

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

Approved Applications

No.	Application No.	Use(s)/Development(s)	Date of Consideration (Rural and New Town Planning Committee (RNTPC))
1.	A/YL-KTS/869	Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Land Filling	22.1.2021
2.	A/YL-KTS/997	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land	10.5.2024 [Revoked on 26.2.2026]

Rejected Application

No.	Application No.	Use(s)/Development(s)	Date of Consideration (Rural and New Town Planning Committee (RNTPC))	Rejection Reasons
1.	A/YL-KTS/853	Temporary Open Storage of Construction Machinery, Materials, Equipment and Containers with Ancillary Office for a Period of 3 Years	21.8.2020	(1)-(3)

Rejection Reasons

- (1) Not in line with planning intention.
- (2) Not comply with Town Planning Guidelines 13F in there is no previous approval granted at the application site and there are adverse departmental comments on the application.
- (3) The approval of the application would set an undesirable precedent for similar applications and the cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.

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

Approved Applications

No.	Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)
1.	A/YL-KTS/1020	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land	24.1.2025 [Revoked on 24.7.2025]
2.	A/YL-KTS/1048	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Office for a Period of 3 Years and Associated Filling of Land	24.1.2025 [Revoked on 24.1.2026]
3.	A/YL-KTS/1049	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Office for a Period of 3 Years and Associated Filling of Land	24.1.2025
4.	A/YL-KTS/1066	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	23.5.2025 [Revoked on 23.5.2026]
5.	A/YL-KTS/1071	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	6.2.2026

Government Departments' General Comments

1. 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 (HyD):

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

2. Drainage

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

- no objection in principle to the application from the public drainage point of view;
- should the application be approved, approval conditions requiring maintenance of the implemented drainage facilities under Application No. A/YL-KTS/997 and the submission of the revised condition record of the existing drainage facilities should be included in the planning permission; and
- advisory comments are at **Appendix IV**.

3. Fire Safety

Comments of the Director of Fire Services:

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

4. Landscape

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 October 2024, the application site (the Site) is situated in an area of miscellaneous rural fringe landscape character comprising temporary structures, open storage sites and scattered tree groups. The proposed use is not entirely incompatible with the landscape setting in the proximity;

- according to the site photos, the Site was largely formed. Temporary structures, containers and construction materials were observed. Some trees were observed along the periphery of the Site. According to the applicant's submission, no tree felling will be involved;
- in view of the above, significant adverse landscape impact arising from the proposed use is not anticipated; and
- advisory comments are at **Appendix IV**.

5. **Building Matters**

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

- no objection to the application;
- there is no record of approval granted by the Building Authority for the existing structure at the Site; and
- advisory comments are at **Appendix IV**.

6. **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.

7. **Other Departments**

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

- Director of Electrical and Mechanical Services;
- Project Manager (West), Civil Engineering and Development Department;
- Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- 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) should the applicant fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may 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 note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that the lot owner(s) shall apply to his office for Short Term Waiver(s) (STWs) to permit the structure(s) erected within the private lots. The application for STWs will be considered by the Government in its capacity as a landlord and there is no guarantee that they 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 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 Transport Department. The land status of the local access road should be checked with the 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 proposed access connecting the Site and Kam Ho 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 revised condition record of the existing drainage facilities; and
 - (ii) 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 government departments as necessary;
- (h) to note the comments of the Director of Fire Services that:
 - (i) the applicant shall submit a full set of F.S.251, incorporating all proposed fire service installations (FSIs) for his further arrangement of FSI acceptance inspection; and
 - (ii) if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety 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 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 uses; and
 - (iv) 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 the applicant shall avoid polluting or disturbing the adjacent watercourse during landfill and construction;
- (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 Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
 - (i) it is noted that ten 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 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 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 the building plan submission stage;
- (iv) if the existing structure is erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed uses under the application;
- (v) for UBW erected on leased land, enforcement action may be taken by the 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) 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;
- (m) 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 applicant/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
- (n) to note the comments of the Commissioner of Police that the proposed uses shall not cause traffic congestion or flooding.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月19日星期日 3:48
收件者: tpbpd/PLAND
主旨: A/YL-KTS/1122 DD 113 Kam Tin South
類別: Internet Email

A/YL-KTS/1122

Lots 512 S.A-S.B and 512 S.C-S.E in D.D. 113, Kam Tin South

Site area: About 1,539sq.m

Zoning: "Agriculture"

Applied use: Animal Boarding Establishment / 4 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Yet another example of FAKE ABE transformed to warehouse under 997. Approved 10 May 2024 but of course conditions not fulfilled as operators like this are well versed in how gullible or accommodating authorities and TPB handle these applications.

So back for another round. It appears that drainage conditions are being met but it is shocking to note that fire installations are still in the proposal stage.

In view of the public concern with regard to this issue in the wake of the Tai Po Fire, any approval should at most be **FOR SIX MONTHS ONLY**

There is now zero tolerance on the part of the community for govt depts and advisory bodies that fail to uphold their own guidelines.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 22 December 2020 3:14 AM HKT
Subject: A/YL-KTS/869 DD 113 Kam Tin South

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A/YL-KTS/869

Lots 512 S.A-S.B and 512 S.C-S.E in D.D. 113, Kam Tin South

Site area : About 1,527sq.m

Zoning : "Agriculture"

Applied use : Animal Boarding Establishment / **5 years / Filling of Land** / 3 Vehicle Parking

Dear TPB Members,

Failed with storage application so now the backup plan, hobby farm or animal boarding.

Same lots minus the separate portion to the north.

The area of land filling is 550m² , not exceeding 0.2m in depth. Two non-domestic structure with a total floor area of 440m² So effectively 1,000sq.m agricultural land would be built over.

Minutes 21 August:

"PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the "Agriculture" ("AGR") zone. The Director of Agriculture, Fisheries and Conservation did not support the application from the agricultural point of view as **the site possessed potential for agricultural rehabilitation.**"

Decision: the development is not in line with the planning intention of the "Agriculture" ("AGR") zone which is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

Last week President Xi decreed that as the sustainability of food production is critical, good quality agricultural land must be reserved and protected for cultivation.

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As China faces potential food shortages, it is time for HK to recognize that the territory must follow national policy to avoid supply issues going forward.

There is no indication as to the identity of the applicant and his expertise with regard to managing an animal boarding establishment. Recent horror stories in the media with regard to such facilities indicate that care must be taken to ensure quality management.

In addition numerous 'animal boarding' enterprises have been approved in the district in recent years.

Mary Mulvihill

From: [REDACTED]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Friday, July 24, 2020 3:04:07 AM
Subject: A/YL-KTS/853 DD 113 Kam Tin South

A/YL-KTS/853
Lots 504 RP and 512 S.A - S.E in D.D. 113, Kam Tin South
Site area : About 1,960sq.m
Zoning : "Agriculture"
Applied use : Open Storage / 6 Vehicle Parking

Dear TPB Members,

There is no history of applications or approvals so it would appear that this is to legitimize existing brownfield use. The site is close to the Conservation Area buffer of the country park.

The development is not in line with the planning intention of the "Agriculture" ("AGR") zone which was intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis;

Moreover no relevant technical assessments had been included in the submission to demonstrate that the development would not generate adverse environmental and landscape impacts on the surrounding areas and the proposed development is also not compatible with the agricultural and rural residential uses in the surrounding areas; and

Approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications to legitimize unauthorized brownfield use of Agriculture land.

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TPB must reject this application to discourage further brownfields..

Mary Mulvihill