

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-HTF/1212

- Applicants** : 大西北發展有限公司 和 謝睿玲 (Ms.) represented by FiBi International Project Consultancy Co. Limited
- Site** : Lots 593 S.A RP and 593 RP in D.D. 128, Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 2,983m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12
- Zoning** : “Coastal Protection Area” (“CPA”)
- Application** : Proposed Temporary Place of Recreation, Sports or Culture (Prawning Ground) and Permitted Agricultural Use (Shrimp Larvae Hatchery) with Ancillary Education Centre and Facilities and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicants seek planning permission for proposed temporary place of recreation, sports or culture (prawning ground) and permitted agricultural use (shrimp larvae hatchery) with ancillary education centre and facilities and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned “CPA” on the OZP (**Plan A-1**). According to the Notes of the OZP, while the proposed shrimp larvae hatchery can be regarded as ‘Agricultural Use (other than Plant Nursery)’ which is always permitted, the proposed prawning ground is regarded as ‘Place of Recreation, Sports or Culture’ use which is neither a Column 1 nor Column 2 use within the “CPA” zone, and temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). Besides, filling of land within the “CPA” zone also requires planning permission from the Board. The Site is currently partly fenced-off and covered with grass, and is largely vacant with an existing pond at the western portion.
- 1.2 The Site is accessible from Deep Bay Road via a local track, with the ingress/egress located at the eastern part of the Site (**Drawing A-1 and Plan A-3**). As shown on

the layout plan at **Drawing A-1**, the proposed uses will involve four single-storey structures (not more than 4.57m in height) with a total floor area of about 520m² for shrimp larvae hatchery, education centre, laboratory, leisure area, office, store room and washroom uses. A prawning ground is also proposed at the existing pond within the Site (about 700m² or 23% of the Site) for recreational purpose. According to the applicants, no pond filling or dredging works will be undertaken. While shrimps from the hatchery are not for sale and will be supplied to the local fishermen with a collaborative relationship, a portion of the shrimps will be put into the prawning ground after hatching. Relevant experiments on quality control of shrimp larvae and aquaculture training/educational programmes will also be conducted at the Site. The proposal will involve filling of land (about 520m² or 17% of the Site) with eco-paving blocks of about 0.1m in depth for site formation and erection of the structures. A loading/unloading space for light goods vehicle (7m x 3.5m) will be provided at the Site.

- 1.3 According to the applicants, the operation hours of the proposed uses are between 9 a.m. and 6 p.m. daily (including public holidays). Reservation/entrance fee will be required for visitors, and it is expected that a maximum of 60 visitors per day can be accommodated. No parking spaces for visitors will be provided and they may access the Site by minibus. No eating place is proposed at the Site. No public announcement system or any form of audio amplification system will be used at the Site. Fencing will be erected along the site boundary except for the portion facing the coast. The layout plan, land filling plan, vehicular access plan and drainage proposal submitted by the applicants are at **Drawings A-1 to A-4** respectively.
- 1.4 In support of the application, the applicants have submitted the following documents:
 - (a) Application Form with attachments received on 19.8.2026 **(Appendix I)**
 - (b) Supplementary Information (SI) received on 27.8.2026 **(Appendix Ia)**
 - (c) Further Information (FI) received on 22.9.2026* **(Appendix Ib)**

**accepted and exempted from publication and recounting requirements*

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in the Application Form, SI and FI at **Appendices I to Ib**. They can be summarised as follows:

- (a) the proposed uses are temporary in nature for a period of three years and will not frustrate the long-term planning intention of the “CPA” zone;
- (b) there is a large demand for shrimp larvae in the territory and qualified imports are limited;
- (c) the proposed uses will facilitate sustainable development of the fisheries industry, benefit the local ecosystem, support eco-tourism, promote modernised aquaculture and enhance food safety etc.; and
- (d) the proposed uses are small in scale and will not cause adverse traffic, drainage, environmental, visual and landscape impacts on the surrounding areas.

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

The applicants are the sole “current land owners” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

4.1 The Site is currently not subject to planning enforcement action.

4.2 The Site was previously subject to planning enforcement action against an unauthorized development (UD) involving filling of land (No. E/YL-HTF/965) (**Plan A-2**). Enforcement Notice (EN) was issued on 3.4.2025 requiring discontinuation of the UD and Reinstatement Notice (RN) was issued on 14.4.2025 requiring reinstatement of the concerned land. Compliance Notices in respect of the EN and RN were issued on 9.12.2025 and 10.12.2025 respectively.

5. **Previous Application**

There is no previous application covering the Site.

6. **Similar Applications**

6.1 There is no similar application for the same proposed uses with filling of land on the OZP. Notwithstanding that, there are two applications involving filling of land within the same “CPA” zone for permitted uses, one of which was approved and the other was rejected by the Rural and New Town Planning Committee (the Committee) of the Board. Details of these similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

Approved application

6.2 Application No. A/YL-HTF/1162 for proposed excavation and filling of land for permitted waterworks implemented by the Government was approved by the Committee on 27.10.2023 mainly on considerations that the proposed works were essential infrastructure works and not in conflict with the planning intention of the “CPA” zone; the proposed works were not incompatible with the surrounding areas; and concerned government departments had no objection to the application.

Rejected application

6.3 Application No. A/YL-HTF/1127 for proposed filling of land for permitted agricultural use was rejected by the Committee on 18.2.2022 mainly on grounds that there was no strong justification for a departure from the planning intention of the “CPA” zone; and the applicant failed to demonstrate that the proposed filling of land would not have adverse landscape impact.

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

7.1 The Site is:

- (a) accessible from Deep Bay Road via a local track; and
- (b) currently partly fenced-off and covered with grass, and is largely vacant with an existing pond at the western portion.

7.2 The surrounding areas are rural in character predominated by mangroves, ponds, watercourses, temporary structures and scattered residential dwellings. Open storage, workshop and godown uses can also be found in the “Agriculture” zone across Deep Bay Road to the south.

8. Planning Intention

- 8.1 The “CPA” zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 8.2 Filling of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within the “CPA” zone, permission from the Board is required for such activities.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government departments as set out in paragraph 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices III and IV** respectively.
- 9.2 The following government departments have reservation on the application:

Fisheries and Nature Conservation

- 9.2.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):
 - (a) he has reservation on the application from fisheries and nature conservation perspectives;
 - (b) although the current use and operational status of the pond at the Site are unknown, it has the potential to be utilised for fish culture activities in the future. The applicants should fully justify the

proposed uses with associated filling of land, demonstrating in particular that the related construction and operational activities will not compromise the Site's future potential for agricultural use; and

- (c) the Site falls within the "CPA" zone and is close to the mangrove to the north, and a watercourse and a pond to the east (**Plan A-2**). Records of species of conservation importance (i.e. White-cheeked Starling and Scarlet Basker) were reported at and near the Site. However, no information is provided to demonstrate that the proposed uses with associated filling of land will not cause adverse ecological impacts, e.g. direct habitat loss, water pollution, human disturbance etc. to the waterbodies in the vicinity.

Landscaping

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

- (a) she has reservation on the application from landscape planning perspective;
- (b) based on the aerial photo taken in 2025, the Site was situated in an area of inter-tidal coasts and rural coastal plain landscape character comprising tree clusters, ponds, mangroves and temporary structures. The Site falls within an area zoned "CPA", which is considered as distinctive landscape resource. The proposed uses with associated filling of land are considered incompatible with the landscape character of the surrounding areas;
- (c) with reference to the site photos taken in August 2026, the Site was largely grassed and a pond was observed in the western portion of the Site. Some whip trees were found around the pond;
- (d) according to the layout plan and land filling plan, filling of land is proposed and the current grassed area would be turned into hard-paved surface. No landscape proposal has been provided to mitigate the adverse landscape impact arising from the proposed uses with associated filling of land; and
- (e) in view of the above, it is considered that the proposed uses with associated filling of land would alter or further affect the landscape character of the "CPA" zone.

10. Public Comments Received During Statutory Publication Period

On 28.8.2026, the application was published for public inspection. During the statutory public inspection period, seven comments were received (**Appendix V**), including six supporting comments from the representatives of Hong Kong New Territories Fish Culture Association, Ha Tsuen Rural Committee, Sha Kong Village Residents Association, Sheung Pak Nai Tsuen and Ha Pak Nai Tsuen, as well as one objecting comment from an individual

mainly on the ground that the proposal is not in line with the planning intention of the “CPA” zone.

11. Planning Considerations and Assessments

The Proposed Uses

11.1 The application is for proposed temporary place of recreation, sports or culture (prawning ground) and permitted agricultural use (shrimp larvae hatchery) with ancillary education centre and facilities and associated filling of land for a period of three years at the Site falling within the “CPA” zone (**Plan A-1**), which is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted. According to the applicants’ proposal, the prawning ground, which is a recreational facility, will make use of the existing pond at the Site. For the permitted agricultural use (shrimp larvae hatchery), the applicants claim that the shrimps from the hatchery are not for sale, and will be supplied to the local fishermen with a collaborative relationship and will also be put into the proposed prawning ground for recreational purpose. While the applicants consider that the proposal would address the demand for shrimp larvae and support sustainable fisheries development, there is insufficient information given in the submission to demonstrate that the proposed uses are genuinely needed for supporting the conservation of the existing natural landscape or scenic quality of the area, nor that they are essential infrastructure projects with overriding public interest. DAFC also has reservation on the proposed uses from nature conservation perspective (details in paragraph 11.4 below).

Land Filling Works

11.2 The applicants also propose to fill an area of about 520m² (about 17% of the Site) with eco-paving blocks of about 0.1m in depth for site formation and erection of structures. Filling of land in the “CPA” zone requires planning permission as it may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In this regard, while the Chief Engineer/Mainland North, Drainage Services Department has no adverse comment on the application from public drainage point of view, DAFC has reservation on the proposed filling of land from fisheries and nature conservation perspectives (details in paragraph 11.4 below). Moreover, there is insufficient information given in the submission regarding the detailed operation and arrangement of the proposed uses to justify the necessity of carrying out land filling works at about 17% of the Site with eco-paving blocks, even if the area is mainly used for structures serving the permitted agricultural use (shrimp larvae hatchery) and other ancillary uses.

11.3 Taking into account the considerations in paragraphs 11.1 and 11.2 above, the proposed uses with associated filling of land are considered not in line with the planning intention of the “CPA” zone. There is no strong planning justification given in the submission to warrant a departure from the planning intention, even on a temporary basis.

Ecological Concerns

- 11.4 As advised by DAFC, the Site has the potential to be used for fish culture activities. However, the applicants have yet to demonstrate that the proposed uses with associated filling of land, in particular the related construction and operational activities, will not compromise the future potential of the Site for agricultural use. Moreover, the Site is close to the mangrove to the north, and a watercourse and a pond to the east (**Plan A-2**). Records of species of conservation importance (i.e. White-cheeked Starling and Scarlet Basker) were also reported at and near the Site. However, the applicants have not provided any information to prove that the proposed uses with associated filling of land would not cause adverse ecological impacts to the waterbodies in the vicinity, such as direct habitat loss, water pollution and human disturbance. As such, DAFC has reservation on the application from fisheries and nature conservation perspectives.

Land Use Compatibility

- 11.5 Based on the aerial photo taken in 2025, the Site was situated in an area of inter-tidal coasts and rural coastal plain landscape character comprising tree clusters, ponds, mangroves and temporary structures. As the Site falls within the “CPA” zone which is considered as distinctive landscape resource, CTP/UD&L, PlanD is of the view that the proposed uses with associated filling of land are incompatible with the landscape character of the surrounding areas. Additionally, while the Site is currently covered with grass, the proposed filling of land will turn part of the grassed area into hard-paved surface. Yet, no landscape proposal has been submitted to mitigate the adverse landscape impact. In this regard, CTP/UD&L, PlanD considers that the proposed uses with associated filling of land will alter or further affect the landscape character of the “CPA” zone and has reservation on the application from landscape planning perspective.
- 11.6 Other concerned departments consulted, including the Commissioner for Transport, Director of Environmental Protection and Director of Fire Services, have no objection to or no adverse comment on the application from traffic, environmental and fire safety perspectives respectively.

Similar Applications

- 11.7 While the Committee has approved a similar application (No. A/YL-HTF/1162) for proposed excavation and filling of land for permitted waterworks implemented by the Government in 2023, the approved application involved the provision of essential infrastructure works and hence the planning considerations are not applicable to the current application. In fact, the Committee has rejected a similar application (No. A/YL-HTF/1127) in 2022 involving filling of land for permitted agricultural use on grounds detailed in paragraph 6.3 above. Rejection of the current application is generally in line with the previous decision of the Committee.

Public Comment

- 11.8 Regarding the public comment objecting to the application as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.7 above are relevant.

12. Planning Department's Views

12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department does not support the application for the following reasons:

- (a) the proposed uses with associated filling of land are not in line with the planning intention of the “CPA” zone, which is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and
- (b) the applicants fail to demonstrate that the proposed uses with associated filling of land would not have adverse landscape and ecological impacts on the surrounding areas.

12.2 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 **9.10.2029**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a landscape proposal within **6 months** from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **9.4.2027**;
- (b) in relation to (a) above, the implementation of the landscape proposal within **9 months** from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **9.7.2027**;
- (c) the submission of a restoration plan for the reinstatement of the Site including the pond, pond bund and associated features within **6 months** from the date of planning approval to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board by **9.4.2027**;
- (d) the submission of an ecological impact assessment within **6 months** from the date of planning approval to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board by **9.4.2027**;
- (e) in relation to (d) above, the implementation of the ecological mitigation measures identified therein within **9 months** from the date of planning approval to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board by **9.7.2027**;
- (f) the submission of a revised 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 **9.4.2027**;

- (g) in relation to (f) above, the implementation of the revised 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 **9.7.2027**;
- (h) in relation to (g) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) 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 **9.4.2027**;
- (j) in relation to (i) 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 **9.7.2027**;
- (k) if the above planning condition (h) 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 (a), (b), (c), (d), (e), (f), (g), (i) or (j) 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 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 IV**.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant planning permission.
- 13.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicants.
- 13.3 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.

14. Attachments

Appendix I	Application Form with Attachments received on 19.8.2026
Appendix Ia	SI received on 27.8.2026
Appendix Ib	FI received on 22.9.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments

Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Drawing A-3	Vehicular Access Plan
Drawing A-4	Drainage Proposal
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2026**