

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/ML-KTS/1891
	Date Received 收到日期	27 APR 2021

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件(倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載(網址: <http://www.info.gov.hk/tpb/>)。亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000)(香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☒ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

Chen Yan (陳燕)

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Metro Planning & Development Company Limited (都市規劃及發展顧問有限公司)

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	Lots 125 & 126 in D.D.113, Ma On Kong, Kam Tin, Yuen Long, N.T.
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 420 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 200 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積(倘有)	Nil sq.m 平方米 <input type="checkbox"/> About 約

2021年 4月 27日

此文件在 收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

This document is received on 27 APR 2021.
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Form No. S16-III
表格第 S16-III 號

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE
(CAP.131)**

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to Proposal Only Involving Temporary Use/Development of
Land and/or Building Not Exceeding 3 Years in Rural Areas or Renewal
of Permission for such Temporary Use or Development***

**適用於祇涉及位於鄉郊地區土地上及/或建築物內進行為期不超過三年
的臨時用途/發展或該等臨時用途/發展的許可續期的建議***

**Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.*

**其他土地上及/或建築物內的臨時用途/發展 (例如位於市區內的臨時用途或發展) 及有關該等臨時用途/發展的許可續期，應使用表格第 S16-I 號。*

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers: https://www.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

"Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made

「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15
(e) Land use zone(s) involved 涉及的土地用途地帶	'Agriculture' ("AGR")
(f) Current use(s) 現時用途	Vacant (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

☐ is the sole "current land owner"^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件)。

☐ is one of the "current land owners"^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。

☒ is not a "current land owner"[#].
並不是「現行土地擁有人」[#]。

☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification 就土地擁有人的同意/通知土地擁有人的陳述

(a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

☐ has obtained consent(s) of "current land owner(s)"[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of "current land owner(s)" [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"[#]
已通知 名「現行土地擁有人」[#]。

Details of the "current land owner(s)" [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☒ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)^{#&}
於 _____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)在指定報章就申請刊登一次通知[&]

- ☒ posted notice in a prominent position on or near application site/premises on
21/4/2021 (DD/MM/YYYY)[&]
於 _____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]

- ☒ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on 22/4/2021 (DD/MM/YYYY)[&]
於 _____ (日/月/年)把通知寄往相關的業主立案法團／業主委員會／互助委員會或管理處，或有關係的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別																									
(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B)) (如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)																									
(a) Proposed use(s)/development 擬議用途/發展	Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)																								
(b) Effective period of permission applied for 申請的許可有效期	<input checked="" type="checkbox"/> year(s) 年 3 <input type="checkbox"/> month(s) 個月																								
(c) Development Schedule 發展細節表 <table border="0"> <tr> <td>Proposed uncovered land area 擬議露天土地面積</td> <td>220</td> <td>sq.m</td> <td><input checked="" type="checkbox"/> About 約</td> </tr> <tr> <td>Proposed covered land area 擬議有上蓋土地面積</td> <td>200</td> <td>sq.m</td> <td><input checked="" type="checkbox"/> About 約</td> </tr> <tr> <td>Proposed number of buildings/structures 擬議建築物/構築物數目</td> <td>3</td> <td></td> <td></td> </tr> <tr> <td>Proposed domestic floor area 擬議住用樓面面積</td> <td>NA</td> <td>sq.m</td> <td><input checked="" type="checkbox"/> About 約</td> </tr> <tr> <td>Proposed non-domestic floor area 擬議非住用樓面面積</td> <td>200</td> <td>sq.m</td> <td><input checked="" type="checkbox"/> About 約</td> </tr> <tr> <td>Proposed gross floor area 擬議總樓面面積</td> <td>200</td> <td>sq.m</td> <td><input checked="" type="checkbox"/> About 約</td> </tr> </table>		Proposed uncovered land area 擬議露天土地面積	220	sq.m	<input checked="" type="checkbox"/> About 約	Proposed covered land area 擬議有上蓋土地面積	200	sq.m	<input checked="" type="checkbox"/> About 約	Proposed number of buildings/structures 擬議建築物/構築物數目	3			Proposed domestic floor area 擬議住用樓面面積	NA	sq.m	<input checked="" type="checkbox"/> About 約	Proposed non-domestic floor area 擬議非住用樓面面積	200	sq.m	<input checked="" type="checkbox"/> About 約	Proposed gross floor area 擬議總樓面面積	200	sq.m	<input checked="" type="checkbox"/> About 約
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Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明) Structure 1: Site office (Not exceeding 3m, 1 storey), Structure 2: Dog Kennel (Not exceeding 4m, 1 storey), Structure 3: Portable toilet (Not exceeding 3.5m, 1 storey)																									
Proposed number of car parking spaces by types 不同種類停車位的擬議數目 <table border="0"> <tr> <td>Private Car Parking Spaces 私家車車位</td> <td>4 spaces of 5m x 2.5m</td> </tr> <tr> <td>Motorcycle Parking Spaces 電單車車位</td> <td>Nil</td> </tr> <tr> <td>Light Goods Vehicle Parking Spaces 輕型貨車泊車位</td> <td>Nil</td> </tr> <tr> <td>Medium Goods Vehicle Parking Spaces 中型貨車泊車位</td> <td>Nil</td> </tr> <tr> <td>Heavy Goods Vehicle Parking Spaces 重型貨車泊車位</td> <td>Nil</td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>NA</td> </tr> </table>		Private Car Parking Spaces 私家車車位	4 spaces of 5m x 2.5m	Motorcycle Parking Spaces 電單車車位	Nil	Light Goods Vehicle Parking Spaces 輕型貨車泊車位	Nil	Medium Goods Vehicle Parking Spaces 中型貨車泊車位	Nil	Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	Nil	Others (Please Specify) 其他 (請列明)	NA												
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Proposed number of loading/unloading spaces 上落客貨車位的擬議數目 <table border="0"> <tr> <td>Taxi Spaces 的士車位</td> <td>Nil</td> </tr> <tr> <td>Coach Spaces 旅遊巴車位</td> <td>Nil</td> </tr> <tr> <td>Light Goods Vehicle Spaces 輕型貨車車位</td> <td>Nil</td> </tr> <tr> <td>Medium Goods Vehicle Spaces 中型貨車車位</td> <td>Nil</td> </tr> <tr> <td>Heavy Goods Vehicle Spaces 重型貨車車位</td> <td>Nil</td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>NA</td> </tr> </table>		Taxi Spaces 的士車位	Nil	Coach Spaces 旅遊巴車位	Nil	Light Goods Vehicle Spaces 輕型貨車車位	Nil	Medium Goods Vehicle Spaces 中型貨車車位	Nil	Heavy Goods Vehicle Spaces 重型貨車車位	Nil	Others (Please Specify) 其他 (請列明)	NA												
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Proposed operating hours 擬議營運時間 9:00a.m. to 7:00p.m. from Mondays to Sundays including public holidays.			
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤/ 有關建築物?	Yes 是	<input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) Vehicular access leading from Kam Ho Road <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度)	
	No 否	<input type="checkbox"/>	
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話, 請另頁表示可盡量減少可能出現不良影響的措施, 否則請提供理據/理由。)			
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是	<input type="checkbox"/> Please provide details 請提供詳情 	
	No 否	<input checked="" type="checkbox"/>	
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是	<input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的細節及/或範圍) <input type="checkbox"/> Diversion of stream 河道改道 <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約	
	No 否	<input checked="" type="checkbox"/>	
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	On environment 對環境 On traffic 對交通 On water supply 對供水 On drainage 對排水 On slopes 對斜坡 Affected by slopes 受斜坡影響 Landscape Impact 構成景觀影響 Tree Felling 砍伐樹木 Visual Impact 構成視覺影響 Others (Please Specify) 其他 (請列明)		Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/>

	<p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible)</p> <p>請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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(B) Renewal of Permission for Temporary Use or Development in Rural Areas

位於鄉郊地區臨時用途/發展的許可續期

(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<p><input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件</p> <p><input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件</p> <p><input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
(f) Renewal period sought 要求的續期期間	<p><input type="checkbox"/> year(s) 年</p> <p><input type="checkbox"/> month(s) 個月</p>

7. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。


1. The proposed development is a column 2 Use in 'Agriculture' ("AGR") zone which is compatible with the surrounding environment.
2. The proposed development is temporary in nature and it would not jeopardize the planning intention of "AGR" zone in the long run.
3. The nature, layout, form and scale of the proposed development is not incompatible with the surrounding environment.
4. Similar precedence were approved in "AGR" zone within the same Outline Zoning Plan such as A/YL-KTS/780, A/YL-KTS/789, A/YL-KTS/790, A/YL-KTS/791 & A/YL-KTS/868.
5. Minimal traffic impact as shown in the attached estimated traffic generation.
6. Insignificant environmental impact because no operation will be held between 7:00p.m. to 9:00a.m. All the dogs will leave the application site after the operation hours.
7. Insignificant drainage impact as shown in the attached drainage proposal.
8. The applicant has submitted a drainage proposal to support his application.
9. No public announcement system at the application site. All the dogs will be stayed within enclosed structures with soundproofing materials and provided with mechanical ventilation and air-conditioning system.
10. The effluent discharges from the proposed use are subject to control under the Water Pollution Control Ordinance (WPCO) and a discharge licence under the WPCO would be obtained before a new discharge is commenced.
11. The applicant will follow the relevant mitigation measures and requirements as shown in the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites".
12. No site formation is proposed. The vehicle manoeuvring area and parking spaces and remaining area will be landscaped with short grass.
13. The dog kennel will be maintained in a sanitary condition.
14. The dog kennel will be designed so as to contain the dogs accommodated therein and to restrict the entrance of other animals.
15. The dog kennel will contain an adequate supplies of potable water and suitable drainage for the escape of excess water.
16. The dog kennel will contain means for the removal and disposal of animal and food waste, used bedding, dead animals and debris to minimize infestation, contamination, odours and disease hazards.
17. All excreta and other waste matter will be removed not less than once daily from the place at which the dogs are accommodated.
18. A regular programme for the control and destruction of insects, ectoparasites, avian and mammalian pests at the place at which the dogs are accommodated will be established and maintained.
19. No whistle blowing will be carried out at the application site.

8. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in an application to the Board and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署


Patrick Tsui

Name in Block Letters
姓名（請以正楷填寫）

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

Consultant

Position (if applicable)
職位（如適用）

Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

- ☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /
☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /
☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會
☐ RPP 註冊專業規劃師

Others 其他

on behalf of Metro Planning & Development Company Limited (都市規劃及發展顧問有限公司)
代表

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

22/4/2021

(DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in an application to the Board and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and deposited at the Planning Enquiry Counters of the Planning Department for general information.)
(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lots 125 & 126 in D.D.113, Ma On Kong, Kam Tin, Yuen Long, N.T.
Site area 地盤面積	420 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 Nil sq. m 平方米 <input type="checkbox"/> About 約)
Plan 圖則	Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15
Zoning 地帶	'Agriculture' ("AGR")
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 <u>3</u> <input type="checkbox"/> Month(s) 月 _____ <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____
Applied use/ development 申請用途/發展	Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	NA <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	NA <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	200 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	0.48 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	NA	
	Non-domestic 非住用	3	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	NA	<input type="checkbox"/> (Not more than 不多於) m 米
		NA	<input type="checkbox"/> (Not more than 不多於) Storeys(s) 層
	Non-domestic 非住用	3-4	<input type="checkbox"/> (Not more than 不多於) m 米
		1	<input checked="" type="checkbox"/> (Not more than 不多於) Storeys(s) 層
(iv) Site coverage 上蓋面積	47.62 % <input checked="" type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數		
	Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) NA		4 0 0 0 0
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數		
	Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) NA		0 0 0 0 0

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed drainage plan		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

**Proposed Temporary Animal Boarding Establishment (Dog Kennel) for
a Period of 3 Years
at
Lots 125 & 126 in D.D.113, Ma On Kong, Kam Tin, Yuen Long, N.T.**

Annex 1 Drainage Proposal

1.1 Existing Situation

A. Site particulars

- 1.1.1 The application site occupied an area of about 420m².
- 1.1.2 The area adjacent to the proposed development is mainly rural in nature. There are some temporary structures to the west and southeast of the application site.

B. Level and gradient of the subject site & proposed surface channel

- 1.1.3 It has a very gentle gradient sloping from southwest to east from about +13.8mPD to +13.4mPD.

C. Catchment area of the proposed drainage provision at the subject site

- 1.1.4 According to **Figure 4**, it is noted that the level of the application site is comparatively higher than the adjoining land except to the north. As such, an external catchment has been identified as shown in **Figure 4**.

D. Particulars of the existing drainage facilities to accept the surface runoff collected at the application site

- 1.1.5 As shown in **Figure 4**, an open drain is found to the immediate south of the application site.

1.2 Runoff Estimation

- 1.2.1 Rational method is adopted for estimating the designed run-off

$$Q = k \times i \times A/3,600$$

Assuming that:

- i. The area of the entire catchment is approximately 940m²;
- ii. For conservative reason, it is assumed that the value of run-off co-efficient (k) is taken as 1 for conservative reason.

$$\text{Difference in Land Datum} = 21.7\text{m} - 13.4\text{m} = 8.3\text{m}$$

$$L = 90\text{m}$$

$$\therefore \text{Average fall} = 8.3\text{m in } 90\text{m} \text{ or } 1\text{m in } 10.84\text{m}$$

According to the Brandsby-Williams Equation adopted from the “Stormwater Drainage Manual – Planning, Design and Management” published by the Drainage Services Department (DSD),

$$\text{Time of Concentration (t}_c\text{)} = 0.14465 [L / (H^{0.2} \times A^{0.1})]$$

$$t_c = 0.14465 [90 / (9.22^{0.2} \times 940^{0.1})]$$

$$t_c = 4.21 \text{ minutes}$$

With reference to the Intensity-Duration-Frequency Curves provided in the abovementioned manual, the mean rainfall intensity (i) for 1 in 50 recurrent flooding period is found to be 290 mm/hr

$$\text{By Rational Method, } Q_1 = 1 \times 290 \times 940 / 3,600$$

$$\therefore Q_1 = 75.72 \text{ l/s} = 4,543.33 \text{ l/min} = 0.076\text{m}^3/\text{s}$$

In accordance with the Chart or the Rapid Design of Channels in “Geotechnical Manual for Slopes”, for an approximate gradient of about 1:105 in order to follow the gradient of the application site, 300mm surface U-channel is considered adequate to dissipate all the stormwater accrued by the application site.

1.3 Proposed Drainage Facilities

- 1.3.1 Subject to the calculations in 1.2 above, it is determined that proposed 300mm surface U-channel along the site periphery is adequate to intercept storm water passing through and generated at the application site (**Figure 5**).
- 1.3.2 Catchpit will be provided at the turning point of the surface U-channel.
- 1.3.3 The collected stormwater will then be dissipate to the existing open drain to the immediate south of the application site.
- 1.3.4 All the proposed drainage facilities will be provided and maintained at the applicant's own expense.
- 1.3.5 The provision of the proposed surface channel will follow the gradient of the application site.
- 1.3.6 Prior to the commencement of drainage works, the applicant will seek the consent

of the District Lands Office/Yuen Long and relevant registered land owner for works outside the application site or outside the jurisdiction of the applicant.

1.3.7 All proposed works at the site periphery would not obstruct the flow of surface runoff from the adjacent areas, the provision of trees and surface channel at site boundary is detailed hereunder:

- (a) Soil excavation at site periphery, although at minimal scale, is inevitably for the provision of surface channel and landscaping. In the reason that the accumulation of excavated soil at the site periphery would obstruct the free flow of the surface runoff from the surroundings, the soil will be cleared at the soonest possible after the completion of the excavation process.
- (b) In view of that soil excavation may be continued for several working days, surface channel will be dug in short sections and all soil excavated will be cleared before the excavation of another short section.
- (c) No leveling work will be carried at the site periphery. The level of the site periphery will be maintained during and after the works. As such, the works at the site periphery would not either alter or obstructed the flow of surface runoff from adjacent areas.
- (d) 10cm will be reserved at the toe of the site hoarding to allow unobstructed flow of surface runoff.

Annex 2 Estimated Traffic Generation

- 2.1 The application site is leading from Kam Ho Road. It is situated amidst the 'Agriculture' ("AGR") zone so that most of the customers were residential neighbourhood in close vicinity to the application site such as Ma On Kong and Ho Pui.
- 2.2 The proposed development will operation between 9:00a.m. to 7:00p.m. daily. The maximum number of visitors is 9 per day which can be accommodated by 3 private cars because the site would allow the parking of 3 private cars at any time while another parking space will be reserved for the use of staff for picking up dogs to/from the site and picking up of staff. There will be 3 staffs at the application site. No more than 6 dogs will be accommodated at the application site. No staff will stay overnight at the application site.
- 2.3 Only three parking spaces will be allocated for the usage of clients. The other parking space will be reserved for staff for delivering dogs to and from the application site and picking up of staff to the application site.
- 2.4 Also, the proposed parking spaces at the application site would only be opened to visitors with prior appointment.
- 2.5 The estimated average traffic generation and traffic generation rate at peak hours are as follow:

Type of Vehicle	Average Traffic Generation Rate (pcu/hr)	Average Traffic Attraction Rate (pcu/hr)	Traffic Generation Rate at <u>Peak Hours</u> (pcu/hr)	Traffic Attraction Rate at <u>Peak Hours</u> (pcu/hr)
Private car	0.8	0.8	4	4

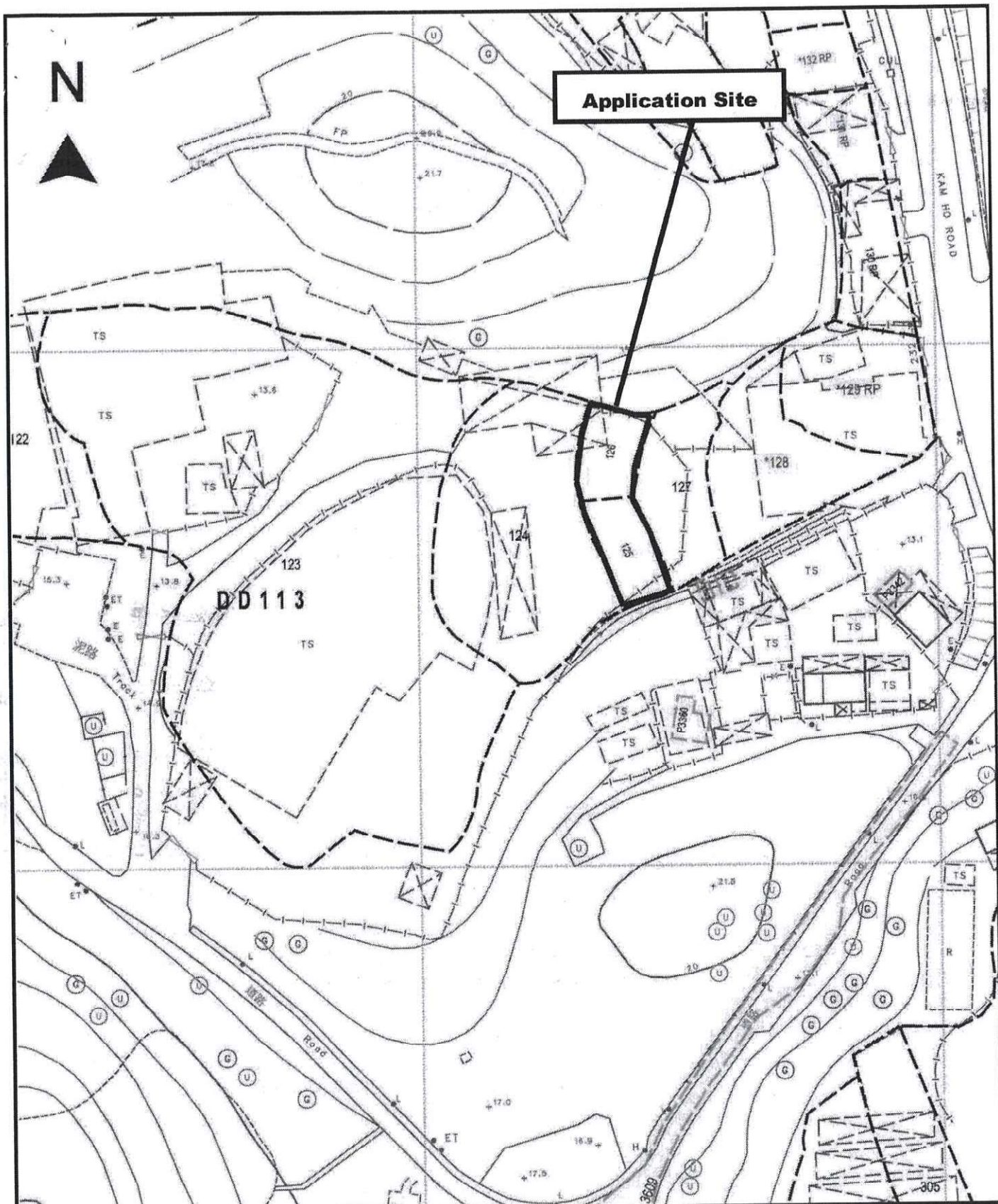
Note 1: The opening hour of the proposed development is restricted to 9:00 a.m. to 7:00 p.m. from Mondays to Sundays including public holidays;

Note 2: The pcu of private car is taken as 1 &

Note 3: Morning peak is defined as 7:00a.m. to 9:00a.m. whereas afternoon peak is defined as 5:00p.m. to 7:00p.m.

Note 4: It is assuming that clients will deliver the dog to the application site and they will collect the dog before the closing of the proposed development.

- 2.6 As shown in the above estimation, it is estimated that the proposed development would not generate significant amount of traffic. It would not affect the traffic condition of Kam Ho Road. The negligible increase in traffic would not aggravate the traffic condition of Kam Ho Road and nearby road networks.



Project 項目名稱:

Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years at Lots 125 & 126 in D.D.113, Ma On Kong, Kam Tin, Yuen Long, N.T.

Drawing Title 圖目:

Application Site

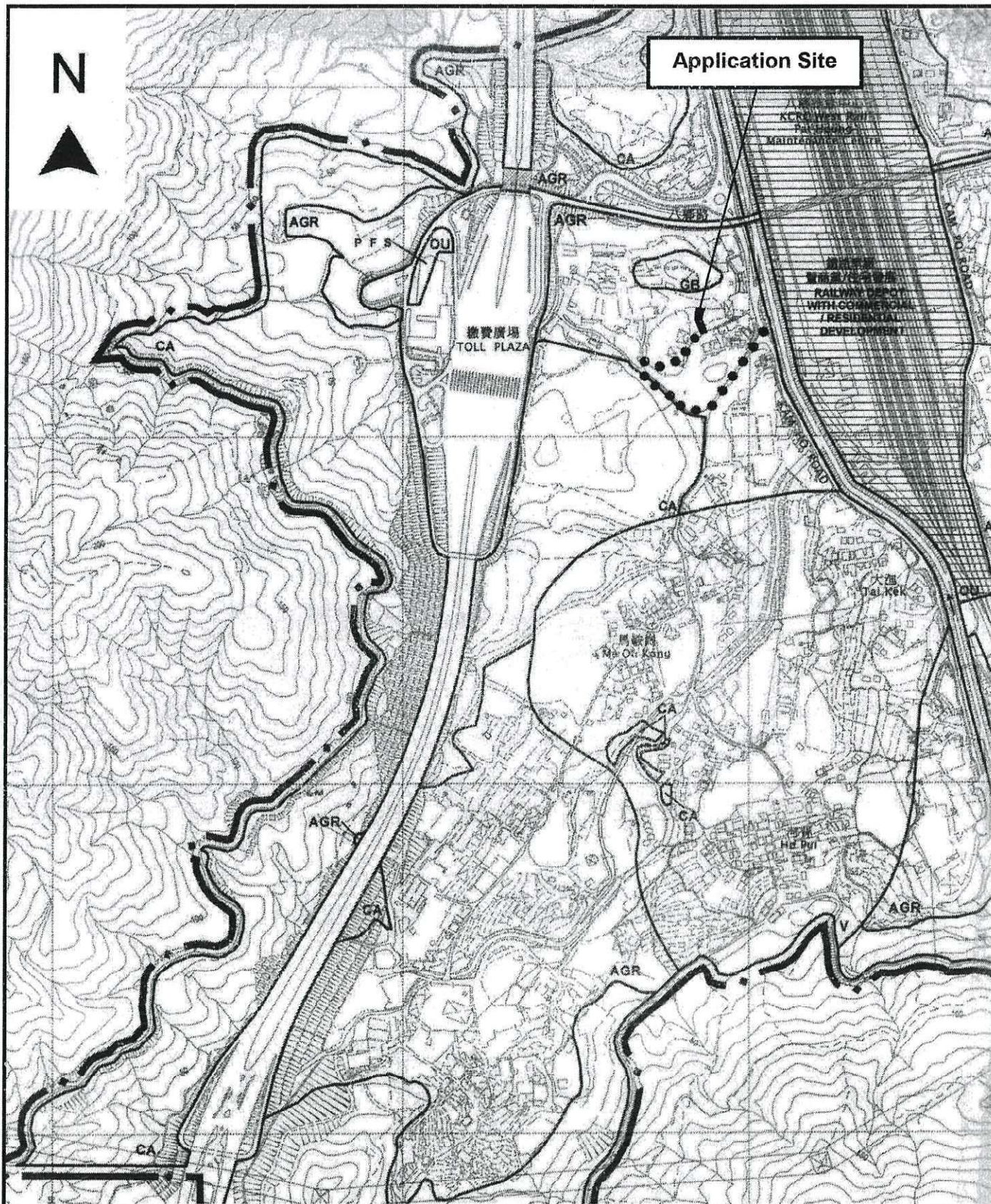
Drawing No. 圖號:

Figure 1

Remarks 備註:

Scale 比例:

1:1000



Project 項目名稱:

Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years at Lots 125 & 126 in D.D.113, Ma On Kong, Kam Tin, Yuen Long, N.T.

Drawing Title 圖目:

Location Plan

Drawing No. 圖號:

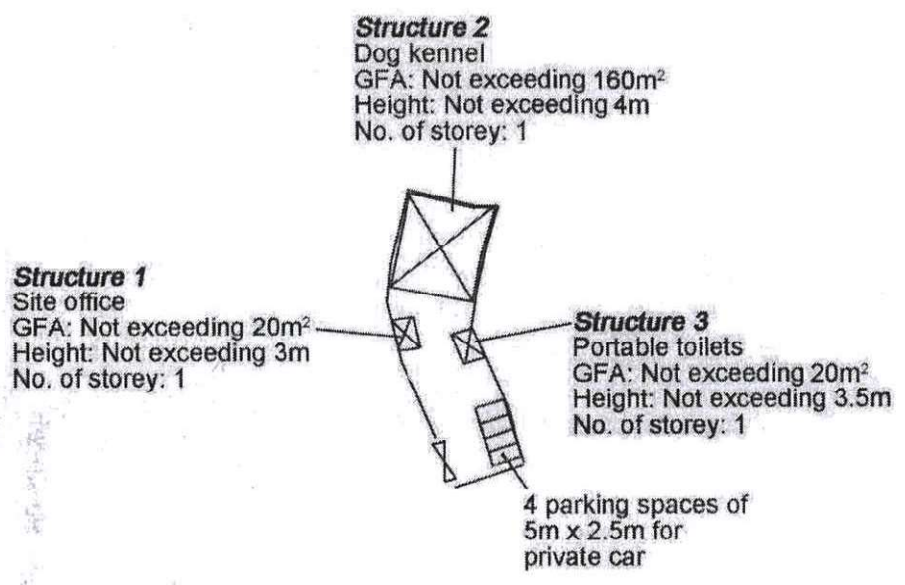
Figure 2

Remarks 備註:

••• Vehicular access leading from Kam Ho Road

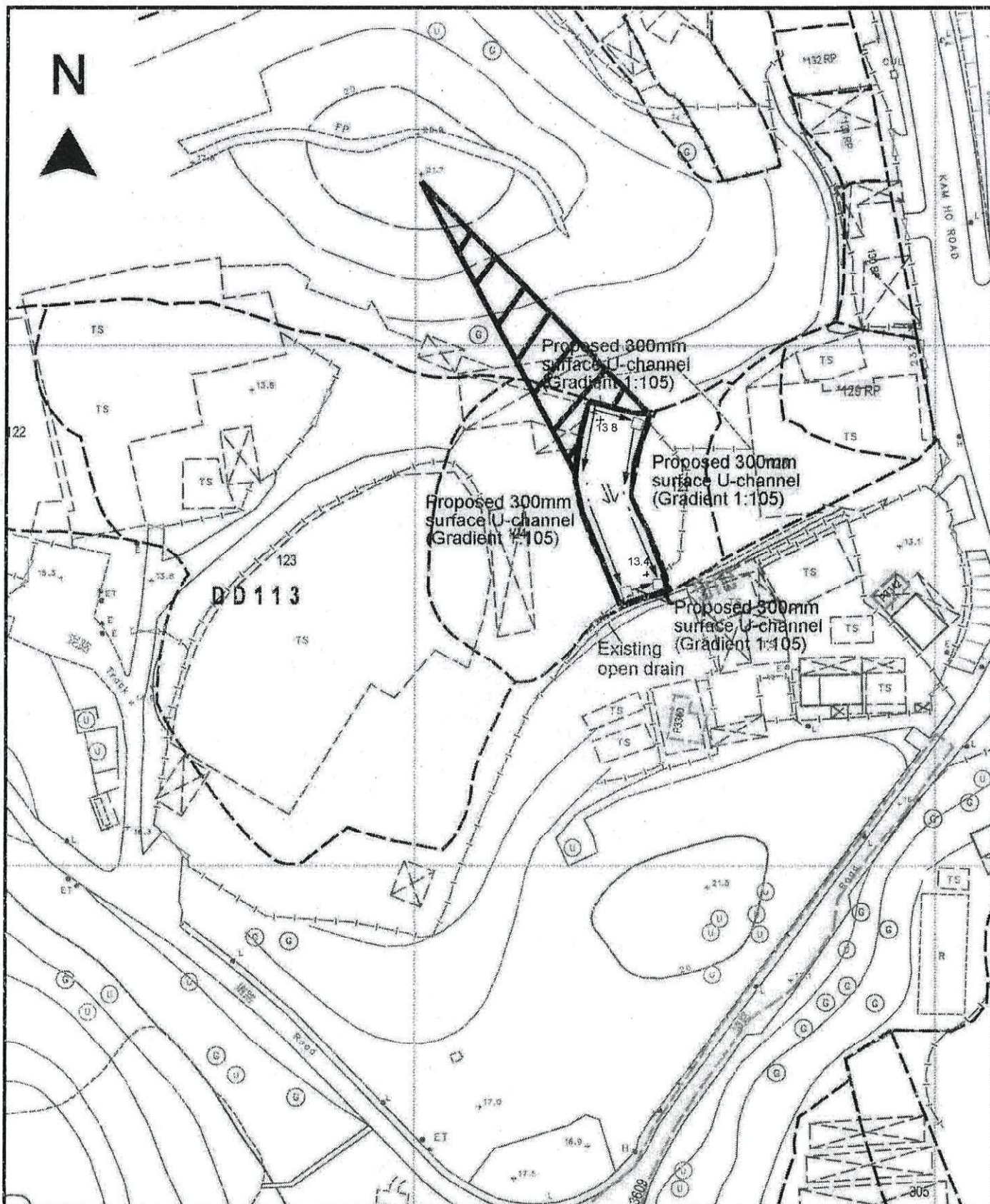
Scale 比例:

1:7500



Project 項目名稱: Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years at Lots 125 & 126 in D.D.113, Ma On Kong, Kam Tin, Yuen Long, N.T	Drawing Title 圖目: Proposed Layout Plan	Remarks 備註:
	Drawing No. 圖號: Figure 3	

Scale 比例: 1:1000



Project 項目名稱:

Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years at Lots 125 & 126 in D.D.113, Ma On Kong, Kam Tin, Yuen Long, N.T

Drawing Title 圖目:

Proposed Drainage Plan

Drawing No. 圖號:

Figure 4

Remarks 備註:

- + 13.4 Level (in mPD)
- Proposed catchpit
- ⇐ Flow of surface runoff
- ▨ External catchment

Scale 比例:

1:1000

Total: 11 pages

Date: 18 June 2021

TPB Ref.: A/YL-KTS/891

By Email

Town Planning Board
15/F, North Point Government Offices
333, Java Road
North Point
Hong Kong
(Attn: The Secretary)

Dear Sir,

**Proposed Temporary Animal Boarding Establishment (Dog Kennel)
for a Period of 3 Years at Lots 125 & 126 in D.D.113, Ma On Kong,
Kam Tin, Yuen Long, N.T.**

Our response to the comments of Transport Department is as follow:

Transport Department's comment	Response
(a) The applicant should justify for no parking for the commute visitors.	The maximum number of visitors is 9 per day which can be accommodated by 3 private cars because the site would allow the parking of 3 private cars at any time while another parking space will be reserved for the use of staff for picking up dogs to/from the site and picking up of staff. The proposed parking spaces at the application site would only be opened to visitors with prior appointment.
(b) The applicant should demonstrate the smooth manoeuvring of vehicles to/from Kam Ho Road, along the local access and within the site;	Noted. Please see attached Figure 6A & 6B.
(c) The applicant should provide the routing between Kam Ho Road and the site;	Noted. Please see attached Figure 6A & 6B.
(d) The applicant should provide nearest public transport services and indicate on the layout plan;	Noted. Please see attached Figure 5.
(e) The applicant should note the local access between Kam Ho Road and the site is not managed by this Department.	Noted.
(f) The applicant should provide photos of the condition of the local access for reference.	Noted. Please see Photo 1 to Photo 5. The photo viewpoint is shown in Figure 7.

The existing structures at the application site is belonged to the applicant and they will be demolished should the current application is approved by the Town Planning Board. The new vehicular access proposed in Figure 1 and Figure 2 would serve the proposed development and it would not serve the adjoining warehouse.

Yours faithfully,

A handwritten signature in black ink, consisting of a large, stylized 'C' shape with a small loop at the end.

c.c. Fanling, Sheung Shui and Yuen Long East District Planning Office ()
- By Email

Photo 1



Photo 2

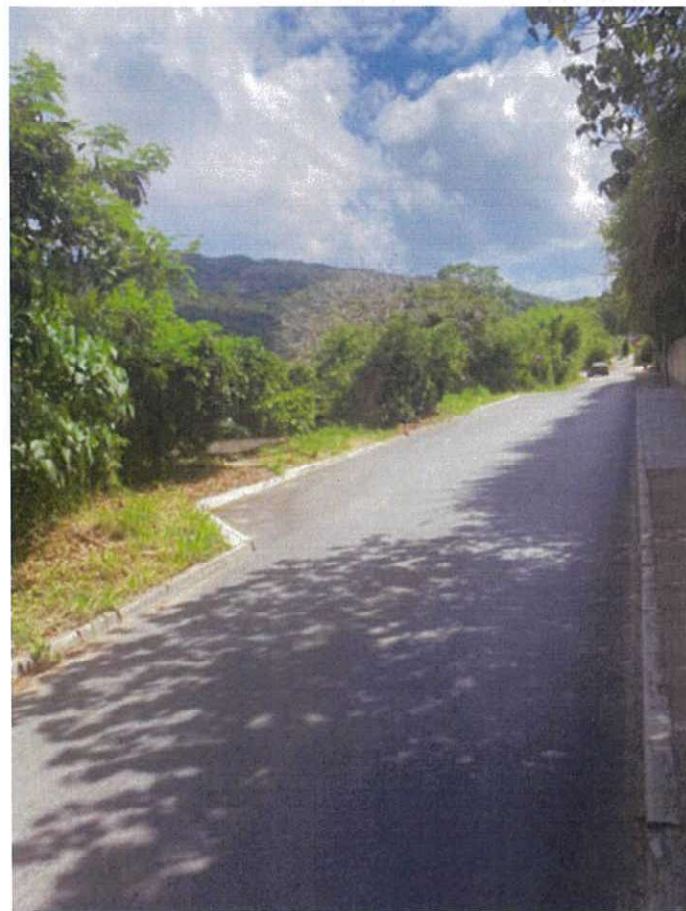


Photo 3



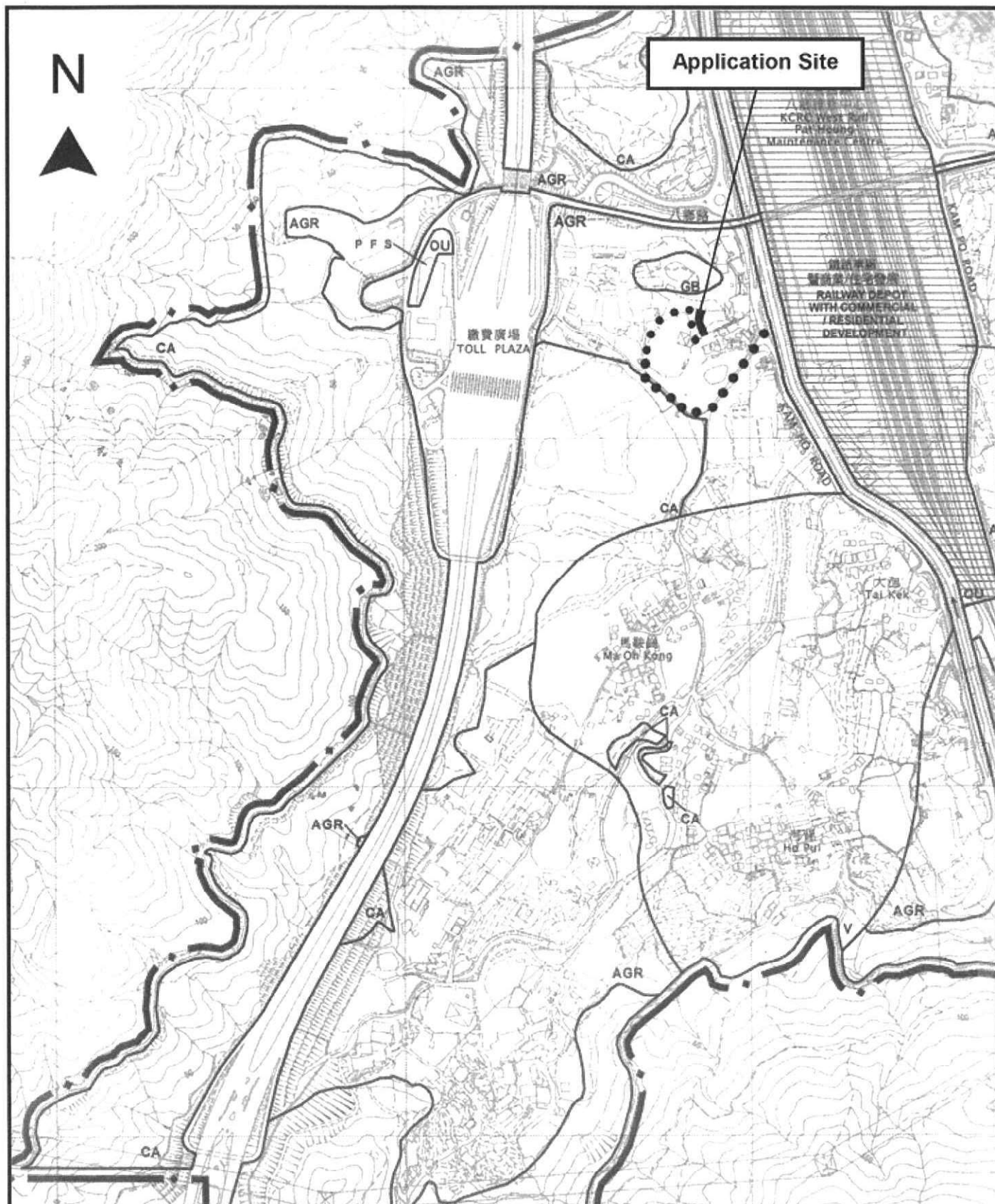
Photo 4



Photo 5



Vehicular access leading
to the site



Project 項目名稱:

Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years at Lots 125 & 126 in D.D.113, Ma On Kong, Kam Tin, Yuen Long, N.T.

Drawing Title 圖目:

Location Plan

Drawing No. 圖號:

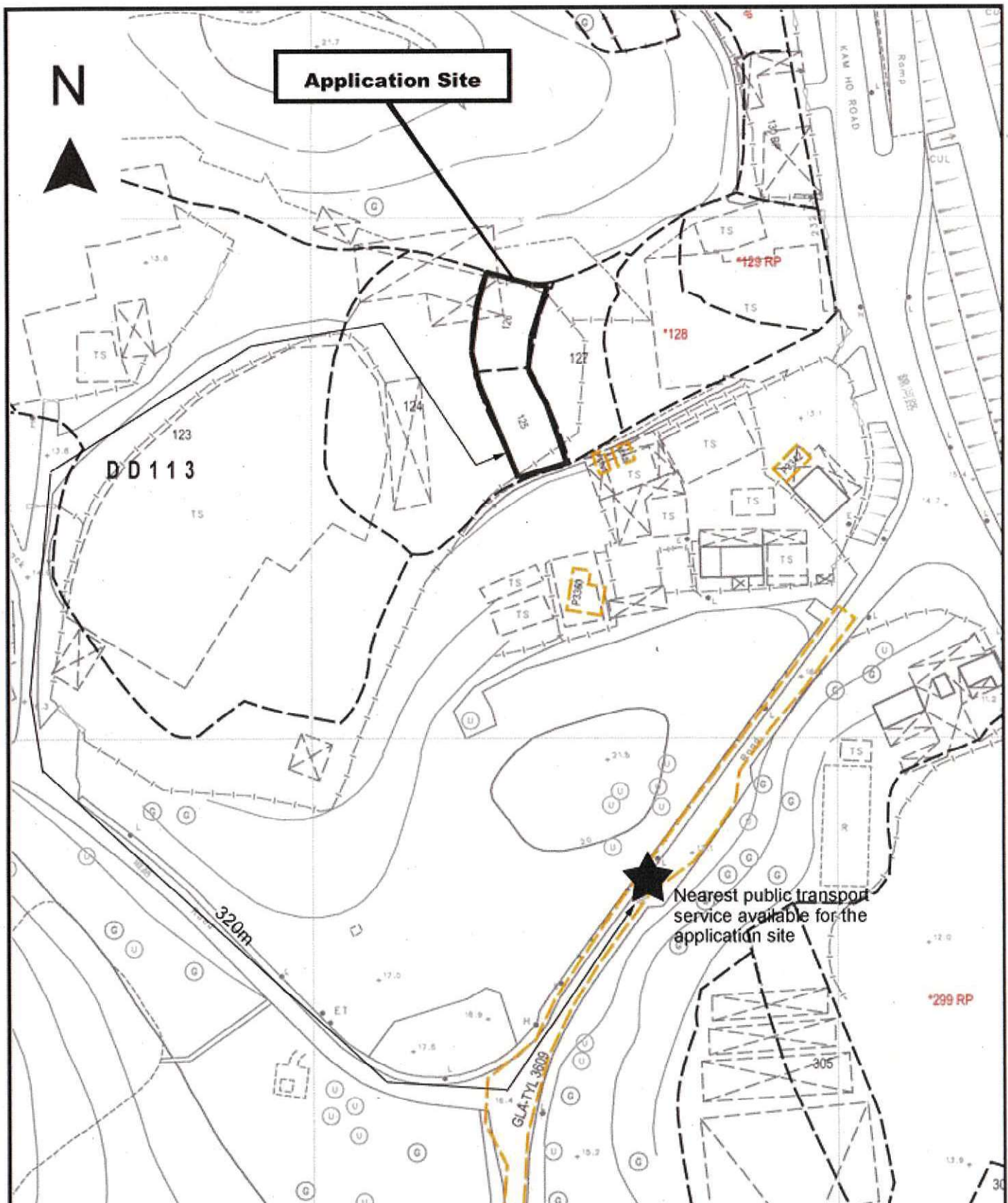
Figure 2

Remarks 備註:

... Vehicular access leading from Kam Ho Road

Scale 比例:

1:7500



Project 項目名稱:

Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years at Lots 125 & 126 in D.D.113, Ma On Kong, Kam Tin, Yuen Long, N.T.

Drawing Title 圖目:

Nearest Public Transport Service Available

Remarks 備註:

Drawing No. 圖號:

Figure 5

Scale 比例:

1:1000

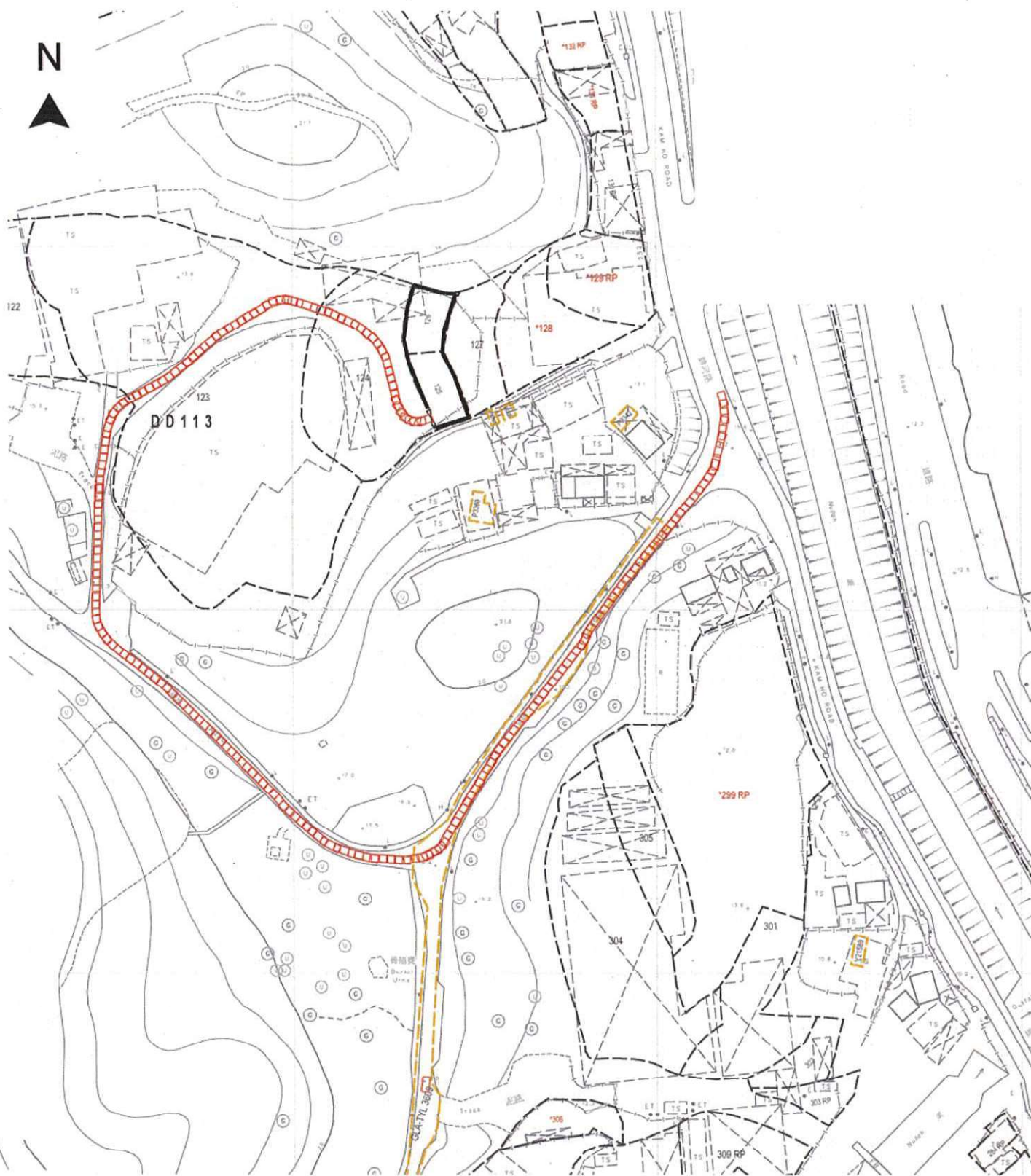


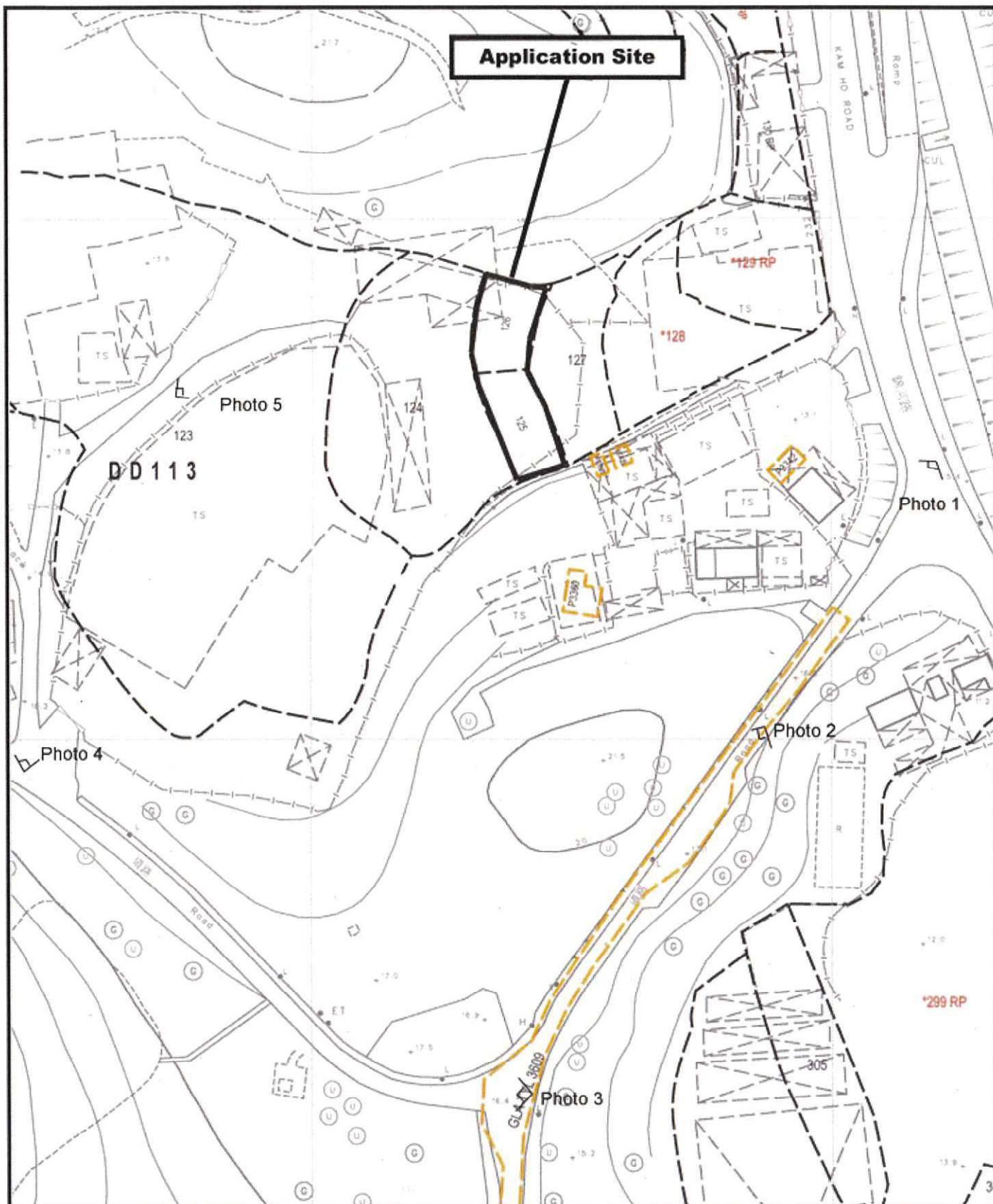
Figure 6A Swept Path Analysis for Private Car going to the application site

Scale 1:1000



Figure 6B Swept Path Analysis for Private Car Leaving the application site

Scale 1:1000



Project 項目名稱:

Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years at Lots 125 & 126 in D.D.113, Ma On Kong, Kam Tin, Yuen Long, N.T.

Drawing Title 圖目:

Application Site

Drawing No. 圖號:

Figure 7

Remarks 備註:

◁ Photo viewpoint

Scale 比例:

1:1000

Previous Application Covering the Site

Rejected Application

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Rejected Reason(s)</u>
1	A/YL-KTS/783	Temporary Warehouse for Storage of Drainage Pipes with Ancillary Site Office for a Period of 3 Years	7.9.2018	(1), (2), (3)

Rejected Reasons

- (1) The development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.
- (2) The applicant fails to demonstrate that the development will not generate environmental nuisance and adverse landscape impacts on the surrounding area.
- (3) The approval of the application, even on a temporary basis, will set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.

Similar Applications within the Same “AGR” Zone on the OZP

Rejected Application

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Rejected Reason(s)</u>
1	A/YL-KTS/885	Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years	28.5.2021	(1)

Rejection Reason

- (1) The applicant failed to demonstrate how the access arrangement and interface with the existing warehouse occupying the Site and adjoining area can be addressed.



嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

24th May, 2021.



Dear Sir/ Madam,

Proposed Temporary Animal Boarding Establishment (Dog Kennel)
for a Period of 3 Years
(A/YL-KTS/891)

1. We refer to the captioned.
2. Based on the information collected from the Planning Department on 18 May 2021, a Reinstatement Notice (Issue Date: 24/03/2021; Expiry Date: 24/06/2021) had been issued for an enforcement case (E/YL-KTS/0402) covering the application site. We urge the Board to investigate with relevant authorities as to whether this case has been settled.
3. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

tpbpd@pland.gov.hk

寄件者:
寄件日期: 2021年05月25日星期二 3:30
收件者: tpbpd
主旨: A/YL-KTS/891 DD 113 Kam Tin
附件: Kam Ho Rd - Google Maps.pdf

A/YL-KTS/891
Lots 125 and 126 in D.D. 113, Ma On Kong, Kam Tin
Site area : About 420sq.m
Zoning : "Agriculture"
Applied use: Animal Boarding - Dog Kennels / 4 Vehicle Parking

Dear TPB Members,

This was part of Application 854 that was withdrawn. This application should be considered together with 885 but that appears to have been withdrawn also as there are no details left on OZP website?

So what is going on?

In view of the numerous applications for ABEs in the district it is time that members consider applications like this with skepticism.

These animal boarding are often puppy mills. Members have a duty to consider the welfare of the animals, particularly when applications are opaque in nature. Questions please as to what activities are being carried out both on these and the adjoining lots.

Mary Mulvihill

From:
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Thursday, April 29, 2021 3:37:46 AM
Subject: A/YL-KTS/885 DD 113 Kam Tin

A/YL-KTS/885
Lots 122 (Part), 123 (Part) in D.D. 113, Pat Heung
Site area : About 1,339sq.m
Zoning : "Agriculture"
Applied use : Animal Boarding Establishment / **Filling of Land** / 4 Vehicle Parking

Dear TPB Members,

So 854 was withdrawn. But there are unanswered questions members must ask.

In view of the numerous applications for ABEs in the district it is time that members consider applications like this with skepticism.

Previous objections upheld.

Mary Mulvihill

From:

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

Sent: Thursday, August 6, 2020 2:56:10 AM

Subject: A/YL-KTS/854 DD 113 Kam Tin

A/YL-KTS/854

Lots 122, 123 (Part), 124, 125 and 126 in D.D. 113, Pat Heung

Site area : About 8,964sq.m

Zoning : "Agriculture"

Applied use : Animal Boarding Establishment / **Filling of Land / 5 years / 6 Vehicle Parking**

Dear TPB Members,

9,000sq.m for Animal Boarding, would anyone fall for that line? The footprint of a PH estate to be used to house animals? No indication as to how many and the credentials of the Applicant with regard to the provision of such a service. Members will remember the various scandals related to Puppy Mills and badly run animal shelters.

It is quite clear that despite rejections, brownfield use of the lots has been ongoing for years.

Minutes of 7 Sept 2018 - Rejection of 783

*PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied temporary warehouse for storage of drainage pipes with ancillary site office was not in line with the planning intention of the "Agriculture" ("AGR") zone and DAFC did not support the application. No strong planning justification had been given in the submission to justify for a departure from the planning intention, even on a temporary basis. **Given the extensive scale of the Site and its close proximity to adjacent "GB" and "CA" zones, the applied use was considered incompatible with existing rural landscape context. There were sensitive receivers located to the east of the Site and environmental nuisance was expected. DEP and CTP/UD&L, PlanD did not support and had strong reservations on the application respectively. No previous planning approval had been given at the Site and the similar application within the same "AGR" zone was rejected by the Town Planning Board on review.***

76. Two Members raised the following questions:

- (a) whether the applied use was currently in operation at the Site;
- (b) how long had such use been in operation;
- (c) **whether any enforcement action had been taken;** and
- (d) what would be done should the operator ignore the Enforcement Notice issued by the Planning Authority.

77. In response, Ms Ivy C.W. Wong, STP/FSYLE, said that the applied use had been in operation at the site. **According to the aerial photo of the Site, relevant structures had been in existence since 2017. The Site was the subject of a current planning enforcement action involving storage use. Enforcement Notice (EN) had been issued. Should the unauthorized development (UD) continue upon expiry of the EN, prosecution action might be taken.**

There was a discussion with regard to enforcement and fines. It appears that no enforcement action was taken.

Will members reward Applicant with approval to extend the brownfield, probably eliminating the few trees left in place?

Mary Mulvihill

From:

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

Sent: Friday, May 4, 2018 1:53:59 AM

Subject: A/YL-KTS/783 DD 113 Kam Tin

A/YL-KTS/783

Lots 123 (Part), 124 (Part), 125 (Part), 126 (Part) and 127 (Part) in D.D.113 and Adjoining Government Land, Kam Tin

Site area 6,342 m² Includes Government Land of about 1,058 m²

Zoning : "Agriculture"

Applied Use : Warehouse for Storage of Drainage Pipes

Dear TPB Members,

This application appears to be to legitimize an ongoing unapproved use.

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

This type of storage should be accommodated in custom built industrial/storage facilities with appropriate facilities such as canteens and washroom, parking, hydraulic lifts, etc.

Approval of the application would set an undesirable precedent for other similar applications within this part of the "AGR" zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

Moreover approval would encourage the status quo and remove the stimulus for both site owners and government departments to build the long overdue solutions that would eliminate random storage, particularly on government land.

Mary Mulvihill

8/6/2020

Kam Ho Rd - Google Maps

Google Maps Kam Ho Rd



Imagery ©2020 CNES / Airbus, Maxar Technologies, Map data ©2020 20 m

Advisory clauses

- (a) note DLO/YL, LandsD's comments that the Site comprises 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. The lot owner(s) will need to apply to his office to permit the structure(s) to be erected or regularize any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by the LandsD;
- (b) note C for T's comments that the Site is connected to the public road network via a section of a local access road which is not managed by Transport 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;
- (c) note CHE/NTW, HyD's comments that the maintenance of any access connecting to the Site and Kam Ho Road is not responsible by his department. Adequate drainage measures should be provided to prevent surface water running from the Site to nearby public roads and drains;
- (d) note DEP's comments that the applicant is advised that: (i) the proposed structures for animal boarding establishment should be enclosed with soundproofing materials with provision of 24-hour mechanical ventilation and air conditional 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 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) it is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances;
- (e) note CTP/UD&L of PlanD's comments that the applicant should note that approval of the S.16 application by the Board does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach relevant authority / government department(s) direct to obtain the necessary approval on tree works;

- (f) note DAFC's comments that 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;
- (g) note CE/MN of DSD's comments on the submitted drainage proposal that: (i) cross sections showing the existing and proposed ground levels of the Site with respect to the adjacent areas should be given; (ii) the existing drainage facilities, to which the stormwater of the development from the Site would discharge, are not maintained by his office. The applicant should identify the owner of the existing drainage facilities to which the proposed connection will be made and obtain consent from the owner prior to commencement of the proposal works. In the case that it is a local village drains, DO(YL) should be consulted; (iii) the development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.; and the applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works;
- (h) note D of FS' comments that in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is 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. If the proposed structure(s) is required to comply with the BO (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (i) note CBS/NTW, BD's comments that if the existing structures (not being a New Territories Exempted House) are 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 the 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 on 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 site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO. The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 5 and 41D of the B(P)Rs 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)Rs at building plan submission stage. If the proposed use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority. Any temporary shelter or converted containers for office, storage, washroom or other uses are considered

as temporary buildings are subject to the control of Part VII of the B(P)Rs. Detailed checking under the BO will be carried out at building plan submission stage; and

- (j) note DFEH's comments that 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 their own / at their expenses. Proper licence / permit issued by his department is required if there is any food business / catering service / activities regulated by the 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. No Food and Environmental Hygiene Department's (FEHD) facilities will be affected.