

Previous s.16 Applications covering the Application Site (the Site)

Approved Applications

	Application No.	Use/Development	Date of Consideration
1.	A/YL-KTN/636	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of Three Years	21.12.2018 [revoked on 21.5.2021]
2.	A/YL-KTN/898	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Filling of Land	21.4.2023 [revoked on 21.1.2024]
3.	A/YL-KTN/1005	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	4.10.2024 [revoked on 4.7.2025]

Similar s.16 Applications within the Same “Agriculture” Zone in the Vicinity of the Site in the Past Five Years

Approved Applications

	Application No.	Use/Development	Date of Consideration
1.	A/YL-KTN/824	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Filling of Land	6.5.2022 [revoked on 6.2.2024]
2.	A/YL-KTN/852	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Filling of Land	23.9.2022 [revoked on 23.3.2024]
3.	A/YL-KTN/890	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Filling of Land	31.3.2023 [revoked on 30.9.2024]
4.	A/YL-KTN/904	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	19.5.2023 [revoked on 19.11.2024]
5.	A/YL-KTN/905	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Filling of Land	19.5.2023 [revoked on 19.11.2024]
6.	A/YL-KTN/907	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	13.10.2023 [revoked on 13.7.2025]
7.	A/YL-KTN/920	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	28.7.2023 [revoked on 28.4.2025]
8.	A/YL-KTN/937	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	25.8.2023 [revoked on 25.5.2025]
9.	A/YL-KTN/938	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	25.8.2023 [revoked on 25.8.2024]

	Application No.	Use/Development	Date of Consideration
10.	A/YL-KTN/939	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	25.8.2023 [revoked on 25.2.2025]
11.	A/YL-KTN/951	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	8.12.2023 [revoked on 8.6.2025]
12.	A/YL-KTN/953	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	8.12.2023 [revoked on 8.6.2025]
13.	A/YL-KTN/955	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	27.10.2023 [revoked on 27.4.2025]
14.	A/YL-KTN/957	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	27.10.2023 [revoked on 27.4.2025]
15.	A/YL-KTN/963	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	8.12.2023 [revoked on 8.9.2025]
16.	A/YL-KTN/975	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	26.1.2024 [revoked on 26.7.2025]
17.	A/YL-KTN/979	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land and Pond	5.7.2024 [revoked on 5.4.2026]
18.	A/YL-KTN/992	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Filling of Land	5.4.2024 [revoked on 5.1.2026]
19.	A/YL-KTN/993	Proposed Temporary Warehouse (Excluding Dangerous Goods	5.4.2024 [revoked on 5.1.2026]

	Application No.	Use/Development	Date of Consideration
		Godown) with Ancillary Facilities for a Period of Three Years and Associated Filling of Land	
20.	A/YL-KTN/995	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Associated Filling of Land	5.4.2024 [revoked on 5.10.2025]
21.	A/YL-KTN/996	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Associated Filling of Land	19.4.2024 [revoked on 19.1.2026]
22.	A/YL-KTN/1004	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land and Pond	25.10.2024
23.	A/YL-KTN/1017	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	25.10.2024 [revoked on 25.4.2026]
24.	A/YL-KTN/1027	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	6.12.2024
25.	A/YL-KTN/1031	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	22.11.2024
26.	A/YL-KTN/1033	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	22.11.2024
27.	A/YL-KTN/1040	Temporary Open Storage for Construction Materials and Warehouse for a Period of Three Years and Associated Filling of Land	20.9.2024 [revoked on 20.3.2026]
28.	A/YL-KTN/1050	Temporary Open Storage and Warehouse for Construction Materials and Machineries for a Period of Three Years and Associated Filling of Land	24.1.2025
29.	A/YL-KTN/1052	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	8.11.2024 [revoked on 8.2.2026]

	Application No.	Use/Development	Date of Consideration
30.	A/YL-KTN/1054	Proposed Temporary Warehouse and Open Storage of Construction Materials and Machineries for a Period of Three Years and Associated Filling of Land	22.11.2024
31.	A/YL-KTN/1078	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	2.5.2025
32.	A/YL-KTN/1081	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	28.2.2025
33.	A/YL-KTN/1083	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	28.2.2025
34.	A/YL-KTN/1090	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of Three Years	11.4.2025
35.	A/YL-KTN/1114	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of Three Years	4.7.2025
36.	A/YL-KTN/1118	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of Three Years	5.9.2025
37.	A/YL-KTN/1123	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of Three Years	19.9.2025
38.	A/YL-KTN/1126	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of Three Years	1.8.2025
39.	A/YL-KTN/1129	Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of Three Years	21.11.2025

	Application No.	Use/Development	Date of Consideration
40.	A/YL-KTN/1136	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of Three Years	6.2.2026
41.	A/YL-KTN/1144	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of Three Years	5.9.2025
42.	A/YL-KTN/1175	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of Three Years	5.12.2025
43.	A/YL-KTN/1178	Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land a Period of Three Years	5.12.2025
44.	A/YL-KTN/1180	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land and Pond for a Period of Three Years	27.3.2026
45.	A/YL-KTN/1183	Temporary Open Storage and Warehouse of Construction Materials and Machineries and Container Storage Yard and Associated Filling of Land for a Period of Three Years	19.12.2025
46.	A/YL-KTN/1206	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of Three Years	13.3.2026
47.	A/YL-KTN/1210	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of Three Years	27.3.2026

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department:

- no adverse comment on the application;
- the application site (the Site) comprises an Old Schedule Agricultural Lot 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; and
- advisory comments are at **Appendix IV**.

2. Traffic

Comments of the Commissioner for Transport:

- no adverse comment on the application from traffic engineering perspective; and
- advisory comments are at **Appendix IV**.

Comments of the Chief Highway Engineer/New Territories West, Highways Department:

- no in-principle objection to the application from highways maintenance point of view; and
- advisory comments are at **Appendix IV**.

3. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- no in-principle objection to the application from drainage point of view;
- based on the applicant's submission, the applicant would maintain the same drainage facilities implemented under the previous application No. A/YL-KTN/1005;
- the record of existing drainage facilities submitted by the applicant is considered acceptable; and
- should the application be approved, approval condition should be stipulated requiring the maintenance of existing drainage facilities to his or the Town Planning Board's satisfaction.

4. **Environment**

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;
- based on the applicant's submission, the proposed use would not cause traffic of heavy vehicle and dusty operation. According to his review, there are residential structures within 100m from the boundary of the Site;
- there was no environmental complaint received against the Site in the past three years; and
- advisory comments are at **Appendix IV**.

5. **Fire Safety**

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to fire service installations (FSIs) being provided to his satisfaction;
- the FSIs proposal submitted by the applicant is considered acceptable; and
- advisory comments are at **Appendix IV**.

6. **Landscape Aspect**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department:

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo, the Site is situated in an area of rural inland plains landscape character comprising farmland, temporary structures, car parks and scattered tree groups. The proposed use is not entirely incompatible with the surrounding landscape character; and
- based the site photos, the Site is fenced-off and hard-paved. Open storage of vehicles is in operation. No existing tree is observed within the Site. Significant adverse impact on existing landscape resources is not anticipated.

7. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- no objection to the application; and
- advisory comments are at **Appendix IV**.

8. **Other Departments**

The following government departments have no objection to/no comment on the application and their advisory comments, if any, are at **Appendix IV**:

- District Officer (Yuen Long), Home Affairs Department;
- Project Manager (West), Civil Engineering and Development Department;
- Chief Engineer/Construction, Water Supplies Department; and
- Director of Electrical and Mechanical Services.

Recommended Advisory Clauses

- (a) the permission is given to the use and/or structure under application. It does not condone any other use(s) and/or structure(s) which currently occur on the application site (the Site) but not covered by the application. Immediate action should be taken to discontinue such use(s) and/or remove such structure(s) not covered by the permission;
- (b) should the applicant fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration would not be given by the Rural and New Town Planning Committee/Town Planning Board to any further application;
- (c) failure to reinstate the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (d) to resolve any land issues relating to the proposed use with the concerned owner(s) and/or occupant(s);
- (e) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that the lot owner(s) shall apply to his office for a Short Term Waiver (STW) to permit the structure(s) erected within the private lot covered by the application. The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (f) to note the comments of the Commissioner for Transport that:
 - (i) the Site is connected to the public road network via a section of a local access road which is not managed by the Transport Department. The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
 - (ii) sufficient manoeuvring space shall be provided within the Site; and
 - (iii) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:
 - (i) Fung Kat Heung Road and Mei Fung Road are not maintained by HyD. HyD shall not be responsible for the maintenance of the proposed access connecting the Site, i.e. Fung Kat Heung Road, Mei Fung Road and the local access road, if any; and
 - (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;

- (h) to note the comments of the Director of Environmental Protection that:
 - (i) the applicant shall follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’;
 - (ii) the applicant shall follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs), in particular the ProPECCPN 1/23 ‘Drainage Plans subject to Comment by the Environmental Protection Department’;
 - (iii) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use; and
 - (iv) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (i) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) the installation/maintenance/modification/repair work of fire service installations shall be undertaken by a Registered Fire Service Installation Contractor (RFSIC). The RFSIC shall after completion of the installation/maintenance/modification/repair work issue to the person on whose instruction the work was undertaken a certificate (F.S. 251) and forward a copy of the certificate to D of FS; and
 - (ii) if the proposed structure is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
 - (i) it is noted that one structure and associated filling of land are proposed in the application. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorized building works (UBW) under BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with BO;
 - (ii) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - (iii) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at building plan submission stage;
 - (iv) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing 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 BO;

- (v) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of B(P)R; and
- (vi) detailed checking under the BO will be carried out at building plan submission stage.

Urgent Return receipt Expand Group Restricted Prevent Copy

From: [REDACTED]
Sent: 2025-09-18 星期四 03:03:23
To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: A/YL-KTN/1163 DD 107 Fung Kat Heung

Dear TPB Members,

1005 approved 4 Oct 2024 but, surprise, surprise, conditions again not fulfilled.

But mo man tai, the operator is well aware that the planning process is nothing more than a charade and another roll over will be streamlined, supported by PlanD and rubber stamped by members.

The consultants in the Supplementary Information underline the extent of delay delay.

At most 6 months approval should be granted.

No wonder there is no respect for rule of law when those entrusted with implementing it instead of ensuring that it is implemented facilitate procrastination.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Monday, 15 April 2024 2:51 AM HKT
Subject: A/YL-KTN/1005 DD 107 Fung Kat Heung Hobby Farm

Dear TPB Members,

As usual PlanD recommended and members rubber stamped the Destroy to Create Brownfield manouevres of applicant. 898 approved April 2023 but conditions not fulfilled.

Evidently this fresh application is to nothing more than a ruse to gain more time as each application comes with one and a half years 'grace period'.

Members have a duty to inquire into the nature of the unfilled conditions. The community is waking up to the implications of inaction on the part of both government depts and those approving errant operators.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Friday, 24 March 2023 2:27 AM HKT
Subject: A/YL-KTN/898 DD 107 Fung Kat Heung Hobby Farm

A/YL-KTN/898

Lots 973 RP (Part) in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long

Site area: About 502sq.m

Zoning: "Agriculture"

Applied use: Warehouse / 1 Vehicle Parking /Filling of Land

Dear TPB Members,

So 636 for the Hobby Farm has proven once again to be a **FRONT FOR BROWNFIELD OPERATIONS**.

PlanD knows, I know and members would be cretins if they did not acknowledge that the majority of these applications are intended to secure approval for **FILLING OF LAND** . **The majority of hobby farm approvals are eventually revoked.**

However by then the damage has been done, the site has been trashed and all vegetation removed.

That this charade has gone on for so long is shameful.

Approval of the application is an acknowledgement of collusion on the part of participants to the propagation of brownfield operations despite pledges on the part of the administration to phase out this land use.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Monday, 26 November 2018 3:05 AM CST
Subject: AYL-KTN/636 DD 107 Fung Kat Heung Hobby Farm

AYL-KTN/636
Lot 973 RP (Part) in D.D.107, Fung Kat Heung, Yuen Long
Site area : 513m²
Zoning : "Agriculture"
Applied Development : Hobby Farm

Dear TPB Members,

Can Ag & Fish provide data on how many 'Hobby Farms' there are in the district and how many are genuine as opposed to fake applications to legitimize ongoing brownfield use?

'Hobby Farm' is the poster child for all sorts of activities that were previously called Open Storage. Now that this is synonymous with Brownfield, the hobby farm tag is being trotted out.

Recently a report was issued by The Hong Kong Bird Watching Society detailing the damage being done to agricultural land by fake hobby farms and clandestine camping grounds.

<http://www.thestandard.com.hk/breaking-news.php?id=111528&sid=8>

Unfortunately far too many approvals have been granted for this use without a careful examination of the current conditions of the site and the likelihood of abuse of the approval conditions.

Moreover these fake farms are depriving genuine farmers of access to agriculture land that could be used for genuine production of fresh produce for the local market.

Members should reject application.

Mary Mulvihill