

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

Approved Application

	<u>Application No.</u>	<u>Development(s)/Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TT/670	Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 5 Years and Associated Filling of Land	6.12.2024

Government Departments' General Comments

1. 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**.

2. 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.
- Advisory comments as detailed in **Appendix IV**.

3. Fire Safety

Comments of the Director of Fire Services:

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

4. Environment

Comments of the Director of Environmental Protection:

- No objection to the application.
- No environmental complaint concerning the Site has been received in the past three years.
- 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. **Agricultural, Nature Conservation and Animal Management**

Comments of the Director of Agriculture, Fisheries and Conservation:

- The Site falls within the “Agriculture” and “Village Type Development” zones and is generally vacant. The agricultural activities are active in the vicinity and agricultural infrastructures such as road access and water source are available in the area. 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.
- He has no strong view against the application from agricultural perspective.
- No comment on the application from the perspective of nature conservation.
- Advisory comments as detailed in **Appendix IV**.

7. **Food and Environmental Hygiene**

Comments of the Director of Food and Environmental Hygiene:

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

8. **Electricity Safety**

Comments of the Director of Electrical and Mechanical Services:

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

9. **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.

10. Landscape

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

Based on the aerial photo taken in 2025, the Site was situated in area of miscellaneous rural fringe landscapes characterised by village houses, temporary structures and tree clusters. Based on the site photos taken in July 2026, the Site was formed. No distinctive landscape resources are found within the Site. As no tree felling would be involved, no significant adverse landscape impact arising from the proposed use is anticipated.

11. Other Departments

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

- Chief Engineer/Construction, Water Supplies Department;
- Project Manager (West), Civil Engineering and Development Department; and
- Commissioner of Police.

Recommended Advisory Clauses

- (a) the planning permission is given to the development/use under application. It does not condone any other development/use (i.e. storage use) which currently exists on the application site (the Site) but not covered by the application. Immediate action should be taken to discontinue such development/use not covered by the permission;
- (b) any unauthorized development on the Site would be subject to planning enforcement action;
- (c) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (d) 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;
- (e) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the Site comprises GL and Old Schedule Agricultural Lots 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;
 - (ii) no permission is given for occupation of GL (about 94 m² as mentioned in the application form) included in the Site. Any occupation of GL without Government's prior approval is an offence under Cap.28;
 - (iii) there is/are unauthorized structure(s) and/or uses on Lots 101, 103, 104 S.A and 141 in D.D. 116 which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and
 - (iv) if the planning application is approved, the lot owner(s) shall apply to LandsD for a for a Short Term Waiver (STW) and Short Term Tenancy (STT) to permit the structure(s). The application(s) for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that the application(s) will be approved. The STW and STT, if approved, will be subject to such terms and conditions including the payment of waiver fee, rent and administrative fee as considered appropriate by LandsD. Besides, given that the proposal is temporary in nature, only erection of temporary structure(s) will be considered;
- (f) 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;

- (g) 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 maintaining any access connecting the Site with Yau Shin Street; and
 - (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (h) to note the comments of the Director of Agriculture, Fisheries and Conservation that:
 - (i) from animal management perspective, the Site has no licensed premises granted by Animal Business Regulatory Section under Cap. 139B, 139F, 139I and 139J;
 - (ii) under the Public Health (Animals) (Boarding Establishment) Regulations, Cap. 139I (the Regulations), any person who provides food and accommodation for animals in return for a fee paid by the animal owner must apply for a Boarding Establishment Licence from 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 Animal Management (Operation) Division for relevant information as applicable; and
 - (iii) detailed information and guidance on Animal Boarding Establishment would be provided upon receipt of the licence application;
- (i) to note the comments of the Director of Environmental Protection that:
 - (i) the use of public announcement system, portable loudspeaker or any form of audio amplification system and whistle blowing should be avoided;
 - (ii) all animals shall be kept inside the enclosed structures with soundproofing materials, 24-hours mechanical ventilation and air conditioning system, as proposed by the applicant, during the planning approval period;
 - (iii) 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;
 - (iv) to arrange licensed collectors to collect and dispose the sewage and waste from the proposed use; and
 - (v) it is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances;
- (j) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
 - (i) no Food and Environmental Hygiene Department (FEHD)’s facilities will be affected by the proposed use;
 - (ii) proper license/permit issued by FEHD is required if there is 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 surrounding 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 premises, the applicant should handle on his/her own expenses;
- (k) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that 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 should submit technical assessment(s) in other aspect(s) and seek comment from relevant department(s) as necessary;
- (l) 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;
- (m) to note the comment of Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD) that:
 - (i) the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection; and
 - (ii) resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the installation, operation and maintenance of inside services within the Site to WSD's standards;
- (n) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) the Site is considered as two separate sites and each of them 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) both of the two sites do not abut on a specified street of not less than 4.5m wide and their permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
 - (iii) for unauthorized building works (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;

- (iv) three 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;
 - (v) if the proposed use is subject to issue of a license, 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;
 - (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;
 - (vii) the 6m high structures are considered excessive, It should be justified upon formal plan submission to BD; and
 - (viii) detailed checking under the BO will be carried out at building plan submission stage; and
- (o) to note the comment of the Director of Electricity and Mechanical Services that:
- in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line 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 concerned 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.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號
Reference Number: 260811-223519-13928

提交限期
Deadline for submission: 21/08/2026

提交日期及時間
Date and time of submission: 11/08/2026 22:35:19

有關的規劃申請編號
The application no. to which the comment relates: A/YL-TT/799

「提意見人」姓名/名稱
Name of person making this comment: 先生 Mr. YEUNG KWOK KEUNG

意見詳情
Details of the Comment :

本人反對以上申請, 會為該區道路造成壓力

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號****Reference Number:**

260811-224114-58864

提交限期**Deadline for submission:**

21/08/2026

提交日期及時間**Date and time of submission:**

11/08/2026 22:41:14

有關的規劃申請編號**The application no. to which the comment relates:**

A/YL-TT/799

「提意見人」姓名/名稱**Name of person making this comment:**

先生 Mr. YEUNG SUM WA

意見詳情**Details of the Comment :**

本人反對以上申請, 會為該區道路造成壓力

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號
Reference Number: 260811-224315-85575

提交限期
Deadline for submission: 21/08/2026

提交日期及時間
Date and time of submission: 11/08/2026 22:43:15

有關的規劃申請編號
The application no. to which the comment relates: A/YL-TT/799

「提意見人」姓名/名稱
Name of person making this comment: 先生 Mr. Cheung Koon Shan

意見詳情
Details of the Comment :

本人反對以上申請, 會為該區道路造成壓力

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

4

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年08月21日星期五 23:08
收件者: tpbpd/PLAND
主旨: KFBG's comments on two planning applications
附件: 260821 s16 TT 799.pdf; 260821 s16 LYT 875.pdf

類別: Internet Email

Dear Sir/ Madam,

Attached please see our comments regarding two applications. There are two pdf files attached to this email. If you cannot see/ download/ open these files, please notify us through email.

Please do not disclose our email address.

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

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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)

21st August, 2026.

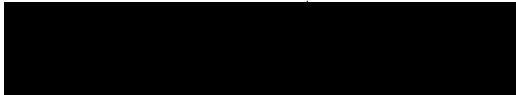
By email only

Dear Sir/ Madam,

Proposed Temporary Animal Boarding Establishment and Associated Filling of
Land for a Period of 3 Years
(A/YL-TT/799)

1. We refer to the captioned.
2. 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 Shap Pat Heung¹. 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.*
3. 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*

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



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.

4. 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., Shap Pat Heung). If it is not within APA, we also urge the Board to investigate with relevant authorities as to how close the Shap Pat Heung 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.

5. 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 application would affect the APA policy proposed by the government. **Indeed, according to a newspaper article published in early April that included a response from the Director of Agriculture, Fisheries and Conservation, the review of the APA policy will be completed in 2026, and the 37 proposed APAs will entail no major changes in terms of location and size.**²

6. Regarding 'Animal Boarding Establishment', we also recommend that the Board look at a news report relating to this item³.

7. We urge the Board to reject this application as it is not in line with the planning intention of the Agriculture zone. The Board should also consider whether the site (e.g., filled area) would need to be reinstated upon the expiry of the planning permission, if it is to be approved;

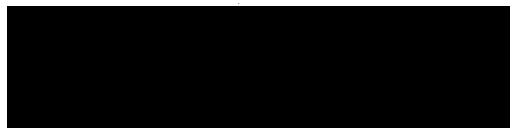
² <https://news.mingpao.com/pns/港聞/article/20260405/s00002/1775325102691>/諮詢完成待修細節-漁護署料年內成事

³ <https://news.mingpao.com/pns/港聞/article/20240702/s00002/1719858304310>/本研-5年批60狗場用地-半不符實-疑作跳板-至少15幅兩年內申棕地作業

if yes, then consider whether this should be set as an approval condition.

8. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



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5

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年08月21日星期五 1:21
收件者: tpbpd/PLAND
主旨: A/YL-TT/799 DD 116 Yeung UK Tsuen / Shek Tong Tsuen, Yuen Long ABE
類別: Internet Email

A/YL-TT/799

Lot 99 (Part), Lot 101 (Part), Lot 103 (Part), Lot 104A (Part), Lot 104B (Part), Lot 139A (Part), Lot 141 (Part), Lot 143 (Part), Lot 144, Lot 145 (Part), Lot 146, Lot 147 (Part), Lot 149 (Part) in D.D. 116 and Adjoining Government Land, Yeung UK Tsuen / Shek Tong Tsuen, Yuen Long

Site area: About 1,974sq.m (Includes Government Land of about 94sq.m)

Zoning: "Agriculture" and "VTD"

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

Dear TPB Members,

Clearly a FAKE ABE. Almost 2,000sq.mts to house 13 DOGS AND CATS. Effectively the footprint of a village house for each one. The applicant claims it is a commercial operation but it would be impossible to make a profit on boarding a dozen animals.

There are contradictions in the text, probably because it was copied from other applications.

Applicant claims that this is a local operation employing village folk, but then claims that management will be handed over to a professional management company.

And no reason given for two separate sites for such a small operation.

It is quite clear that the true intention is gain approval to fill in the two sites for brownfield use and legitimize the existing structures. The proximity to two villages would make an application for warehouse difficult to justify.

Hopefully there are some adults in the room who can see through the chicanery.

The application should be rejected.

Mary Mulvihill

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號
Reference Number: 260821-213103-61446

提交限期
Deadline for submission: 21/08/2026

提交日期及時間
Date and time of submission: 21/08/2026 21:31:03

有關的規劃申請編號
The application no. to which the comment relates: A/YL-TT/799

「提意見人」姓名/名稱
Name of person making this comment: 小姐 Miss YEUNG

意見詳情
Details of the Comment :

- 1) 影響鄉郊環境
- 2) 動物會造成大量嘈音
- 3) 動物對附近居民做成威脅