

**Similar Applications within the same “Agriculture” Zone
in the Vicinity of the Site in the Past Five Years**

Approved Applications

	Application No.	Proposed Uses/Developments	Date of Consideration (RNTPC)
1.	A/YL-PH/972	Temporary Shop and Services (Sales of Motor-Vehicle and Showroom) for a Period of 3 Years and Filling of Land	10.11.2023
2.	A/YL-PH/984	Renewal of Planning Approval for Temporary Shop and Services (Sales of Vehicle Parts) for a Period of 3 Years	1.3.2024

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 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

(i) Comments of the Commissioner for Transport:

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

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

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

3. Environment

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;
- no substantiated environmental complaint concerning the Site received in the past three years; and
- advisory comments are at **Appendix IV**.

4. Drainage

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

- no in-principle objection to the application from public drainage point of view; and

- should the application be approved, approval conditions requiring the submission of a revised drainage proposal and implementation and maintenance of the proposed drainage facilities for the applied use should be included in the planning permission.

5. **Fire Safety**

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to fire service installations being provided to the satisfaction of his department; 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 taken in 2024, the Site is located in an area of rural inland plain landscape character comprising temporary structures, open storage, small houses, farmlands, vegetated areas and scattered tree groups. The applied use is not entirely incompatible with the surrounding environment; and
- with reference to the site photos taken in January and April 2026, the Site is fenced-off and hard-paved without any tree. It is noted that no tree felling is involved. Significant adverse landscape impact arising from the applied use 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. **District Office's Comments**

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

- no particular comment on the application and no comment received from the locals upon close of consultation.

9. Other Departments

The following government departments have no objection to/no adverse comment/no comment on the application:

- Chief Engineer/Construction, Water Supplies Department;
- Chief Engineer/Railway Development 1-1, HyD; and
- Project Manager (West), Civil Engineering and Development Department.

Recommended Advisory Clauses

- (a) failure to reinstate the application site (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;
- (b) prior planning permission should have been obtained before commencing the applied use at the Site;
- (c) to resolve any land issues relating to the applied use with the concerned owner(s);
- (d) 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(s) (STWs) to permit the structure(s) erected within the said private lot. The application for STWs will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The application, 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;
- (e) to note the comments of the Commissioner for Transport that 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;
- (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 proposed access connecting the Site and Kam Tin Road including the local track; and
 - (ii) adequate drainage measures should be provided to prevent surface water running from the Site to nearby public road and drains;
- (g) to note the comments of the Director of Environmental Protection that:
 - (i) the applicant shall follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
 - (ii) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
 - (iii) the applicant shall meet the statutory requirements under relevant environmental legislation;

- (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 the Fire Services Department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs are to be installed should be clearly marked on the layout plans;
 - (ii) as no vehicular access road would be provided within 30m from the Site, additional fire safety measures shall be imposed; 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;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
 - (i) it is noted that associated filling of land is involved 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) 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) 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
 - (vi) detailed checking under the BO will be carried out at the building plan submission stage.



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

The Secretary,
Town Planning Board,
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Hong Kong.
(Email: tpbpd@pland.gov.hk)



By email only

5th February, 2026.

Dear Sir/ Madam,

**Proposed Temporary Shop and Services and Associated Filling of Land for a Period
of 3 Years
(A/YL-PH/1103)**

1. We refer to the captioned.
2. First of all, we urge the Board to investigate with relevant authorities as to whether the site is now involved in any ongoing enforcement case/ unauthorised use/ activities; if yes, then consider whether it is appropriate to approve this application.
3. In early December 2024, the government proposed to designate 37 sites as Agricultural Priority Areas (APAs)¹. One of these proposed APAs is located at Pat Heung¹. According to the relevant government document¹, 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 document¹ also states:

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



- *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., Pat Heung). If it is not within APA, we also urge the Board to investigate with relevant authorities as to how close the Pat Heung 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 APA¹ 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 application would affect the APA policy proposed by the government.

7. If this application is to be approved eventually, we urge the Board to consider whether the site (e.g., filled area) would need to be reinstated upon the expiry of the planning permission; if yes, then consider whether this should be set as an approval condition.

8. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



tpbpd/PLAND

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A/YL-PH/1103

Lot 395 (Part) in D.D. 110, Tsat Sing Kong, Pat Heung

Site area: About 575sq.m

Zoning: "Agriculture"

Applied use: Shop and Services / ?? Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong Objections.

*The applied location is mainly used for **lift platform display**, rental and sales purposes. The applied location is only temporary and will not be taken.*

But no mention of vehicle parking. These are heavy duty pieces of equipment. Prospective buyers would not take public transport to the view them. This is not a 'shop' serving the local community but effectively a brownfield operation.

Applications for open storage in the district were previously rejected.

Mary Mulvihill