

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATIONS NO. A/YL-KTN/814 and 815**

- Applicants** : Ms. CHAN Pui Ling (Application No. A/YL-KTN/814)  
Tsun Sing Engineering Limited (Application No. A/YL-KTN/815)
- Both represented by R-riches Property Consultants Limited
- Sites** : Lots 1222 S.A (Part) and 1224 S.B (Application No. A/YL-KTN/814)  
Lots 1223 S.A (Part), 1224 S.A, 1226 S.A, (Application No. A/YL-KTN/815)  
1226 S.B and 1227 S.A (Part)
- Both in D.D. 107, Fung Kat Heung, Yuen Long, New Territories
- Site Areas** : About 516 m<sup>2</sup> (Application No. A/YL-KTN/814)  
About 541 m<sup>2</sup> (Application No. A/YL-KTN/815)
- Leases** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9
- Zoning** : “Agriculture” (“AGR”)
- Applications** : Proposed Temporary Animal Boarding Establishment for a Period of 5 Years  
and Filling of Land

**1. The Proposals**

- 1.1 The applicants seek planning permissions to use each of the application sites (the Sites), located adjacent to each other, for proposed temporary animal boarding establishment for a period of 5 years and filling of land. According to the Notes of the OZP, ‘Animal Boarding Establishment’ is a Column 2 use under the “AGR” zone which requires planning permission from the Town Planning Board (the Board). Filling of land within “AGR” zone also requires permission from the Board. Both Sites are paved, vacant and fenced (**Plans A-2 to A-4b**).
- 1.2 Each of the proposed developments involves the erection of one 2-storeys non-domestic structure with floor area of about 216m<sup>2</sup> and building height of about 7m for animal boarding establishment (dog kennel), ancillary site office and storage of pet goods. The whole sites (about 516m<sup>2</sup> and 541m<sup>2</sup> respectively) are proposed to be filled

with concrete by not more than 0.2m (from 10.2 mPD to 10.4 mPD) for site formation of structures and not more than 0.1m (from 10.2mPD to 10.3mPD) for circulation space. The proposed developments will operate from 9:00 a.m. to 6:00 p.m. daily, including Sundays and public holidays (except for overnight animal boarding services). According to the applicants, not more than 20 dogs will be accommodated at each of the Sites. A maximum of 5 dogs with dog masks will be allowed for outdoor activities at the same time during operation hours. All dogs will be kept indoor outside the operation hours. The structure will be enclosed with soundproofing materials, mechanical ventilation and air-conditioning systems. Public announcement system, whistle blowing, portable loud speaker, or any form of audio amplification system will not be used at the Sites. The applicants state that four staff will be working at each of the Sites while two of them will stay at the Sites overnight to handle potential complaints arising from the proposed developments. Two private car parking spaces and one loading/unloading space for light goods vehicle will be provided at each of the Sites. The Sites are accessible from Castle Peak Road – Tam Mi via a local access. The site layout plans and paved ratio area plans submitted by each of the applicants are at **Drawings A-1 to A-4**.

1.3 In support of the applications, the applicants have submitted the following documents:

- |     |  |                                 |
|-----|--|---------------------------------|
| (a) | Application Form (No. A/YL-KTN/814) with supplementary information received on 28.12.2021  | <b>(Appendix Ia)</b>            |
| (b) | Application Form (No. A/YL-KTN/815) with supplementary information received on 28.12.2021  | <b>(Appendix Ib)</b>            |
| (c) | Replacement pages for Application No. A/YL-KTN/814 received on 30.12.2021  | <b>(Appendix Ic)</b>            |
| (d) | Replacement pages for Application No. A/YL-KTN/815 received on 3.1.2022  | <b>(Appendix Id)</b>            |
| (e) | Further Information (FI) for Applications No. A/YL-KTN/814 and 815 received on 11.2.2022 providing response to departmental comments for both applications<br><i>[exempted from publication requirement]</i> | <b>(Appendices Ie &amp; If)</b> |

## **2. Justifications from the Applicants**

The justifications put forth by the applicants in support of their applications are detailed in the application forms, supplementary information, replacement pages and FIs in **Appendices Ia to If**. They can be summarized as follows:

- (a) The proposed developments are on temporary basis which will not frustrate the long-term planning intention of the “AGR” zone. The applicants will reinstate the Sites to amenity areas upon expiry of the planning permissions.

- (b) The land filling areas within the Sites are for site formation of structures and circulation space for meeting the operational need of the proposed dog kennels. The proposed filling of land will provide stronger reinforcement to stabilise the existing soiled ground and prevent erosion from surface run-off, hence, minimize disturbance to the existing watercourse.
- (c) There is a natural watercourse running in the northern and western boundary of the Site (**Plan A-2**). In this regard, fencing will be erected along the boundary of the Sites to avoid the watercourse from reaching. Sand bags will be placed along the northern and western boundary of the Sites during the land filling activities to avoid disturbance to the nearby watercourse.
- (d) Sufficient manoeuvring space will be provided at the Sites and no vehicle will be allowed to queue back to or reverse onto the public road. Traffic impact will be minimized.
- (e) The proposed developments would not generate significant adverse traffic, environmental, drainage and landscape impacts on the surrounding areas.

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

The applicants are not the “current land owner” of their respective lots but have complied with the 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. 31A) by posting site notices and sending notices to the Kam Tin Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Background**

The Sites are not subject to any planning enforcement action.

### **5. Previous Application**

The Sites for both applications are involved in the same previous application (No. A/YL-KTN/745) submitted by a different applicant for proposed temporary place of recreation, sports or culture (hobby farm) for a period of 5 years and land filling. The application was approved with conditions by the Committee in February 2021 mainly on the grounds that temporary approval would not jeopardize the long-term planning intention of the “AGR” zone; the development was not incompatible with the surrounding land uses; and the relevant departments generally had no adverse comments on the application. Details of the application are at **Appendix II** and its location is shown on **Plan A-1b**.

## **6. Similar Applications**

- 6.1 There are 26 similar applications, involving 22 sites, for temporary animal boarding establishment (with/without filling of land) within the same “AGR” zone in the vicinity of the Site. Except Application No. A/YL-KTN/759, which was rejected by the Committee in May 2021, all applications were approved with conditions by the Committee between August 2017 and September 2021. Details of these applications are summarized in **Appendix III** and their locations are shown on **Plan A-1a**.

### *25 Approved Applications*

- 6.2 25 applications involving 21 sites were approved with conditions by the Committee between August 2017 and September 2021 for similar reasons that temporary approvals would not frustrate the long-term planning intention; the developments were not incompatible with the surrounding land uses; previous approvals were granted and the applicants had made efforts to comply with the approval conditions; and relevant government departments generally had no adverse comments on the applications. However, planning permissions for 6 applications were revoked due to non-compliance with approval conditions.

### *One Rejected Application*

- 6.3 Application No. A/YL-KTN/759 was rejected by the Committee in May 2021 for the reason that the site was fragmented in that the boundary had enclosed existing structures which were used for the applied use without planning permission but outside the application site and approving the application would result in piecemeal development and was undesirable from land-use planning and planning control point of view. Nevertheless, the site for the same use was later approved by the Committee in September 2021 when all the existing structures previously left out in the fragmented application were included in one application site under application No. A/YL-KTN/781.

## **7. The Sites and Their Surrounding Areas (Plans A-1a to A-4b)**

- 7.1 The Sites are:

- (a) paved, vacant and fenced with some weeds grown on them; and
- (b) accessible from Castle Peak Road – Tam Mi via a local access.

- 7.2 The surrounding areas are rural in character intermixed with open storage/storage yards, residential structures/dwellings, hobby farm, animal boarding establishments, plant nursery, orchard, grassland and vacant land:

- (a) to the east, north and northeast are residential structures/dwellings (the nearest one for Application No. A/YL-KTN/814 at a distance of some 50m to the northeast), grassland, a storage yard and vacant land;

- (b) to the west and northwest are open storage yards, an animal boarding establishment (under Application No. A/YL-KTN/730), a hobby farm (under Application No. A/YL-KTN/758), grassland, vacant land and a stream course section; and
- (c) to the south and southwest are an open storage yard (under Application No. A/YL-KTN/775), two sites with valid planning permissions (No. A/YL-KTN/769 and 771) for temporary animal boarding establishments, a plant nursery, an orchard and grass land. To the further south is a dried pond and a site with works in progress.

## **8. Planning Intention**

- 8.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 8.2 According to the Explanatory Statement of the OZP, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

## **9. Comments from Relevant Government Departments**

- 9.1 The following government departments have been consulted and their views on the application are summarized as follows:

### **Land Administration**

- 9.1.1 Comments of the District Lands Officer / Yuen Long, Lands Department (DLO/YL, LandsD):
  - (a) The Sites comprise 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.
  - (b) Should planning approval(s) be given to the planning application(s), the lot(s) owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities on site, if any. Besides, given the proposed uses are temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among

others the payment of premium or fee, as may be imposed by the LandsD.

### **Traffic**

#### 9.1.2 Comments of the Commissioner for Transport (C for T):

- (a) He has no comment on the applications from traffic engineering perspective.
- (b) The applicants should be advised that sufficient manoeuvring space shall be provided within the Sites. No vehicle is allowed to queue back to or reverse onto / from public road at any time during the planning approval period.
- (c) The Sites are connected to the public road network via a section of local access road which is not managed by his department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.

#### 9.1.3 Comments of the Chief Highway Engineer / New Territories West, Highways Department (CHE/NTW, HyD):

- (a) HyD shall not be responsible for the maintenance of any access connecting the Sites and Castle Peak Road – Tam Mi.
- (b) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Sites to nearby public roads or exclusive road drains.

### **Agriculture and Nature Conservation**

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

- (a) The Sites fall within the “AGR” zone and are currently abandoned. Agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water sources are also available. The Sites can be used for agricultural activities such as open-field cultivation, greenhouses and plant nurseries, etc. As the Sites possess potential for agricultural rehabilitation, the applications for the proposed use are not supported from agricultural point of view.
- (b) Nevertheless, he has no comment on the applications from the nature conservation and animal establishment boarding licensing aspects. The Sites do not associate with any licence granted by his department, nor has he received any applications regarding the address. Under the Public Health (Animals) (Boarding Establishment) Regulations, 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. Besides, the dogs kept by the applicants should be properly licensed in accordance with Cap. 421 Rabies Ordinance and he is reminded to observe Cap. 169 Prevention of Cruelty to Animals Ordinance at all times. He will provide detailed information and guidance on Animal Boarding Establishment when the applicants submit the licence applications.

- (c) There is a watercourse immediately to the west of the Sites. In this regard, it is noted that the applicants have clarified in the FIs (**Appendices Ie and If**) that appropriate measures will be implemented to avoid disturbance to the watercourse, i.e. placing sandbags along the northern and western boundaries of the Sites during land filling activities, erecting fencing along the boundaries of the Sites, etc.

### **Environment**

#### 9.1.5 Comments of the Director of Environmental Protection (DEP):

- (a) There was no environmental complaint concerning the Sites received in the past three years.
- (b) Provided that the animal boarding facilities will be properly designed and maintained to minimize any potential environmental nuisance, he has no objection to the applications subject to the following approval conditions:
  - (i) all dogs will be kept inside the enclosed structure on each of the Sites from 6:00 p.m. to 9:00 a.m., as proposed by the applicants, during the planning approval period;
  - (ii) all dogs will be kept inside the enclosed structure on each of the Sites from 6:00 p.m. to 9:00 a.m., except up to 5 dogs with dog masks are allowed for outdoor activities at the same time, as proposed by the applicants, during the planning approval period; and
  - (iii) no public announcement system, whistle blowing, portable loudspeaker or any form of audio amplification system is allowed to be used on the Sites during the planning approval period;
- (c) Moreover, the applicants are also advised that (i) the proposed structure for animal boarding establishment should be enclosed with soundproofing materials with provision of 24-hour mechanical ventilation and air-conditioning system; (ii) to follow the requirements stipulated in “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site”;

(iii) to provide adequate supporting infrastructure/ facilities for proper collection, treatment and disposal of waste/ wastewater generated from the proposed use. If septic tank and soakaway system will be used in the case of unavailability of public sewer, its design and construction shall follow the requirements of EPD's Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" including percolation test; and (iv) that it is the obligation of the applicants to meet the statutory requirements under relevant pollution control ordinances.

### **Landscape**

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

- (a) She has no objection to the applications from the landscape planning perspective.
- (b) Based on the aerial photo of January 2021, the Sites are located in an area of rural landscape character comprising of farmlands, vacant lands, village houses, temporary structures, scattered tree group and woodland within "Conservation Area" zone to the southeast of the Site. According to site inspection photos taken in January 2022, the Sites are fenced-off and vacant. No existing tree is observed within the Sites. Significant adverse impact within the Sites arising from the developments is not anticipated. With reference to the aerial photo taken in 2018, the Sites are situated in areas of rural landscape character. The surrounding area of the Sites comprises vacant lands, abandoned agricultural lands, temporary structures and scattered tree groups.
- (c) Considering that similar planning applications for animal boarding establishment within the same "AGR" zone were approved, the proposed developments under the applications are considered not entirely incompatible with its surrounding environment.

### **Drainage**

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

- (a) He has no objection in-principle to the proposed developments from the public drainage point of view.
- (b) Should the applications be approved, approval conditions requiring the submission of a drainage proposal for each of the Sites to advise how the watercourse encroached by Lot 1222 S.A for Application No. A/YL-KTN/814 and Lots 1223 S.A and 1227 S.A for Application No. A/YL-KTN/815 in D.D. 107 would be preserved and maintained, and



demonstrate how the existing flow paths as well as the run-off falling onto and passing through the Sites could be intercepted and disposed of via proper discharge points, and the implementation and maintenance of the drainage proposals for the developments to the satisfaction of the Director of Drainage Services or of the Board should be included in the planning approvals.

### **Fire Safety**

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

- (a) He has no objection in-principle to the proposals subject to fire service installations (FSIs) being provided to his satisfaction.
- (b) In consideration of the design/nature of the proposals, FSIs are anticipated to be required. Therefore, the applicants are advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSI to be installed should be clearly marked on the layout plans.
- (c) The applicants are reminded that if the proposed structure(s) is 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.

### **Building Matters**

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

- (a) Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Sites, prior approval and consent of the Building Authority should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (b) His detailed comments on UBW, provision of access, temporary or licensed structures are at **Appendix V**.
- (c) Detailed checking under the BO will be carried out at building plan submission stage.

### **Food and Environmental Hygiene**

#### 9.1.10 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) Proper licence / permit issued by his department is required if there

is any food business / catering service / activities regulated by the Director of Food and Environmental Hygiene (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;

- (b) If the proposals involve any commercial/trading activities, there should be no encroachment on the public place and no environmental nuisance should be generated to the surroundings. Their states should not be a nuisance or injurious or dangerous to health and surrounding environment. Also, for any waste generated from the commercial/trading activities, the applicants should handle on their own/at their expenses.

### **District Officer's Comments**

- 9.1.11 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

He has not received any comments from locals and he has no comment on each of the applications.

- 9.2 The following government departments have no comment on / no objection to the applications:

- (a) Project Manager (West), Civil Engineering and Development Department;
- (b) Chief Engineer/Construction, Water Supplies Department;
- (c) Director of Electrical and Mechanical Services; and
- (d) Commissioner of Police.

## **10. Public Comments Received During the Statutory Publication Period**

On 4.1.2022, the applications were published for public inspection. During the first three weeks of the statutory public inspection period, three public comments (for Application No. A/YL-KTN/814) and two public comments (for Application No. A/YL-KTN/815) from Kadoorie Farm & Botanic Garden Corporation and individuals were received on the applications (**Appendices IV-1 to IV-4**). The commenters object to the applications mainly on the grounds that the proposed developments are not in line with the planning intention of the "AGR" zone; the proposed developments, involving filling of land, would cause adverse drainage and environmental impacts on the surrounding areas; the extent of land filling is considered excessive; many similar applications for animal boarding establishments are approved; the Board should take into consideration the cumulative traffic impact of similar applications in the area; and the Site of Application No. A/YL-KTN/814 is not located in Fung Kat Heung but in Sha Po.

## **11. Planning Considerations and Assessments**

- 11.1 The applications are for proposed temporary animal boarding establishments for a period of 5 years and filling of land at the respective Sites by not more than 0.2m in depth. Both Sites are zoned “AGR” on the OZP and the planning intention is primarily for retaining and safeguarding good quality agricultural land/farm/fish ponds for agricultural purposes, and for retaining fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The proposed use at each of the Sites is not entirely in line with the planning intention of the “AGR” zone. DAFC does not support the applications from agricultural point of view as the Sites possess potential for agricultural rehabilitation. Nevertheless, taking into account the nature and scale of the proposed developments, approval of the applications on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. Filling of land within “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, CE/MN of DSD and DEP have no adverse comment from the drainage and environmental perspectives.
- 11.2 The proposed use at each of the Sites is considered not incompatible with the surrounding area which is rural in character intermixed by residential structures/dwellings (the nearest one for Application No. A/YL-KTN/814 is about 50m to its northeast), hobby farms, cultivated/fallow agricultural land, storage/open storage yards, orchard, plant nursery, grass land and vacant land (**Plans A-2 and A-3**). Nevertheless, the applicants state that all the animals will be kept indoor outside the operation hours. A maximum of 5 dogs with dog masks will be allowed for outdoor activities at the same time during the operation hours. No public announcement system, whistle blowing, portable loud speaker, or any form of audio amplification system will be used at the Sites. DEP has no objection to the applications.
- 11.3 Relevant departments consulted including C for T, DEP, CTP/UD&L of PlanD, CE/MN of DSD and D of FS have no adverse comment on the applications. To minimise any potential environmental nuisances and to address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Should the applications be approved, the applicants will also be advised to follow the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ in order to minimise the possible environmental impacts on the surrounding areas.
- 11.4 The Sites are involved in the same previous application (No. A/YL-KTN/745) approved by the Committee in 2021 for proposed temporary place of recreation, sports and culture (hobby farm) which was submitted by a different applicant for reasons as stated in paragraph 5 above.
- 11.5 There are 25 similar applications, involving 21 sites, for temporary animal boarding establishment (with/without land filling) approved within the same “AGR” zone in the vicinity of the Sites between 2017 and 2021 for reasons as stated in paragraph 6.2 above. The circumstances of the only rejected similar application (No. A/YL-KTN/759) are different from the current applications as stated in paragraph 6.3 above. Approval of the current applications is in line with the Committee’s previous decisions.

- 11.6 Three and two public comments were received respectively for Applications No. A/YL-KTN/814 and 815 during the statutory publication period objecting to the applications as stated in paragraph 10 above. In this regard, the departmental comments and planning considerations and assessments as stated 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 has no objection to the applications.
- 12.2 Should the Committee decide to approve the applications, it is suggested that the permissions shall be valid on a temporary basis for a period of 5 years until 18.2.2027. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) no operation between 6:00 p.m. and 9:00 a.m. (except overnight animal boarding), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all dogs shall be kept inside the enclosed structure on the Site from 6:00 p.m. to 9:00 a.m. and up to 5 dogs with dog masks are allowed for outdoor activities at the same time during operation hours, as proposed by the applicant, during the planning approval period;
- (c) no public announcement system, whistle blowing, portable loudspeaker or any form of audio amplification system is allowed to be used on the Site at any time 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 18.8.2022;
- (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 18.11.2022;
- (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 18.8.2022;
- (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 18.11.2022;

- (i) if any of the above planning condition (a), (b), (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; and
- (j) 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.

#### Advisory Clauses

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

- 12.3 Alternatively, should the Committee decide to reject the applications, the following reason for rejection is suggested for Members' reference:

the proposed development is not in line with the planning intention of the "AGR" zone which is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification given in the submission for a departure from the planning intention, even on a temporary basis.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the applications and decide whether to grant or refuse to grant permissions.
- 13.2 Should the Committee decide to approve the applications, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to each of the permissions, and the period of which the permissions should be valid on a temporary basis.
- 13.3 Alternatively, should the Committee decide to reject the applications, Members are invited to advise what reason(s) for rejection should be given to the applicants.

### **14. Attachments**

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|-----------------------------|--|
| <b>Appendix Ia</b>          | Application Form of Application No. A/YL-KTN/814 with Supplementary Information received on 28.12.2021 |
| <b>Appendix Ib</b>          | Application Form of Application No. A/YL-KTN/815 with Supplementary Information received on 28.12.2021 |
| <b>Appendices Ic and Id</b> | Replacement Pages for Applications No. A/YL-KTN/814 and 815 received on 30.12.2021 and 3.1.2022        |

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| <b>Appendices Ie and If</b>    | FI for Applications No. A/YL-KTN/814 and 815 received on 11.2.2022           |
| <b>Appendix II</b>             | Previous Application Covering the Sites                                      |
| <b>Appendix III</b>            | Similar Applications within the Same “AGR” Zone in the vicinity of the Sites |
| <b>Appendices IV-1 to IV-4</b> | Public Comments received during the Statutory Publication Period             |
| <b>Appendix V</b>              | Recommended Advisory Clauses   |
| <b>Drawings A-1 and A-2</b>    | Site Layout Plan and Paved Area Ratio Plan of Application No. A/YL-KTN/814   |
| <b>Drawings A-3 and A-4</b>    | Site Layout Plan and Paved Area Ratio Plan of Application No. A/YL-KTN/815   |
| <b>Plan A-1a</b>               | Location Plan with Similar Applications                                      |
| <b>Plan A-1b</b>               | Location Plan with Previous Application                                      |
| <b>Plan A-2</b>                | Site Plan  |
| <b>Plan A-3</b>                | Aerial Photo   |
| <b>Plans A-4a and A-4b</b>     | Site Photos  |

**PLANNING DEPARTMENT**  
**February 2022**