

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 Lot(s) 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 III**.

2. Traffic

Comments of the Commissioner for Transport:

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

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 III**.

3. 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 should be stipulated requiring the submission of a drainage proposal and the implementation and maintenance of the proposed drainage facilities to the Director of Drainage Services' or the Town Planning Board's satisfaction; and
- advisory comments are at **Appendix III**.

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 or the Town Planning Board's satisfaction; and

- advisory comments are at **Appendix III**.

5. **Environment**

Comments of the Director of Environmental Protection:

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

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/application for animal boarding premises granted/under processing by Animal Business Regulatory Section under the relevant public health regulations in relation to animals¹ (i.e. Cap139B, Cap139F, Cap139I and Cap139J) at the Site;
- no comment on the application from nature conservation perspective; and
- advisory comments are at **Appendix III**.

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 photos taken in October 2024, the Site was situated in an area of miscellaneous rural fringe landscape character comprising village houses, open storage sites/warehouses, railway depot, vacant land and tree clusters. The proposed use is considered not incompatible with the landscape setting in the proximity;
- with reference to the above aerial photos and the site photos, the Site was largely formed. According to her site visit, two trees of undesirable species (*Leucaena leucocephala*) were observed within 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 proposed use is not anticipated; and
- advisory comments are at **Appendix III**.

¹ Including Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap 139B), Public Health (Animals and Birds) (Exhibitions) Regulations (Cap 139F), Public Health (Animals) (Boarding Establishment) Regulations (Cap 139I) and Public Health (Animals) (Riding Establishment) Regulations (Cap 139J).

8. **Building Matters**

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

- no objection to the application; and
- advisory comments are at **Appendix III**.

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 at **Appendix III**:

- 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) 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 the lot owner(s) shall apply to his office for a Short Term Waiver(s) (STWs) to permit the structure(s) erected within the private lot(s). 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 for STWs, 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;
- (d) 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;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:
 - (i) HyD acknowledges that there will be no parking or loading/unloading space provided at the Site. The application is approved on the understanding that there is and will be no vehicular access to/from the Site; 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 Chief Engineer/Mainland North, Drainage Services Department that:
 - (i) all existing drains/watercourse should be maintained and the overland flow from adjacent lands should not be affected; 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;

- (g) 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;
- (h) 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 animal boarding establishment is enclosed with soundproofing materials with 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 proposed use; and
 - (vii) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (i) 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. Detailed information and requirement on Animal Boarding Establishment will be provided by his department when the applicant submits licence application. The applicant is advised to note that the setting up and running of an Animal Shelters for stray/homeless animals (which does not involve providing animal accommodation in return for a fee) is out of the purview of Cap. 139I, and further advice should be sought from Animal Management (Operation) Division for relevant information as applicable;

- (j) 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;
- (k) 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/are 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 proposed use, the applicant should handle on their own/at their expenses;
- (l) 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 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 building plan submission stage;
 - (iv) if the existing structures (not being a New Territories Exempted House) is/are erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed 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 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;
 - (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;
- (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 use shall not cause traffic congestion and flooding.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年07月19日星期日 0:50
收件者: tpbpd/PLAND
主旨: A/YL-KTS/1141 DD 113 Kam Ho Road, Pat Heung
類別: Internet Email

A/YL-KTS/1141

Lots 132 RP and 141 RP in D.D. 113 and Adjoining Government Land, Kam Ho Road, Pat Heung

Site area: About 416sq.m

Zoning: "Agriculture"

Applied use: Animal Boarding Establishment / ?? Vehicle Parking / **Filling of Land / 5 Years**

Dear TPB Members,

943 withdrawn, back without the GL. The site was filled in long ago. Has the GL been filled in also?

The true intention here is obviously some form of brownfield. There is no parking or public transport and the location is some distance from residences. So how would the 20 animals be transported as walking is not an option.

The application is therefore intended to legitimize the unapproved filling of land and with an approval period of 5 years good to go for at least three before the conditions become an issue.

But of course, the application of common sense when it comes to assessing these applications has been struck off the agenda.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Monday, 26 December 2022 2:15 AM HKT
Subject: A/YL-KTS/943 DD 113 Kam Ho Road, Pat Heung

A/YL-KTS/943

Lots 132 RP and 141 RP in D.D. 113 and Adjoining Government Land, Kam Ho Road, Pat Heung

Site area : About 513sq.m Includes Government Land of About 89sq.m

Zoning: "Agriculture"

Applied use : BBQ / 1 Vehicle Parking

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Dear TPB Members.

No history of applications but the site has been disturbed and looks like it has been used as a parking lot.

Why would anyone want to cook food so close to a road with a wide highway almost overhead?

This application appears to be an excuse to get approval for something, anything.

Mary Mulvihill