

**Similar s.16 Applications within the same “AGR” Zone of the Site  
in the past five years**

Approved Applications

<b>No.</b>	<b>Application No.</b>	<b>Use(s)/Development(s)</b>	<b>Date of Consideration (RNTPC)</b>
1.	A/YL-KTS/906	Proposed Temporary Animal Boarding Establishment (Cattery) for a Period of 3 Years and Filling of Land	12.11.2021
2.	A/YL-KTS/953	Temporary Animal Boarding Establishment for a Period of 3 Years	28.7.2023 [revoked on 28.1.2026]
3.	A/YL-KTS/992	Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 5 Years and Filling of Land	15.3.2024 [revoked on 15.6.2025]
4.	A/YL-KTS/1019	Renewal of Planning Approval for Proposed Temporary Animal Boarding Establishment (Cattery) for a Period of 3 Years and associated Filling of Land	4.10.2024
5.	A/YL-KTS/1052	Proposed Temporary Animal Boarding Establishment and Eating Place with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land	23.5.2025
6.	A/YL-KTS/1065	Proposed Temporary Animal Boarding Establishment and Eating Place with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	2.5.2025

**Government Departments' General Comments**

**1. Land Administration**

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

- no adverse comment on the application;
- the application site (the Site) comprises Old Schedule Agricultural 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 in **Appendix IV**.

**2. Traffic**

Comments of the Commissioner for Transport:

- no adverse comment from traffic engineering perspective; and
- advisory comments are in **Appendix IV**.

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

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

**3. Drainage**

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

- no objection in principle to the application;
- should the application be approved, approval conditions requiring the submission of a revised drainage proposal, and implementation and maintenance of the drainage proposal for the development should be included in the planning permission; and
- advisory comments are in **Appendix IV**.

**4. Fire Safety**

Comments of the Director of Fire Services:

- no objection in principle to the application subject to the fire service installations and water supplies for firefighting being provided to his satisfaction; and
- advisory comments are in **Appendix IV**.

## 5. Environment

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;
- the applied use would not cause traffic of heavy vehicle and dusty operation. According to his review, there are residential buildings within 100m from the boundary of the Site;
- there was no environmental complaint concerning the Site received in the past three years; and
- advisory comments are in **Appendix IV**.

## 6. Agriculture, Nature Conservation and Animal Management

Comments of the Director of Agriculture, Fisheries and Conservation:

- no strong view against the application from agricultural perspective;
- there is no licensed animal boarding premises granted by Animal Business Regulatory Section under Cap139B, Cap139F, Cap139I and Cap139J at the Site;
- no comment on the application from nature conservation perspective; and
- advisory comments are in **Appendix V**.

## 7. Landscape

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

- no adverse comment to the application from landscape planning perspective;
- based on the aerial photo taken in October 2024, the Site is situated in an area of rural inland plain landscape character comprising village houses, temporary structures, farmlands and scattered tree groups. The proposed use is not entirely incompatible with the landscape setting in the proximity;
- with reference to the site photos, the Site was largely covered with self-seeded vegetation. A few small fruit trees and a temporary structure were found on it. No distinctive landscape resources and mature trees were observed. According to the applicant's submission, no tree felling will be involved;
- in view of the above, significant adverse landscape impact arising from proposed use is not anticipated; and
- advisory comments are in **Appendix IV**.

## 8. **Building Matters**

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

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

## 9. **District Officer's Comments**

Comments of the District Officer (Yuen Long), Home Affairs Department:

- no comment on the application; and
- his office has not received comment on the application from locals upon close of consultation.

## 10. **Other Departments**

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

- Director of Food and Environmental Hygiene;
- Project Manager (West), CEDD;
- Director of Electrical and Mechanical Services;
- Chief Engineer/Railway Development 1-1, Highways Department;
- Chief Engineer/Construction, Water Supplies Department; and
- Commissioner of Police.

**Recommended Advisory Clauses**

- (a) the permission is given to the uses and/or structures under the application. It does not condone any other uses and/or structures which currently occur on the application site (the Site) but not covered by the application. Immediate action should be taken to discontinue such uses and remove such structures not covered by the permission;
- (b) to resolve any land issues relating to the proposed use with the concerned owner(s) and/or occupant(s);
- (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 note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, 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(s). The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. 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;
- (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) HyD shall not be responsible for the maintenance of the applied access connecting the Site and Kam Sheung Road/Pat Heung Road, including the local tracks; 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 Chief Engineer/Mainland North, Drainage Services Department that:
  - (i) the detailed comments on the application previously provided to the applicant shall be taken into account in the submission of the revised drainage proposal;

- (ii) the proposed use shall neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.;
  - (iii) the applicant should consult DLO/YL, LandsD and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works; and
  - (iv) for any change of existing ground level and associated works proposed by the applicant that could affect adjacent land and cause other impacts and/or other issues to public, the applicant is required to submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary;
- (h) to note the comments of the Director of Fire Services that:
- (i) the applicant shall submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of proposed FSIs to be installed should be clearly marked on the layout plans; and
  - (ii) 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;
- (i) to note the comments of the Director of Environmental Protection that:
- (i) the applicant shall ensure all animals to be boarded at the Site are kept within the proposed boarding establishment during 7:00 p.m. to 9:00 a.m.;
  - (ii) the applicant shall ensure the proposed boarding establishment is enclosed with soundproofing materials with the provision of 24-hour mechanical ventilation and air-conditioning system, such that the animals would not rely on open window for ventilation. The ventilation system should be properly designed to minimise noise impact and facing away from sensitive receivers in vicinity;
  - (iii) the applicant shall ensure no public announcement system, whistle blowing, portable loud speaker, or any form of audio amplification system would be used at the Site;
  - (iv) the applicant shall follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
  - (v) 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';
  - (vi) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
  - (vii) the applicant shall meet the statutory requirements under relevant environmental legislation;

- (j) to note the comments of the Director of Agriculture, Fisheries and Conservation that under the Public Health (Animals) (Boarding Establishment) Regulations (Cap. 139I), 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 applicant shall be reminded that the establishment and ancillary facilities which is licensed under the Cap. 139I must always fulfill the criteria listed in the Regulations;
- (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 such as pruning, transplanting and felling. Application for any tree works should be submitted to relevant departments for approval;
- (l) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
  - (i) no Food and Environmental Hygiene Department's (FEHD) facilities shall be affected;
  - (ii) proper licence/permit issued by FEHD is required if there is any food business/catering service/activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public and the operation of any business should not cause any obstruction; and
  - (iii) if the proposal involves any commercial/trading activities, there should be no encroachment on the public place and no environmental nuisance should be generated to the surroundings. Its state should not be a nuisance or injurious or dangerous to health and surround environment. Any animal carcass/parts shall be properly wrapped or bagged before disposal and in accordance with the relevant legislation. Also, for any waste generated from the activities in the applied use, the applicant should handle on their own/at their expenses;
- (m) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
  - (i) it is noted that two structures and associated filling and excavation 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 (BA) should be obtained, otherwise they are unauthorised building works (UBW) under the BO. An Authorised Person should be appointed as the co-ordinator for the applied 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) 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;

- (v) if the proposed use under the 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;
- (vi) 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
- (vii) detailed checking under the BO will be carried out at building plan submission stage;
- (n) to note the comments of the Director of Electrical and Mechanical Services that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines; and
- (o) to note the comments of the Commissioner of Police that the applied use shall not cause traffic congestion and flooding.



嘉道理農場暨植物園公司  
Kadoorie Farm & Botanic Garden Corporation

The Secretary,  
Town Planning Board,  
15/F, North Point Government Offices,  
333, Java Road, North Point,  
Hong Kong.  
(Email: tpbpd@pland.gov.hk)



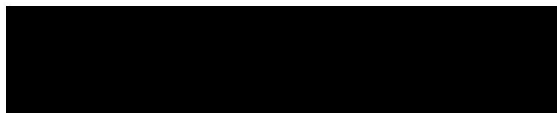
13th May, 2026.

By email only

Dear Sir/ Madam,

**Proposed Temporary Animal Boarding Establishment and Associated Filling of  
Land for a Period of 3 Years  
(A/YL-KTS/1127)**

1. We refer to the captioned.
2. We urge the Board to look at a photo extracted from the Town Planning Board Statutory Planning Portal 3 showing the site (bounded by red line).



3. In early December 2024, the government proposed to designate 37 sites as Agricultural Priority Areas (APAs)<sup>1</sup>. One of these proposed APAs is located at Shui Tsan Tin<sup>1</sup>. According to the relevant government document<sup>1</sup>, the objectives of this APA policy are as follows:

- *To promote the overall sustainable development and industrial diversification of the local agriculture industry, the Government proposed to delineate some quality farmland as Agricultural Priority Areas (APAs) through administrative means to achieve the policy objective of putting the relevant land into active agricultural use, and to roll out support measures to facilitate long-term active farming use for APAs.*

4. The document<sup>1</sup> also states:

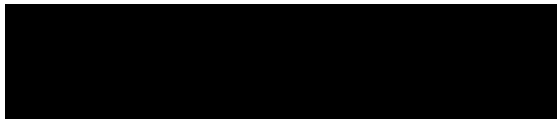
- *To implement the proposal on APAs, the Government plans to promulgate a “Policy Statement” to set out, through administrative means, its policy objective of delineating APAs to preserve quality farmland for long-term agricultural development and their relevant locations. This serves to inform the public of the Government’s policy to prioritise agriculture use on the relevant land, and provide a guiding direction for the Government and the private sector on the future planning of the relevant land use.*

5. We urge the Board to investigate with relevant authorities as to whether the current application site is located within one of the proposed APAs (e.g., Shui Tsan Tin). If it is not within APA, we also urge the Board to investigate with relevant authorities as to how close the Shui Tsan Tin APA would be to the current application site, and then to consider with relevant authorities as to whether the proposed use would cause potential impacts to affect this APA. Although the relevant government paper for APA<sup>1</sup> mentions the followings: ‘As for planning applications for non-agricultural use of farmland outside APAs, objections will normally not be raised by AFCD from agricultural perspective’, we still would like the Board to consider our concern as stated above.

6. However, if the site is within APA (even not the entire site is within APA), we urge the Board to consider, after consulting relevant authorities, as to whether it is appropriate to approve this application. We urge the Board to consider whether the approval of this

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<sup>1</sup> <https://www.legco.gov.hk/yr2024/english/panels/fseh/papers/fseh20241210cb2-1591-1-e.pdf>





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Kadoorie Farm & Botanic Garden Corporation

application would affect the APA policy proposed by the government. **Indeed, according to a newspaper article published in early April that included a response from the Director of Agriculture, Fisheries and Conservation, the review of the APA policy will be completed in 2026, and the 37 proposed APAs will entail no major changes in terms of location and size.**<sup>2</sup>

7. Regarding ‘Animal Boarding Establishment’, we also recommend that the Board look at a related news report relating to this item<sup>3</sup>.

8. We urge the Board to investigate with relevant authorities as to whether the site is still largely arable; we urge the Board to reject this application as it is not in line with the planning intention of the Agriculture zone.

9. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden

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<sup>2</sup> <https://news.mingpao.com/pns/港聞/article/20260405/s00002/1775325102691/諮詢完成待修細節-漁護署料年內成事>

<sup>3</sup> <https://news.mingpao.com/pns/港聞/article/20240702/s00002/1719858304310/本研-5年批60狗場用地-半不符實-疑作跳板-至少15幅兩年內申棕地作業>

**tpbpd/PLAND**

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寄件者: [REDACTED]  
寄件日期: 2026年05月17日星期日 1:26  
收件者: tpbpd/PLAND  
主旨: A/YL-KTS/1127 DD 106 Yuen Kong San Tsuen, Kam Tin South  
類別: Internet Email

A/YL-KTS/1127

Lot 1812 S.I ss.1 S.A ss.1 in D.D. 106, Yuen Kong San Tsuen, Kam Tin South

Site area: About 240sq.m

Zoning: "Agriculture"

Applied use: Animal Boarding Establishment / 1 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Another fake ABE application. The area is not Cat 2 so the intention is to fill in the land and then apply for warehouse approval.

New members should request data on the revocation rate of ABE, around 95%.

There is active agricultural activity in the area and the lot is next to homes.

The application should be rejected. For far too long PlanD has supported and members rubber stamped ABE applications. But the community no longer accepts that govt depts and appointed advisors fail TO LOOK INTO MATTERS. This failure was condemned by the courts and members advised to act independently.

Mary Mulvihill