

Previous Application involving the Site

Approved Application

Application No.	Proposed Use/Development	Date of Consideration (RNTPC)
A/YL-PH/969	Proposed Temporary Animal Boarding Establishment with Ancillary Facilities and Associated Filling of Land for a Period of 5 Years	22.12.2023

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 land for the Short Term Tenancy (STT) No. STTYL0254 to the Society for Abandoned Animals Limited (SAA) for a non-profit making boarding establishment for abandoned animals together with such ancillary facilities to the satisfaction of the Director of Agriculture, Fisheries and Conservation;
- the applicant should be reminded that the use and the development of the Site are subject to the approved terms and conditions set out in the tenancy agreement of STTYL0254; 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;
- the submitted drainage proposal is considered acceptable;
- noting the applicant will implement and maintain the same drainage facilities as proposed under previous application (No. A/YL-PH/969), should the application be approved, approval conditions requiring the implementation of the accepted drainage proposal and maintenance of the drainage facilities on the Site should be included in the planning permission; and
- advisory comments are at **Appendix IV**.

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 photos taken in 2024 and 2026, the Site is located in an area of rural inland plain landscape character comprising agricultural land, grassland, nurseries, a few residential structures, open storages or warehouses and scattered tree groups. The proposed use is considered not incompatible with the surrounding environment;
- with reference to the aerial photos and site visit conducted in August 2026, some common tree species and wild plants were found on it. It is noted that no distinctive landscape resources were found on site. Significant adverse landscape impact arising from the proposed use is not anticipated; and
- advisory comments are at **Appendix IV**.

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. Agriculture and Nature Conservation

Comments of the Director of Agriculture, Fisheries and Conservation:

- the Site is zoned “AGR” and is generally abandoned. The agricultural activities are active in the vicinity and agricultural infrastructures such as road access and water source are also available. The Site can be rehabilitated for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc., though whether there will be agricultural activities on a specific site will hinge on a lot of factors; and
- advisory comments are at **Appendix IV**.

9. 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.

10. 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) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that:
 - (i) the applicant shall be reminded that the use and development of the Site are subject to the approved terms and conditions set out in the tenancy agreement of Short Term Tenancy (STT) No. STTYL0254; and
 - (ii) the applicant shall ensure the proposed use will comply with all the tenancy conditions of the STT. Failure to comply with any tenancy conditions may result in enforcement action being taken and the STT being terminated by the Government;
- (c) 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 the Transport Department (TD). 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;
 - (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;
- (d) 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 Ko Sheung Road, including the local track;
 - (ii) the applicant shall ensure a run in/out which is constructed at Ko Sheung Road in accordance with the latest version of HyD Standard Drawings No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. The proposed modification of existing furniture including the beam barriers shall be commented and approved by TD; and
 - (iii) adequate drainage measures should be provided to prevent surface water running from the Site to nearby public road and drains;

- (e) to note the comments of the Director of Environmental Protection that:
 - (i) all the animals shall be kept inside the enclosed structures on-site from 7:00 p.m. to 9:00 a.m.;
 - (ii) no public announcement system, whistle blowing, portable loud speaker, or any form of audio amplification system is allowed to be used at the Site at all times;
 - (iii) the proposed structures for animal boarding establishment shall be enclosed with soundproofing materials with provision of 24-hour mechanical ventilation and air-conditioning system;
 - (iv) the applicant shall use muzzles and/or training leashes for dogs during outdoor activities to minimise any possible noise nuisance;
 - (v) the applicant shall follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
 - (vi) the applicant shall follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs). If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of ProPECC PN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' including completion of percolation test and certification by Authorized Person;
 - (vii) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use; and
 - (viii) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that all proposed works and structures should be placed 3m away from the top of the bank of the river and should not create any adverse drainage impacts, both during and after construction and operation. Peripheral surface channels shall be provided along the site boundary at the existing/original ground level (instead of the revised ground level) to collect the surface runoff accrued on the Site and to intercept the overland flow from the adjacent lands;
- (g) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) in consideration of the design/nature of the proposal under the application, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant detailed layout plans incorporated with the proposed FSIs to D of FS for approval;

- (ii) 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; 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 Town Planner/Urban Design and Landscape, Planning Department that approval of the application does not imply approval of tree works such as pruning, transplanting, felling and compensatory/new tree planting. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- (i) it is noted that five structures, three staircases and associated filling of land are 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 abuts on a specified street (Ko Sheung Road) of not less than 4.5m wide and its permitted development intensity shall be determined under the First Schedule of the B(P)R, where no plot ratio or gross floor area restriction has been stipulated in the statutory plan or approved planning applications;
 - (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 use under the current 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 is subject to issue of a license, the applicant shall 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 requirement 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 the building plan submission stage; and
- (j) to note the comments of the Director of Agriculture, Fisheries and Conservation that the Site has no application/licensed premises granted by the Animal Business Regulatory Section under 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) at the Site. Under 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 when the applicant submits licence application to his department. 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 the Animal Management (Operation) Division for relevant information as applicable.

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年08月18日星期二 1:18
收件者: tpbpd/PLAND
主旨: A/YL-PH/1128 DD 114 Kei Ling Animal Shelter
類別: Internet Email

A/YL-PH/1128 Society for Abandoned Animals Limited
Government Land in D.D. 114, Kei Ling, Pat Heung
Site area: About 4,670sq.m
Zoning: "Agriculture"
Applied development: Animal Boarding Establishment / 5 Years / **Filling of Land** / 1 Vehicle Parking

Dear TPB Members,

Despite strong opposition from local residents 969 was approved 22 Dec 2023 with the support of Secretaries of Environment and Development.

It is shocking that these days the views of the community are completely ignored.

Conditions were not fulfilled and back with a smaller footprint. And now we find that we tax payers have to foot the bills.

"However, the Applicant requires funding support from the Development Bureau ("DEVB") for the construction of structures and implementation of the approved proposals."

The good news is that the reduction of the site will exclude the watercourse.

Previous objections upheld. Instead of encouraging folk to abandon animals the Sec for Environment, probably the most inept official in charge of a dept, should be exploring ways to curb the illegal importation, exploitation and breeding of animals.

He should also instigate public education with regard to the difference between a living animal and stuffed toys. Animals wherever possible should be kept in their natural habitat. The sight of animals with abundant coats out on our hot humid polluted streets is heartbreaking. As for those dressed up and in push chairs, this displays a lack of respect for animals that is the height of ignorance.

In addition, there is all the additional waste generated in the upkeep of these animals. The current fixation with keeping pets is fuelled by commercial hype.

The administration instead of supporting the pet industry should be guiding citizens towards more healthy pastimes.

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

From: [REDACTED]

To: tpbpd <tpbpd@pland.gov.hk>

Date: Thursday, 7 December 2023 2:55 AM HKT

Subject: Re: A/YL-PH/969 DD 114 Kei Ling Animal Shelter

Dear TPB Members,

As no soft copy provided, members of the public who work office hours are deprived of access to information with regard to identity of operator and other relevant information.

THIS IS GOVERNMENT LAND. THERE SHOULD BE OUTMOST TRANSPARENCY WITH REGARD TO ANY PLANNED OPERATIONS.

Previous objections upheld.

Mary Mulvihill

From: [REDACTED]

To: tpbpd <tpbpd@pland.gov.hk>

Date: Monday, 11 September 2023 4:11 AM HKT

Subject: A/YL-PH/969 DD 114 Kei Ling Animal Shelter

A/YL-PH/969

Government Land in D.D. 114, Kei Ling, Pat Heung

Site area: About 7,900sq.m

Zoning: "Agriculture"

Applied development: Animal Boarding Establishment / 5 Years / **Filling of Land** / 1 Vehicle Parking

Dear TPB Members,

No indication with regard to the identity of the applicant. This is a large amount of Government Land so there should be complete transparency.

In addition the claim that the site is intended for GIC is not borne out by the AG zoning.

While animal shelters have good intentions, they are ultimately part of the problem as they provide a convenient dumping ground for people who tire of taking care of their pets.

The solution should not be animal shelters but strict control of both the breeding and importation of animals.

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