified within the Site, he has no comment on the application from fisheries perspective; and
- (e) advisory comments are at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 3.7.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual objecting to the application mainly on the grounds that the approval conditions under the previous application No. A/YL-KTN/1044 were not complied with; the genuine intention of the application is for brownfield use; and suspected unauthorized development (UD) is involved at the Site (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary holiday camp, place of recreation, sports or culture, barbecue site and eating place with ancillary facilities and associated filling of land and pond for a period of three years at the Site zoned “AGR” (**Plan A-1**). Whilst the applied uses are 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 applied uses with associated filling of land and pond on a temporary basis of three years.
- 11.2 Filling of land or pond in 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 planning perspectives respectively, and DAFC has no comment on the application from nature conservation and fisheries perspectives. 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 uses are considered not incompatible with the surrounding areas which are rural in character mainly with an intermix of open storage yards, plant nurseries, residential structures, grassland, vacant land and pond. 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 the applied uses are not incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the applied uses is not anticipated.
- 11.4 Other relevant government departments consulted, including the Commissioner for Transport, Director of Food and Environmental Hygiene and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant 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 applied uses.
- 11.5 Various parts of the Site are the subject of four approved previous applications involving temporary place of recreation, sports or culture, holiday camp, barbecue site and/or eating place uses, including the last application No. A/YL-KTN/1044 submitted by the same applicant as the current application for the same uses as detailed in paragraph 5 above. Whilst the planning permission under application No. A/YL-KTN/1044 was revoked due to non-compliance with approval conditions related to submission and/or implementation of drainage and FSIs proposals, in support of the current application, the applicant has submitted DIA and FSIs proposal. In this regard, sympathetic consideration may be given to the current application. Should the application be approved by the Committee, 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 28 approved similar applications involving temporary place of recreation, sports or culture, holiday camp, barbecue site and/or eating place uses 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 comment as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant. Besides, any UD on the Site would be subject to planning enforcement action.

12. Planning Department's Views

- 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 23.10.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a revised drainage impact assessment 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 23.4.2027;
- (b) in relation to (a) above, the implementation of the drainage facilities identified in the revised drainage impact assessment 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 23.7.2027;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the submission of a revised fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 23.4.2027;
- (e) in relation to (d) above, the implementation of the revised 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 23.7.2027;
- (f) 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;
- (g) if any of the above planning condition (a), (b), (d) or (e) 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
- (h) 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 applied uses with associated filling of land and pond are 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 26.6.2026
Appendix Ia	FI received on 28.8.2026
Appendix Ib	FI received on 2.10.2026
Appendix Ic	FI received on 14.10.2026
Appendix II	Previous and similar applications
Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comment
Drawing A-1	Site layout plan
Drawing A-2	Land/pond filling plan
Drawing A-3	Landscape plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plans A-4a and 4b	Site photos

**PLANNING DEPARTMENT
OCTOBER 2026**