

**Similar Applications within the Subject “Agriculture” Zone
on the Tai Tong Outline Zoning Plan in the Past Five Years**

Approved Applications

	<u>Application No.</u>	<u>Development(s)/Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TT/522	Proposed Temporary Shop and Services with Plant Nursery for a Period of 3 Years	13.8.2021
2	A/YL-TT/678	Proposed Temporary Shop and Services for a Period of 3 Years and Associated Filling of Land	8.11.2024

Government Departments' General Comments

1. Land Administration

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

- No adverse comment on the application.
- Advisory comments as detailed in **Appendix IV**.

2. Traffic

(a) Comments of the Commissioner for Transport:

- No adverse comment on the application.
- Advisory comments as detailed in **Appendix IV**.

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

- No adverse comment on the application.
- Advisory comments as detailed in **Appendix IV**.

3. Drainage

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

- No in-principle objection to the application from the public drainage point of view provided that all existing drains/watercourse should be maintained and the overland flow from adjacent lands should not be affected.
- Should the application be approved, conditions should be included to request the applicant to submit a drainage proposal and to implement and maintain the drainage facilities for the proposed use to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

4. Fire Safety

Comments of the Director of Fire Services:

- No in-principle objection to the proposal subject to the fire service installations and water supplies for firefighting being provided to the application site (the Site).
- Advisory comments as detailed in **Appendix IV**.

5. Building Matters

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

- No objection to the application.
- Advisory comments as detailed in **Appendix IV**.

6. District Officer's Comments

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

His office has not received any comments on the application from the village representatives in the vicinity of the Site.

7. Landscape

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

No adverse comment on the application from the landscape planning perspective as the southern portion of the Site is formed with a temporary structure. The northern portion of the Site is covered with bare soil. No distinctive landscape resources are observed within the Site and no tree felling is involved as stated in the application.

8. Other Departments

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

- Chief Engineer/Construction, Water Supplies Department;
- Chief Engineer/Cross-Boundary Infrastructure and Development, Planning Department
- Project Manager (West), Civil Engineering and Development Department;
- Director of Electrical and Mechanical Services; and
- Commissioner of Police.

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of 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 note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) 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
 - (ii) the lot owner(s) shall apply to LandsD for a Short Term Waiver (STW) to permit the structure(s) erect within the Site erected within the said private lots. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that the application 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 that the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (d) to note the comments of the Commissioner for Transport that:
 - (i) the local track and footpath leading to the Site are not under Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track and footpath for using the local track and footpath as the access to the Site; and
 - (ii) sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) HyD should not be responsible for the maintenance of any access connecting the Site and Kiu Hing Road; and
 - (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (f) to note the comments of the Director of Environmental Protection that:
 - (i) to follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites" issued by Environmental Protection Department (EPD) to minimise the potential environmental nuisances on the surrounding areas;
 - (ii) to implement appropriate pollution control measures outlined in the Professional Persons Environmental Consultative Committee (ProPECC) Practice Notes 2/24

‘Construction Site Drainage’ to minimise any potential environmental impacts on nearby water bodies during the construction of the project; and

- (iii) it is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances;
- (g) to note the comments of the Director of Fire Services that:
- (i) the layout plans for the proposed fire service installations (FSIs) should be drawn to scale and depicted with dimensions and nature of occupancy;
 - (ii) 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;
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) 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;
 - (ii) 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;
 - (iii) if the existing structures are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBWs) under the BO and should not be designated for any proposed use under the captioned application;
 - (iv) for UBWs erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the Site under the BO;
 - (v) six structures 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 BA should be obtained, otherwise they are UBWs under the BO. An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (vi) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings which 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.



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

9th February, 2026.

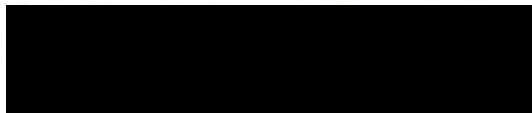
Dear Sir/ Madam,



By email only

Proposed Temporary Shop and Services (Retail Shop for Hardware Groceries and Construction Materials) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years
(A/YL-TT/767)

1. We refer to the captioned.
2. Below are some drone photos taken in 2026 showing the application site and its surroundings.





3. 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.



4. 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 Tai Tong¹. 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.*

5. The document¹ 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.*

6. 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., Tai Tong). If it is not within APA, we also urge the Board to investigate with relevant authorities as to how close the Tai Tong 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.

7. 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

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



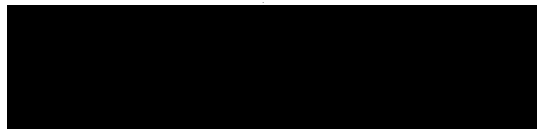
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application would affect the APA policy proposed by the government.

8. We urge the Board to reject this application as it is unlikely to be in line with the planning intention of the Agriculture zone. 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.

9. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



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A/YL-TT/767

Lot Nos. 1677 RP, 1678 (Part), 1679 (Part) and 1692 in D.D. 119, Yuen Long

Site Area: About 3,058sq.m

Zoning: "Agriculture"

Applied use: Retail Shop for Hardware Groceries / 7 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong Objections. This is effectively a warehouse / open storage operating under the increasing abuse of the term 'Shop and Services'.

The application mentions relocation but no data is provided with regard to the size of the the premises to be vacated.

No history of previous approvals, the location is not Cat 2. Ample lots have been designated to cater for relocation under this Cat. There is active farming activity in the area.

There is no justification to approve the application.

Mary Mulvihill