

Previous S.16 Applications

Approved Applications

Application No.	Uses/ Development	Date of Consideration
A/NE-TKL/685	Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years	28.1.2022 (Revoked on 28.4.2023)
A/NE-TKL/702	Proposed Temporary Warehouse for Storage of Metal for a Period of 3 Years and Filling of Land	26.8.2022 (Revoked on 26.5.2024)
A/NE-TKL/767	Temporary Warehouse for Storage of Metal for a Period of 3 Years and Associated Filling of Land	16.8.2024 (Revoked on 16.5.2026)

**Similar S.16 Applications for Temporary Warehouse
in the Vicinity of the Application Site within “Agriculture” Zone in the Past Five Years**

Approved Applications

	Application No.	Uses/Developments	Date of Consideration
1.	A/NE-TKL/809	Proposed Temporary Warehouse and Ancillary Open Storage of Construction Materials and Associated Filling of Land for a Period of 3 Years	5.9.2025
2.	A/NE-TKL/830	Proposed Temporary Warehouse for Storage of Tea Leaves and Associated Filling of Land for a Period of 3 Years	5.6.2026

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- no objection to the application;
- the application site (the Site) comprises Old Schedule Agricultural Lot 554 S.A ss.2 in D.D. 77 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. The proposed ingress/egress of the Site is required to pass through Government land (GL). No right of access via GL is granted to the Site;
- the private lot is covered by Short Term Waiver (STW) No. 1648 for the purpose of “Temporary Warehouse and Ancillary Facilities” use with structures in a total built-over area not exceeding 770m² and a height not exceeding 8m (not more than 2-storey);
- it is noted that the proposed sizes of structures stipulated in the Application Form are in line with the above STW; and
- his advisory comments are at **Appendix V**.

2. Traffic

Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- no comment on the application from highways maintenance point of view;
- the proposed access road connecting the Site and Ng Chow South Road is not under the maintenance of HyD; and
- his advisory comments are at **Appendix V**.

3. Drainage

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

- no objection to the application from public drainage viewpoint;
- as the as-built drainage plan is identical to the drainage proposal submitted under planning application No. A/NE-TKL/702 which was considered acceptable, approval condition on the submission of drainage proposal can be omitted;
- the condition record of the implemented drainage facilities submitted by the applicant on 7.7.2026 (**Appendix Ib**) is considered acceptable;
- should the application be approved, a condition should be included to request the applicant to maintain the implemented drainage facilities at all times during the planning approval period, and rectify these facilities if they are found inadequate/ineffective during operation;

- the Site is in an area where public sewerage connection is not available. The Environmental Protection Department should be consulted regarding the sewage impact assessment and sewage treatment/disposal facilities for the applied use; and
- her advisory comments are at **Appendix V**.

4. **Environment**

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from the environmental planning perspective since no heavy vehicle or dusty operation is involved;
- no comment on the proposed regularisation of filling of land from the environmental planning perspective since no filling of land will be carried out under the application;
- no environmental complaint against the Site was received in the past three years; and
- his advisory comments are at **Appendix V**.

5. **Fire Safety**

Comments of the Director of Fire Services (D of FS):

- no in-principle objection to the proposal subject to fire service installations (FSIs) and water supplies for firefighting being provided to his satisfaction;
- no objection to the submitted FSIs proposal dated 14.9.2026 (**Appendix Ie**). The applicant should submit a full set of F.S.251 which should be incorporated all FSIs proposed in the endorsed FSI proposal for his further arrangement of FSI acceptance inspection; and
- his advisory comments are at **Appendix V**.

6. **Landscape**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo taken in 2024, the Site was located in an area of miscellaneous rural fringe landscape character comprising warehouses, temporary structures, village houses, vegetated areas and tree clusters. The applied use is considered not incompatible with the surrounding environment;
- with reference to the above aerial photo and site photos taken on 30.6.2026, the Site was fenced-off and formed without any vegetation. One temporary structure was observed on it. As stated in the Application Form, no tree felling will be involved; and
- in view of the above, significant adverse landscape impact arising from the application is not anticipated.

7. Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no objection to the application;
- there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site;
- it is noted that two structures and land filling are proposed on the Site. Before any new building works are to be carried out on the Site, prior approval and consent of the BA should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are unauthorised building works under the Buildings Ordinance (BO). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
- his advisory comments are at **Appendix V**.

8. Other Departments

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- (c) Head of the Geotechnical Engineering Office, CEDD (H(GEO), CEDD); and
- (d) District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) should the applicant fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration shall not be given to any further application;
- (c) failure to reinstate the “Agriculture” portion of 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/North, Lands Department (DLO/N, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lot 554 S.A ss.2 in D.D. 77 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. The proposed ingress/egress of the Site is required to pass through Government land (GL). No right of access via GL is granted to the Site; and
 - (ii) the applicant should comply with all the land filling requirements imposed by relevant Government departments. GL should not be disturbed unless with prior approval;
- (e) to note the comments of the Commissioner for Transport (C for T) that the proposed vehicular access road between Ping Che Road and the Site 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. Sufficient manoeuvring space shall be provided within the Site. 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 East, Highways Department (CHE/NTE, HyD) that:
 - (i) the proposed access arrangement, traffic impact assessment and swept path analysis should be commented by TD;
 - (ii) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Ng Chow South Road; and
 - (iii) adequate drainage measures should 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 (CE/MN, DSD) that:
 - (i) the drainage facilities should be rectified if they are found inadequate/ineffective during operation; and
 - (ii) the Site is in an area where public sewerage connection is not available. The Environmental Protection Department should be consulted regarding the sewage impact assessment and sewage treatment/disposal facilities for the applied use;

- (h) to note the comments of the Director of Environmental Protection (DEP) that the applicant should (i) follow the requirements of the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites', and (ii) provide suitable sewage treatment facilities as required under the Professional Persons Environmental Consultative Committee Practice Notes 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department – Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations' and are duly certified by an Authorized Person (AP) or employ licensed waste collector to regularly collect and properly dispose of the sewage collected in the proposed toilet;
- (i) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) the applicant should submit a full set of F.S.251 which should be incorporated all fire service installations (FSIs) proposed in the endorsed FSI proposal submitted on 14.9.2026 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 service requirements will be formulated upon receipt of formal submission of general building plans;
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) it is noted that two structures and land filling are proposed on the Site. Before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are unauthorised building works (UBW) under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
 - (ii) the applicant's attention is drawn to the following points:
 - 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;
 - 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;
 - if any 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 application;
 - 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;
 - 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 BA should be obtained, otherwise they are UBW under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO;

- any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings and are subject to the control of Part VII of the B(P)R;
 - in general there is no requirement under the BO in respect of provision of car parking spaces for a proposed development. However, the applicant's attention is drawn to the provision of accessible car parking spaces designated for the use of persons with a disability as per the requirements under Regulation 72 of the B(P)R and Division 3 of Design Manual: Barrier Free Access 2008;
 - the applicant's attention is drawn to the provision under Regulations 40 and 41 of the Building (Standards of Sanitary Fittings, Plumbing, Drainage Works and Latrines) Regulations in respect of disposal of foul water and surface water respectively;
 - the 8m tall warehouse is considered excessive. It should be justified upon formal plan submission to BD; and
 - detailed checking under the BO will be carried out at building plan submission stage; and
- (k) to note the comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that the applied use is located within the proposed New Territories North (NTN) New Town under the Planning and Engineering (P&E) Study for NTN New Town and Man Kam To. The preliminary development proposal for NTN New Town was released in December 2024. While the implementation programme of NTN New Town is being formulated under the P&E Study, the site formation works will likely commence soon after the completion of detailed design in next stage. Hence, subject to the land use planning in the P&E Study, the applied use may need to be vacated for the site formation works.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

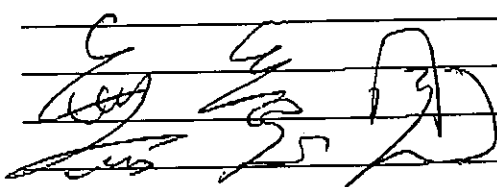
By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates
A/NE-TKL/843

意見詳情 (如有需要，請另頁說明)

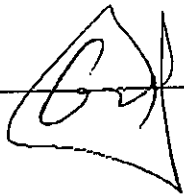
Details of the Comment (use separate sheet if necessary)



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

侯志強議員

簽署 Signature



日期 Date

2026.6.30

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年07月14日星期二 22:57
收件者: tpbpd/PLAND
主旨: A/NE-TKL/843 DD 77 Ng Chow South Road
類別: Internet Email

Dear TPB Members,

So despite, to use HK govt favourite phrase, the despicable history 767 was approved 16 Aug 2024 and revoked 16 May 2026 for failure to fulfill conditions.

But does this mean the operation is now closed down for endangering the community?

Of course not, file another application and good to go for another 3 years.

The Tai Po Fire disaster was a culmination of approved transgressions like this but on a much larger scale.

Anyone who hoped that there would be strict implementation of the regulations after Tai Po will now understand that the culture of 'reward the rules breakers' is too firmly entrenched.

The application should be rejected.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Monday, 22 July 2024 2:59 AM HKT
Subject: A/NE-TKL/767 DD 77 Ng Chow South Road

Dear TPB Members,

So instead of being grateful for the complicity between applicants / PlanD / TPB whereby much of the agricultural land left in NT is being trashed via a web of complicity -

- apply for animal boarding with absolutely no intention of providing this service. Govt depts ask no questions and TPB whips out the rubber stamps.
- conditions not fulfilled but hey, site already filled in. Govt depts again see no / hear no and support brownfield operation, TPB rubberstamps out again
- brownfield conditions not fulfilled, mo man tai, file another application because this is a complicity that keeps on giving. Govt depts see no / hear no and TPB rubberstamps on the ready.

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It is no wonder that Hong Kong people with ethics are absolutely gobsmacked by the manner in which laws and regulations are now rendered expendable.

This might be tolerable if not for the endless public announcements about 'from chaos to order' when the reality is in fact the opposite.

Application should be rejected but whos holding their breath????

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Sunday, 31 July 2022 3:26 AM HKT
Subject: A/NE-TKL/702 DD 77 Ng Chow South Road

Dear TPB Members,

Strong objections. On 29 Jan you approved the Animal Boarding application for

"four single-storey structures within Site with a total floor area of 295 m2"

There was no **previous application for the Site.**

PlanD has no objection to the application from landscape point of view as **significant adverse landscape impact arising from the temporary development is not anticipated.**

Now we get the real intention, BROWNFIELD USE

Applied use : Warehouse for Storage of Metal / 3 Vehicle Parking / **Filling of Land**
there would be two 1 to 2-storey structures within the Site with a **total floor area of about 810 m2**

So in other words almost the entire site would be covered in concrete rendering it unsuitable for any form of agricultural activity going forward.

There is no justification to approve this application as the administration has pledged to phase out brownfield operations.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Wednesday, 22 September 2021 4:22 AM CST
Subject: A/NE-TKL/685 DD 77 Ng Chow South Road

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665 withdrawn. Previous objections applicable

From: [REDACTED]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Sunday, May 23, 2021 4:50:43 AM
Subject: A/NE-TKL/665 DD 77 Ng Chow South Road

A/NE-TKL/665
Lot 554 S.A ss.2 (Part) in D.D. 77, Ng Chow South Road, Ta Kwu Ling
Site area : About 980sq.m
Zoning : "Agriculture" and "Industrial (Group D)"
Applied use : Animal Boarding Establishment / 4 Vehicle Parking

Dear TPB Members,

The site appears to be a paved over parking lot in between brownfield operations, certainly not a suitable place for animals.

Is it animal boarding or animal breeding? The number of applications for animal boarding going through the system is disproportionate to the market for such facilities, but it is common knowledge that the easiest way to get approval for brownfields is via animal boarding or hobby farm as both invariably supported by PlanD. So the charade is repeated again and again. I never see a condition attached that the lots be used for the approved purpose.

What credentials does the applicant have? How many similar operations nearby?

There are many media reports on animal cruelty and puppy farms. Members must ask questions.

Mary Mulvihill