

**Previous Applications covering the Application Site (the Site)**

Approved Applications

|    | <b>Application No.</b> | <b>Use / Development</b>   | <b>Date of Consideration</b>         |
|----|------------------------|--|--------------------------------------|
| 1. | A/YL-KTN/623           | Proposed Temporary Animal Boarding Establishment for a Period of Three Years | 21.9.2018<br>[revoked on 21.12.2020] |
| 2. | A/YL-KTN/757           | Temporary Animal Boarding Establishment for a Period of Five Years           | 30.4.2021                            |

**Similar s.16 Applications within the same “AGR” zone in the vicinity of the Site in the Past Five Years**

Approved Applications

|     | <b>Application No.</b> | <b>Use/Development</b>  | <b>Date of Consideration</b>         |
|-----|------------------------|---|--------------------------------------|
| 1.  | A/YL-KTN/755           | Temporary Animal Boarding Establishment (Dog Kennel cum Dog Recreation Centre) for a Period of Three Years    | 13.8.2021<br>[revoked on 13.11.2023] |
| 2.  | A/YL-KTN/769           | Proposed Temporary Animal Boarding Establishment for a Period of Five Years and Filling of Land               | 9.7.2021<br>[revoked on 9.6.2024]    |
| 3.  | A/YL-KTN/771           | Proposed Temporary Animal Boarding Establishment for a Period of Five Years and Filling of Land               | 9.7.2021<br>[revoked on 9.6.2024]    |
| 4.  | A/YL-KTN/775           | Proposed Temporary Animal Boarding Establishment for a Period of Five Years and Filling of Land               | 23.7.2021<br>[revoked on 23.8.2024]  |
| 5.  | A/YL-KTN/781           | Temporary Animal Boarding Establishment for a Period of Three Years and Filling of Land                       | 10.9.2021<br>[revoked on 10.3.2023]  |
| 6.  | A/YL-KTN/789           | Proposed Temporary Animal Boarding Establishment for a Period of Five Years and Filling of Land               | 24.12.2021<br>[revoked on 24.3.2024] |
| 7.  | A/YL-KTN/797           | Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of Three Years and Filling of Land | 24.12.2021<br>[revoked on 24.6.2023] |
| 8.  | A/YL-KTN/811           | Temporary Animal Boarding Establishment for a Period of Three Years and Filling of Land                       | 28.1.2022                            |
| 9.  | A/YL-KTN/814           | Proposed Temporary Animal Boarding Establishment for a Period of Five Years and Filling of Land               | 18.2.2022<br>[revoked on 18.11.2023] |
| 10. | A/YL-KTN/815           | Proposed Temporary Animal Boarding Establishment for a Period of Five Years and Filling of Land               | 18.2.2022<br>[revoked on 18.5.2024]  |

|     | <b>Application No.</b> | <b>Use/Development</b>  | <b>Date of Consideration</b>          |
|-----|------------------------|---|---------------------------------------|
| 11. | A/YL-KTN/822           | Temporary Animal Boarding Establishment (Dog Training Ground) with Ancillary Facilities for a Period of Three Years and Filling of Land                                 | 23.9.2022<br>[revoked on 23.9.2025]   |
| 12. | A/YL-KTN/836           | Temporary Animal Boarding Establishment for a Period of Five Years and Filling of Land  | 24.6.2022                             |
| 13. | A/YL-KTN/851           | Proposed Temporary Animal Boarding Establishment for a Period of Five Years and Filling of Land   | 9.9.2022<br>[revoked on 9.6.2025]     |
| 14. | A/YL-KTN/854           | Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of Five Years and Filling of Land   | 13.1.2023<br>[revoked on 13.10.2024]  |
| 15. | A/YL-KTN/861           | Temporary Animal Boarding Establishment for a Period of Five Years and Filling of Land  | 11.11.2022<br>[revoked on 11.11.2024] |
| 16. | A/YL-KTN/885           | Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of Five Years and Filling of Land   | 3.3.2023<br>[revoked on 3.12.2025]    |
| 17. | A/YL-KTN/903           | Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of Five Years and Filling of Land   | 19.5.2023<br>[revoked on 19.5.2024]   |
| 18. | A/YL-KTN/908           | Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of Five Years and Filling of Land   | 9.6.2023<br>[revoked on 9.12.2023]    |
| 19. | A/YL-KTN/914           | Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of Five Years and Filling of Land   | 23.6.2023<br>[revoked on 23.9.2024]   |
| 20. | A/YL-KTN/916           | Temporary Animal Boarding Establishment (Dog Training Ground) with Ancillary Facilities for a Period of Five Years and Filling of Land                                  | 23.6.2023<br>[revoked on 23.3.2024]   |
| 21. | A/YL-KTN/921           | Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of Five Years and Filling of Land   | 28.7.2023<br>[revoked on 28.10.2024]  |
| 22. | A/YL-KTN/958           | Proposed Temporary Animal Boarding Establishment for a Period of Three Years and Filling of Land  | 27.10.2023<br>[revoked on 27.4.2024]  |
| 23. | A/YL-KTN/1042          | Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of Three Years and Associated Filling of Land                                   | 2.5.2025                              |
| 24. | A/YL-KTN/1058          | Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of Five Years and Associated Filling of Land   | 6.6.2025                              |
| 25. | A/YL-KTN/1074          | Temporary Place of Recreation, Sports or Culture and Animal Boarding Establishment with Ancillary Facilities for a Period of Three Years and Associated Filling of Land | 15.8.2025                             |

**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;
- the Site is covered by Short Term Waiver (STW) No. 5114 for the purpose of temporary animal boarding establishment; 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;
- 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 perspective; 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 as those implemented under the previous planning application No. A/YL-KTN/757;
- should the application be approved, approval conditions should be stipulated requiring the maintenance of the existing drainage facilities and submission of revised record of the existing drainage facilities to his or the Town Planning Board's satisfaction; and
- advisory comments are at **Appendix IV**.

#### 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 applied 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;
- 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 the fire service installations (FSIs) and water supplies for firefighting being provided to his satisfaction;
- in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to this Department for approval; 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 settled valley landscape character comprising natural valleys, open storage sites, temporary structures and tree clusters. The applied use is not entirely incompatible with the landscape setting in the vicinity;
- according to site photos, the Site is largely formed. Temporary structures, piles of materials, and some existing trees along the boundaries are observed. According to applicant's submission, no tree felling will be involved. Significant adverse landscape impact arising from the applied use is not anticipated;
- advisory comments are at **Appendix IV**.

## 7. **Agriculture and Nature Conservation**

Comments of the Director of Agriculture, Fisheries and Conservation:

- no strong view on the application from agricultural perspective. The Site is zoned “Agriculture”. 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 rehabilitated for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc., though whether there will be agricultural activities on a specific site will hinge on a lot of factors;
- the Site is subject to a Dog Breeder Licence (Category B) granted by Animal Business Regulatory Section of his department under Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B);
- no comment on the application from nature conservation perspective as the Site has been paved; 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;
- Chief Building Surveyor/New Territories West, Buildings 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) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) 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;
- (c) to resolve any land issues relating to the applied use with the concerned owner(s) and/or occupant(s);
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
  - (i) the Short Term Waiver (STW) holder(s) shall apply to his office for modification of the STW conditions where appropriate. 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 applied use is temporary in nature, only erection of temporary structure(s) will be considered; and
  - (ii) it is noted that staff lounge is proposed. According to the established practice, application for STW of structures for domestic/residential uses on private agricultural land will not be entertained. Hence, even if the Town Planning Board approves the subject planning application, his office will not consider approving/regularising any structure(s) erected/to be erected on the lot(s) for domestics/residential uses;
- (e) 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;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:
  - (i) Fung Kat Heung Road is 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 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;

- (g) to note the comments of the Director of Environmental Protection that:
- (i) the applicant shall ensure that all dogs are kept inside the boarding structures during the period of 6:00 p.m. to 8:00 a.m.;
  - (ii) the applicant shall ensure that the boarding structures are enclosed and built with soundproofing materials with the provision of 24-hour mechanical ventilation and air-conditioning systems, such that the dogs will not rely on open window for ventilation; the ventilation systems shall be properly designed to minimise noise impact and facing away from sensitive receivers in the vicinity;
  - (iii) the applicant shall ensure that no public announcement system, whistleblowing, portable loudspeaker or any form of audio amplification system will be used at the Site at all times;
  - (iv) the applicant shall ensure a 2.5m high solid wall is erected along the boundary of the Site to minimise nuisance to the nearby residents;
  - (v) the applicant shall follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
  - (vi) 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';
  - (vii) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
  - (viii) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that the detailed comments on the record of the existing drainage facilities previously provided to the applicant shall be taken into account in the revised record of the existing drainage facilities;
- (i) to note the comments of the Director of Fire Services that:
- (i) the detailed comments on the fire service installations (FSIs) proposal previously provided to the applicant shall be taken into account in the revised FSIs proposal;
  - (ii) the applicant shall submit relevant layout plans incorporated with the proposed FSIs to his Department for approval. The layout plans should be drawn to scale and depicted with dimensions and the nature of occupancy. The location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
  - (iii) if the proposed structures are 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;

- (j) to note the comments of the Director of Agriculture, Fisheries and Conservation that:
- (i) under the Public Health (Animals) (Boarding Establishment) Regulations (Cap. 139I) (the Regulations), any person who provides food and accommodation for animals in return for a fee paid by the owner must apply for a Boarding Establishment Licence from his department. The establishment and ancillary facilities which is licensed under the Regulations must always fulfill the criteria listed in the Regulations;
  - (ii) the dogs kept at the Site shall be properly licensed in accordance with the Rabies Ordinance (Cap. 421);
  - (iii) the applicant shall observe the Prevention of Cruelty to Animals Ordinance (Cap. 169) at all times; and
  - (iv) as the Site is also adjacent to Lam Tsuen Country Park and “Conservation Area” zones, the applicant shall avoid causing pollution, damages and disturbance to the adjacent wooded area and watercourse;
- (k) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that approval of the application does not imply approval of tree works, if any, such as pruning, transplanting and felling. Application for any tree works should be submitted to relevant departments for approval; and
- (l) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- (i) it is noted that eight structures and associated filling of land are applied 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 (BA) should be obtained, otherwise they are unauthorized building works (UBW) under the BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the 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 the B(P)R at building plan submission stage;
  - (iv) if the existing structures are erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any applied use under the application;
  - (v) 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 the BO;

- (vi) if the applied use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
- (vii) 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 the B(P)R; and
- (viii) detailed checking under the BO will be carried out at building plan submission stage.

Urgent Return receipt Expand Group Restricted Prevent Copy

**tpbpd/PLAND**

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寄件者: [REDACTED]  
寄件日期: 2026年05月01日星期五 22:20  
收件者: tpbpd/PLAND  
主旨: A/YL-KTN/1223 DD 107 Kam Tin  
類別: Internet Email

Dear TPB Members,

The track record of this operation is shocking, but even more shocking is that Ass Dir of Planning signed off on a further **SEVENTEEN EXTENSIONS OF TIME** on 723, approved 30 Apr 2021. The last extension recorded was dated 28 Jan 2025, **FOUR YEARS AFTER APPROVAL**

The operator states that conditions were finally met in Feb 2025. However members have a duty to verify if this is indeed the case. The Fire certs are already six months out of date.

Members please do your duty and emand certified confirmation. Buck passing is no longer an option in light of the daily revelations at the Tai Po Fire inquiry.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** tpbpd <tpbpd@pland.gov.hk>  
**Date:** Monday, 5 April 2021 4:08 AM HKT  
**Subject:** A/YL-KTN/757 DD 107 Kam Tin

Dear TPB Members,

Another predictable tale, **EIGHT Extensions of Time** and approval finally revoked more than **TWO Years** for multiple failures to fulfill conditions.

But mo man tai, all applicant needs to do is submit another application and keep the train on the tracks for another 3 years.

If these episodes are because of lack of manpower, then it is time for serious discussion because there is no point in having a system that is so open to exploitation.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** "tpbpd" <tpbpd@pland.gov.hk>  
**Sent:** Wednesday, August 29, 2018 2:40:11 AM  
**Subject:** A/YL-KTN/623 DD 107 Kam Tin

Urgent Return receipt Expand Group Restricted Prevent Copy

A/YL-KTN/623

Lot 1344 in D.D. 107, Kam Tin

Site area : 1,520m<sup>2</sup>

Zoning : "Agriculture"

Applied Use : Animal Boarding Establishment / 5 Parking

Dear TPB Members,

It is obvious from Google Map that this application is to legitimize a long established brownfield operation.

The true intention is no doubt to continue the business.

The site is surrounded by wooded and vegetated sites. Instead of rewarding the applicant for degrading Agriculture land, members should reject the application.

Even is there were to be a legitimate animal boarding, this is a large site. No information on the number of animals but they would generate significant amount of waste and toxins that would further degrade the site.

This application should be rejected.

Mary Mulvihill