

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-MP/410

- Applicant** : Hong Kong Rettungshunde Association (HKRA) Limited
- Site** : Government Land (GL) in D.D. 104, Mai Po, Yuen Long
- Site Area** : About 804m²
- Land Status** : GL
- Plan** : Draft Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/9
- Zonings** : “Other Specified Uses” annotated “Wetland Conservation Park” (“OU(WCP)”) (about 62%) and “Recreation” (“REC”) (about 38%)
[“REC” zone: restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]
- Application** : Proposed Temporary Education Centre and Animal Boarding Establishment with Ancillary Facilities and Associated Filling and Excavation of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary education centre and animal boarding establishment with ancillary facilities and associated filling and excavation of land for a period of three years at the application site (the Site), which falls within areas partly zoned “OU(WCP)” and partly zoned “REC” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). Filling and excavation of land in the “OU(WCP)” and “REC” zones also require planning permission from the Board. The Site is currently vacant, hard-paved and fenced-off (**Plans A-2 and A-4**).
- 1.2 According to the applicant, the current application is to facilitate relocation of its original operation in Yuen Long¹, which is affected by the resumption and clearance exercise under the Second Phase Development of the Yuen Long South New

¹ The applicant claimed that the original operation was located at the then Lots 702 R.P., 714 and 716 in D.D. 121, Yuen Long, which form part of the application site of an approved s.16 application No. A/YL-TYST/1163 submitted by a different applicant for proposed temporary animal boarding establishment (dog kennel cum dog recreation centre), and its planning permission was revoked on 29.7.2023.

Development Area (YLS NDA)².

- 1.3 The Site is accessible from Geranium Path (**Plan A-2**), with an ingress/egress at the northern part of the Site (about 6m wide). According to the applicant, the proposed uses, with a total floor area of about 300m², involve two single-storey structures (with a height of not exceeding 5m) for an education centre for exhibitions, educational activities with ancillary uses including office and storage (i.e. Structure 1 on **Drawing A-1**), and an animal boarding establishment providing training to six rescue dogs and sheltering of these rescue dogs and 11 stray cats with ancillary uses including storage (i.e. Structure 2 on **Drawing A-1**). Two underground septic tanks (each of a size of 1.4m (W) x 4.3m (L) x 1.8m (D)) and one car parking space for private car and/or light goods vehicle (for the exclusive use of the proposed uses) will be provided at the Site. Visitors will reach the Site using existing public transport services along Castle Peak Road – Mai Po/Tam Mi. The applicant also applies for associated filling of land for about 150m² (about 19% of the Site) with concrete of not more than 0.5m in depth for site formation of Structure 2 which is mainly located at the “REC” zone, and excavation of land for about 12m² (about 1.5% of the Site) with a depth of 1.8m for construction of the two underground septic tanks which is partly located within the “OU(WCP)” zone and partly located within the “REC” zone (**Drawing A-3**).
- 1.4 According to the applicant, to minimise the potential impact on the surrounding areas, the proposed education centre will adopt a visit-by-appointment system, under which a maximum of 20 visitors will be allowed for each two-hour session, and a maximum of nine sessions will be available per week. For the proposed animal boarding establishment, not more than six dogs and 11 cats will be kept at one time inside an enclosed structure (i.e. Structure 2 as shown on **Drawing A-1**) equipped with acoustic materials and 24-hour air-conditioning system at the Site. No windows will be installed at the western side of Structure 2. Retractable noise barriers of not more than 3m in height will be provided along the western side of Structure 2 as well as the western boundary of the Site (**Drawing A-2**) to minimise the potential noise impact on the surrounding areas. Staff members will stay at the Site to take care of the animals during night time. No public announcement system will be used at the Site at all times. The proposed education centre will operate from 9:30 a.m. to 6:00 p.m. daily (including public holidays), whereas the proposed animal boarding establishment will operate 24 hours daily (including public holidays). Plans showing the layout, proposed noise barrier and land filling and excavation submitted by the applicant are at **Drawings A-1 to A-3** respectively.
- 1.5 In support of the application, the applicant has submitted an Application Form with attachments and supplementary information received on 23.3.2026 and 27.3.2026 respectively (**Appendix I**).
- 1.6 On 22.5.2026, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicant’s request to defer making a decision on the application for two months.

² According to the Lands Department (LandsD), only the southern portion of Lots 702 R.P. and 714 in D.D. 121 were located within the resumption boundary under the Second Phase Development of the YLS NDA, and were reverted to the Government on 21.5.2025. There is insufficient information to determine whether the concerned lots were involved in the original operation as claimed by the applicant at the time of the pre-clearance survey (PCS).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form at **Appendix I**, and can be summarised as follows:

- (a) The applicant claims to be the first rescue dog organisation recognised by the Agriculture, Fisheries and Conservation Department (AFCD). HKRA Limited (i.e. the applicant) is not an organisation for rehoming abandoned animals but to provide training for rescue dogs. The proposed animal boarding establishment at the Site will only provide accommodation to the six rescue dogs and 11 stray cats; while the proposed education centre will provide a venue for holding hiking-related exhibitions and educational events.
- (b) No visitor parking space and loading and unloading bay will be provided at the Site. Visitors will reach the Site using existing public transport services along Castle Peak Road – Mai Po/Tam Mi. Therefore, no adverse traffic impact is anticipated.
- (c) The proposed uses will not lead to adverse environmental and visual impacts. Besides, as the Site has been fully paved without existing trees, no tree felling will be involved and hence no adverse landscape impact arising from the proposed uses is anticipated.

3. Compliance with the “Owner’s Consent/Notification” Requirements

As the Site involves GL only, the ‘Owner’s Consent/Notification’ Requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) are not applicable.

4. Town Planning Board Guidelines

The Site is partly located within the Wetland Conservation Area (WCA) (about 59%) and partly located within the Wetland Buffer Area (WBA) (about 41%) of Deep Bay Area (**Plan A-1**). The Town Planning Board Guidelines for ‘Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 12C) is relevant to the application. Relevant extracts of the Guidelines are at **Appendix II**.

5. Background

- 5.1 The Site falls within areas partly zoned “REC” and partly zoned “OU(WCP)” zone, with the specific portion of the “OU(WCP)” zone covering the Site designated for the Remaining Phases of the planned Sam Po Shue Wetland Conservation Park (SPS WCP). Designed to promote conservation in the Northern Metropolis and compensate for the ecological loss arising from the development of the San Tin Technopole (the Technopole), the planned SPS WCP will be established in phases, with Phase 1 expected to commence in late 2026/early 2027 and for completion by 2031. Detailed design for the Remaining Phase of the planned SPS WCP, where part of the Site is located within, is targeted to launch as early as the first quarter of 2027. The entire SPS WCP is scheduled for completion by 2039, to align with the estimated time for full operation of the Technopole.

5.2 The Site is currently not subject to any active planning enforcement action.

6. Previous Application

The Site is the subject of a previous application (No. A/DPA/YL-MP/25) for residential development rejected by the Committee in 1994, and its considerations are not relevant to the current application due to different uses involved. Details of the previous application is summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. Similar Application

During the past five years, there was no similar application for the education centre or animal boarding establishment within the same “OU(WCP)” or “REC” zones.

8. The Site and Its Surrounding Areas (Plans A-1 to A-4)

8.1 The Site is:

- (a) currently vacant, hard-paved and fenced-off; and
- (b) accessible from Geranium Path at its north.

8.2 The surrounding areas are sub-urban in character with mainly ponds, grassland and vacant land to the west within the same “OU(WCP)” zone for development of the planned SPS WCP, and residential dwellings, sale of vehicles (with valid planning permission), ponds and grassland to the east and south within the same “REC” zone. To the north across Geranium Path are mainly low-rise residential development of the Royal Palms within the “Residential (Group C)” zone and other residential dwellings, storage yards, grassland ponds within the “Open Space” zone.

9. Planning Intention

9.1 The planning intention of the “OU(WCP)” zone is primarily for the development of a Wetland Conservation Park by the Government to conserve the wetlands with ecological/conservation values and safeguard the integrity of the wetland system; compensate for the impact on ecological and fisheries resources arising from the development of the San Tin/Lok Ma Chau area of the Technopole, thereby achieving ‘co-existence of development and conservation’; provide eco-education and eco-recreation facilities for the public; and promote scientific research on aquaculture and develop modernized aquaculture industry.

9.2 The planning intention of the “REC” zone is primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

9.3 According to the Explanatory Statement of the OZP for both zones, as filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such

activities.

10. Comments from Relevant Government Bureaux/Departments

10.1 Apart from the government bureaux and departments (B/Ds) as set out in paragraph 10.2 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses, if any, are provided in **Appendices IV and V** respectively.

10.2 The following government B/Ds do not support/have reservation on the application:

Policy Aspect

10.2.1 Comments of the Secretary for Environment and Ecology (SEE):

- (a) policy support could not be provided from animal welfare perspective as the objectives of the proposed uses are not in line with rehoming animals or promoting animal welfare; and
- (b) on the applicant's claim that HKRA is a rescue dog association which has been recognised by AFCD, it should be clarified that AFCD did not approve any rescue dog association.

10.2.2 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

Nature Conservation

- (a) the application could not be supported from nature conservation perspective;
- (b) the Site is partly located within the WCA and partly located within the WBA. According to the TPB PG-No. 12C, new development within the WCA will not be allowed unless it is required to support the conservation of the ecological value of the area or the development is an essential infrastructural project with overriding public interest. Any such development should be supported by an ecological impact assessment (EcoIA) to demonstrate that the proposed uses will not result in a net loss in wetland function and negative disturbance impact. Besides, development within the WBA should be supported by an EcoIA unless exempted;
- (c) no EcoIA has been submitted and there is no strong justification from the applicant's submission that the current application is required to support the conservation of the ecological value of the area, including the planned SPS WCP;

Implementation of the Planned SPS WCP

- (d) part of the Site falls within an area zoned "OU(WCP)" on the OZP, which is intended for the establishment of the SPS WCP. The construction of

SPS WCP Phase 1 will commence in late 2026/ early 2027 for completion by 2031. The whole SPS WCP is expected to be completed by 2039 or earlier; and

- (e) the Site is currently paved, and part of it is within the Remaining Phase of the SPS WCP, where the implementation programme is not available yet. Detailed design of the Remaining Phase of the SPS WCP is targeted to launch as early as the first quarter of 2027;

Animal Business Licensing

- (f) the Site is not involved in any application/licensed premises granted by Animal Business Regulatory Section under the relevant public health regulations in relation to animals³ (i.e. Cap. 139B, 139F, 139I and 139J); and
- (g) advisory comments are at **Appendix V**.

Drainage

10.2.3 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN of DSD):

- (a) has reservation on the application from drainage perspective subject to the applicant's submission of a satisfactory drainage proposal during the planning application stage to demonstrate that the proposed uses will not obstruct the overland flow nor cause any adverse drainage impact on the adjacent areas; and
- (b) there is no substantiation from the applicant's submission to show how the overland flow from adjacent areas would not be interrupted by the proposed uses.

11. Public Comments Received During Statutory Publication Period

On 31.3.2026, the application was published for public inspection. During the statutory public inspection period, 17 public comments were received, including one from the San Tin Rural Committee, one from the owners' association of Royal Palms (Phase B), and 15 from individuals (**Appendix VI**), all objecting to the application mainly on the grounds that the proposed uses deviate from the intention of establishing the planned SPS WCP at the "OU(WCP)" zone; the proposed uses are not compatible with the surrounding residential developments and other existing business operations; the proposed uses would cause potential adverse environmental, noise, odour, hygiene, drainage, ecological and land contamination

³ 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).

impacts on the surroundings; and the proposed uses may lead to other issues such as deterioration of living environment and animal cruelty.

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary education centre and animal boarding establishment with ancillary facilities and associated filling and excavation of land for a period of three years at the Site partly zoned “OU(WCP)” (about 62%) and partly zoned “REC” (about 38%) (**Plan A-1**). The proposed uses with associated filling and excavation of land are not in line with the planning intention of the “OU(WCP)” zone which is primarily intended for the development of a WCP by the Government to conserve the wetlands with ecological/conservation values and safeguard the integrity of the wetland system. DAFC does not support the application from the perspectives of nature conservation and implementation of SPS WCP, as no EcoIA has been submitted by the applicant to demonstrate that the proposed uses would not result in a net loss in wetland function and negative disturbance impact as required under TPB PG-No. 12C (details at paragraph 12.4 below) and there is no strong justification in the submission for the necessity of the proposed uses to support the conservation of the ecological value of the area including the planned SPS WCP. The proposed uses are also not in line with the planning intention of the “REC” zone though there is no known development proposal involving the part of the Site falling within “REC” zone. Taking into account the above and the planning assessment below, it is considered that no strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.
- 12.2 According to the applicant, the current application is to facilitate relocation of its original operation in Yuen Long, which is affected by the resumption and clearance exercise under the Second Phase Development of the YLS NDA. According to LandsD, there is insufficient information to determine whether the concerned location at the YLS NDA was involved in the original operation as claimed by the applicant at the time of PCS. Besides, from animal welfare and animal business licensing perspectives, despite the applicant’s claim that HKRA is a rescue dog association which has been recognised by the AFCD, SEE points out that AFCD did not approve any rescue dog association, and policy support could not be provided from animal welfare perspective as the objectives of the proposed uses are not in line with rehoming animals or promoting animal welfare. DAFC also indicates that the Site is not involved in any application/licensed premises granted by Animal Business Regulatory Section under relevant public health regulations related to animals including Cap. 139B, 139F, 139I and 139J.
- 12.3 Filling and excavation of land in the “OU(WCP)” and “REC” zones require planning permission from the Board as they may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, while Director of Environmental Protection has no adverse comment on the application from environmental planning perspective, CE/MN of DSD has reservation on the application due to insufficient information to demonstrate that the proposed uses would not cause adverse drainage impacts on the adjacent areas from drainage perspective.
- 12.4 The Site is partly located within the WCA and partly located within the WBA. The proposed uses are considered not in line with TPB PG-No. 12C in that the proposed uses do not support the conservation of the ecological value of the area, nor are they essential infrastructural projects with overriding public interest. Besides, the applicant has not

submitted an EcoIA or other information relating to the ecological aspect to demonstrate that the proposed uses would not result in a net loss in wetland function and negative disturbance impact. In this regard, DAFC does not support the application from nature conservation perspective as mentioned in paragraph 12.1 above.

- 12.5 The Site is located in an area which is sub-urban in character with mainly ponds, grassland and vacant land to the west within the same “OU(WCP)” zone for development of the planned SPS WCP, as well as residential dwellings, sale of vehicles, ponds and grassland to the east and south within the same “REC” zone. Although the proposed uses are considered not incompatible with the surrounding land uses in the “REC” zone, they are considered incompatible with the ponds within the same “OU(WCP)” zone. While the proposed uses may alter the existing landscape character of the area, the Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective.
- 12.6 Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services, have no objection to or no adverse comment on the application.
- 12.7 Regarding the public comments as mentioned in paragraph 11, the departmental comments and planning assessments above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, PlanD does not support the application for the following reasons:
 - (a) the proposed uses are not in line with the planning intention of the “Other Specified Uses” annotated “Wetland Conservation Park” and “Recreation” zones, which is primarily for the development of a Wetland Conservation Park by the Government to conserve the wetlands with ecological/conservation values and safeguard the integrity of the wetland system; compensate for the impact on ecological and fisheries resources arising from the development of the San Tin/Lok Ma Chau area of the San Tin Technopole, thereby achieving ‘co-existence of development and conservation’; provide eco-education and eco-recreation facilities for the public; and promote scientific research on aquaculture and develop modernized aquaculture industry; and primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission. There is no strong planning justification in the submission for a departure from the planning intentions, even on a temporary basis; and
 - (b) the proposed uses do not comply with the Town Planning Board Guidelines No. 12C for ‘Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance’ in that the applicant fails to demonstrate that the proposed uses are required to support the conservation of the ecological value of the area or are essential infrastructural projects with overriding public interest; and that would not result in a net loss in wetland function and negative disturbance impact.

- 13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 14.8.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of an ecological impact assessment before construction of the proposed uses on the site to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board;
- (b) in relation to (a) above, the implementation of the mitigation measures identified in the ecological impact assessment before the commencement of any operation of the proposed uses on the site to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board;
- (c) in relation to (b) above, the implemented mitigation measures on the site identified in the ecological impact assessment shall be maintained at all times during the planning approval period;
- (d) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 14.2.2027;
- (e) in relation to (d) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 14.5.2027;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 14.2.2027;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 14.5.2027;
- (i) if the above planning condition (a) is not complied with before construction of the proposed uses on the site, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if the above planning condition (b) is not complied with before the commencement of any operation of the proposed uses on the site, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning condition (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

- (l) if any of the above planning condition (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and fill materials, and grassing of the site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are attached at **Appendix V**.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 14.3 Alternatively, should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

15. Attachments

Appendix I	Application Form with attachments received on 23.3.2026 and SI received on 27.3.2026
Appendix II	Relevant Extracts of TPB PG-No. 12C
Appendix III	Previous Application
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Proposed Noise Barrier Plan
Drawing A-3	Land Filling and Excavation Plan
Plan A-1	Location Plan with Previous Application
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos