Previous Applications

Approved Applications

Application No.	Proposed Use(s) / Development(s)	Zoning(s)	Date of Consideration
A/NE-TK/628	Temporary Barbecue Site for a Period of Three Years	"AGR"	18.5.2018
A/NE-TK/704	Temporary Barbecue Site for a Period of Three Years	"AGR"	28.5.2021 (revoked on 28.8.2023)
A/NE-TK/796	Proposed Temporary Eating Place and Barbecue Site with Ancillary Facilities for a Period of Three Years	"AGR"	5.7.2024 (revoked on 5.1.2026)

Rejected Application

Application No.	Proposed Use(s) / Development(s)	Zoning(s)	Date of Consideration	Rejection Reasons
A/NE-TK/181	Proposed Temporary Horse Riding School for a Period of Three Years	"AGR" and area shown as 'Road'	17.6.2005 (on review)	R1 to R3

Rejection Reasons

R1. The development was not in line with the planning intention of the "Agriculture" ("AGR") zone which was intended 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. No strong justification had been given in the submission for a departure from such planning intention, even on a temporary basis

R2. There was insufficient information in the submission to demonstrate that the development would not have adverse drainage, sewerage, site disposal and noise impacts on the surrounding areas, and adverse ecological impacts on the nearby areas zoned "Coastal Protection Area" and "Site of Special Scientific Interest".

R3. The approval of the application would set an undesirable precedent for similar developments within the "AGR" zone. The cumulative effect of approving such applications would result in a general degradation of the natural environment.

Appendix III of RNTPC
Paper No. A/NE-TK/870

Similar Applications

Approved Applications

Application No.	Proposed Use(s) / Development(s)	Zoning(s)	Date of Consideration
A/NE-TK/778	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of Three Years	"AGR" and "O"	26.1.2024 (revoked on 26.10.2025)
A/NE-TK/797	Temporary Hobby Farm and Shop and Services (Retail Shop) for a Period of Three Years	"AGR"	7.6.2024
A/NE-TK/843	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) with Ancillary Eating Place and Associated Filling of Land for a Period of Five Years	"AGR" and area shown as 'Road'	8.5.2026

Government Departments' General Comments

1. Traffic

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

- no in-principle objection to the application from traffic engineering point of view; and
- her advisory comments are at **Appendix V**.

2. Landscape

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

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo taken in 2025, the application site (the Site) was situated in an area of rural coastal plain landscape character comprising village houses, temporary structures, farmlands and scattered tree clusters. The proposed use is considered not incompatible with the surrounding environment;
- with reference to the above aerial photo and recent site photos, the Site was partly formed. No trees were found on it. According to the application, no tree felling will be involved and a hobby farm is proposed at the southern portion of the Site; and
- in view of the above, significant adverse landscape impact arising from this application is not anticipated.

3. Drainage

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

- approval conditions on submission and implementation of drainage proposal for the Site are recommended to ensure that it will not cause adverse drainage impact to the adjacent areas; and
- her advisory comments are at **Appendix V**.

4. Fire Safety

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

- no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- his advisory comments are at **Appendix V**.

5. Building Matters

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

- no objection to the application;
- there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site;
- it is noted that four structures are proposed in the application, before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on private lots or on Government Land which Short Term Tenancy is granted, prior approval and consent of the BA should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System. Otherwise, they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
- his advisory comments are at **Appendix V**.

6. Food and Environmental Hygiene

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

- no adverse comment on the application;
- no application for an outdoor seating accommodation or food business licence has been received for the Site so far; and
- his advisory comments are at **Appendix V**.

7. Other Departments

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

- Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- Project Manager/North, CEDD (PM/N, CEDD); and
- District Officer (Tai Po), Home Affairs Department (DO(TP), HAD).

Recommended Advisory Clauses

(a) to resolve any land issue relating to the proposed use with the concerned owner(s) of the application site (the Site);

(b) failure to reinstate the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;

(c) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:

(i) the Site comprises (i) 26 Old Schedule Agricultural Lots, i.e. Lots 330 S.B (Part), 334 (Part), 353 (Part), 355 (Part), 356 (Part), 357, 358 (Part), 360 (Part), 362 (Part), 363 (Part), 364 (Part), 365 (Part), 367, 368 (Part), 369 (Part), 515 (Part), 516, 517 (Part), 518 (Part), 519, 520 (Part), 526 (Part), 527 (Part), 528 (Part), 530 (Part) and 538 (Part) all in D.D. 17 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, and (ii) adjoining Government land (GL) neither occupation nor works of any kind thereon is allowed without the prior approval from LandsD;

(ii) there are unauthorized structures on the private land. A warning letter was registered against Lot 362 in D.D. 17 in the Land Registry. The lot owner(s) should immediately rectify/regularize the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

(iii) the applicant is required to clear any unauthorized structures on the private land immediately. Otherwise, appropriate lease enforcement action will be taken according to case priority. As any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28), his office reserves the rights to take necessary land control action against the illegal occupation of GL if detected;

(iv) subject to (i) and (ii) above, if the lot owners wish to permit structures erected or to be erected on the Site, including but not limited to electric vehicle chargers, the lot owners are required to submit an application for Short Term Waiver (STW) and Short Term Tenancy (STT) to LandsD. LandsD will consider the STW/STT application in accordance with the established procedures and guidelines and with reference to development parameters approved by the Town Planning Board. However, there is no guarantee at this stage that the STW/STT application would be approved. If the STW/STT application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD including the payment of waiver fee/rent and administrative fee as considered appropriate. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;

(v) the applicant will likely make use of the adjoining private lots and unleased/unallocated GL as vehicular access to and from the Site. The maintenance and management responsibility of the said GL and any other GL leading to the Site should be sorted out with the relevant government departments, prior to the use of the access purpose. Moreover, access to the

Site may also falls on adjoining private lots all in D.D. 17. The applicant should sort out the relevant issues with the lot owners concerned;

(vi) it is the responsibility of the applicant to obtain prior approval from relevant government departments for operating the barbecue site; and

(vii) there is no guarantee to the grant of a right of way to the Site or approval of the emergency vehicular access (EVA) thereto;

(d) to note the comments of the Commissioner for Transport (C for T) that:

(i) the applicant is reminded to obtain consent from the private lot owners for access right on their land;

(ii) the applicant shall implement the committed measures in the submission on for the operation; and

(iii) the village access road and village areas are not under the Transport Department's management. It is suggested that the land status, management and maintenance responsibilities of the areas should be clarified with the relevant lands and maintenance authorities accordingly in order to avoid potential land disputes;

(e) to note the comments of the Director of Environmental Protection (DEP) that the applicant is reminded to observe and follow relevant guidelines, including Professional Persons Environmental Consultative Committee Practice Notes 1/23 and 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' and to meet the statutory requirements under relevant pollution control ordinances;

(f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:

(i) there is no existing DSD maintained public drain available for connection in the area. The applicant should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site, sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The applicant should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;

(ii) public sewerage is not available near the Site. The Environmental Protection Department should be consulted regarding the sewage treatment/disposal aspects of the proposed use;

(iii) the applicant shall resolve any conflict/disagreement with relevant lot owner(s) and seek LandsD's permission for laying new drains/channels and/or modifying/upgrading existing ones in other private lots or on GL (where required) outside the Site;

(iv) design calculations and catchment delineation plan should be provided to demonstrate that the proposed drainage facilities and the existing drainage facilities are hydraulically

adequate. Please be reminded that surface channels should be provided along the perimeter of the Site to collect all the runoff generated from the Site or passing through the Site. The catchment areas should be reviewed and indicated accordingly;

(v) the drainage flow path from the drainage facilities within the Site to public drainage system/streamcourse/sea/any recognized drainage facilities shown in the LandsD map should be provided in association with supporting site photos;

(vi) it is noted that part(s) of the proposed stormwater drainage system is/are within the GL near the Site. The applicant(s) shall seek LandsD's permission for laying such newly proposed drains/channels and/or modifying/upgrading existing ones on GL outside the Site;

(vii) the proposed drainage works, whether within or outside the Site, should be constructed and maintained by the applicant at his/their expense. The maintenance responsibility of the proposed drainage works in the drainage plan should be specified;

(viii) details of the proposed stormwater drainage with channels, catchpits and connection to the adjacent existing drainage system should be shown on the drawing(s);

(ix) the existing stormwater drainage system proposed for discharge of runoff from the Site is not maintained by DSD. The applicant shall resolve any conflict/disagreement arisen for discharging runoff from the Site to the proposed discharge point(s). Moreover, the applicant should ensure that this drainage system and the existing downstream drains/channels/streams have adequate capacity to convey the additional runoff from the Site. Regular maintenance should be carried out by the applicant to avoid blockage of the system; and

(x) the applicant's attention is drawn to the following general comments/requirements:

(1) the proposed drainage works, whether within or outside the Site, should be constructed and maintained by the applicant at his expense;

(2) the applicant should rectify/modify the existing drainage system if it is found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify Government against claims and demands arising out of damage or nuisance caused by failure of the system;

(3) DSD noticed that the proposed drainage connection(s) to the surrounding/downstream area(s) will run through GL and/or other private lot(s). The applicant shall demonstrate that the proposed drainage construction/improvement/modification works and the operation of the drainage can be practically implemented on site;

(4) please be reminded that the domestic wastewater, such as wastewater from washing machine, kitchen, bathroom, toilet and washbasin are prohibited to discharge into stormwater drainage system;

(5) the applicant should take all precautionary measures to prevent any disturbance, damage and pollution from the development to any parts of the existing drainage facilities in the vicinity of the Site. In the event of any damage to the existing drainage facilities, the applicant would be held responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom; and

(6) the applicant should also be advised that the limited desk-top checking on the drainage

proposal covers only the fundamental aspects of the drainage design which will by no means relieve his/their obligations to ensure that the proposed drainage works will not cause any adverse drainage or environmental impacts in the vicinity, and the proposed drainage system and the downstream drainage systems have the adequate capacity and are in good conditions to receive the flows collected from the Site;

(g) to note the comments of the Director of Fire Services (D of FS) that:

(i) the applicant should submit relevant layout plans incorporated with the proposed fire service installations (FSIs) for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, the location of the proposed FSIs to be installed should be clearly marked on the layout plan, and licensing requirements, if any, would be formulated upon receipt of formal application via the Licensing Authority; and

(ii) the applicant is reminded that if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;

(h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:

(i) the Site shall be provided with means of obtaining access thereto from a street and EVA in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;

(ii) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;

(iii) if any existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are Unauthorized Building Works (UBW) under the Building Ordinance (BO) and should not be designated for any proposed use under the application;

(iv) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;

(v) the applicant's attention is also drawn to the provision under Regulations 40, 41 and Part V of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations in respect of disposal of foul water and surface water;

(vi) any temporary shelters 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)R; and

(vii) detailed comments under the BO will be provided at building plan submission stage; and

(i) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:

(i) no Food and Environmental Hygiene Department (FEHD)'s facilities should be affected;

(ii) proper licence/permit issued by FEHD is required if there are any food business/catering service/activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public:

(1) under the Food Business Regulation (Cap. 132X), a food business licence is required for the operation of the relevant type of food business listed in the Regulation. For any premises intended to be used for food business (e.g. a restaurant, a food factory, a fresh provision shop), a food business licence from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) shall be obtained. The application for licence, if acceptable by the FEHD, will be referred to relevant government departments such as BD, the Fire Services Department and Planning Department for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;

(2) when choosing a premises, the applicant must ensure that the operation of food business at the subject premises is in compliance with the requirements imposed under the legislation administered by FEHD, other government departments and the relevant authorities. Applicants are strongly advised to check well in advance the following documents: the Government Lease, the Occupation Permit of the building, and the statutory plan. No part of a food premises shall be located in, under or over any structures built without the approval and consent of the BA. The applicant is advised to clarify the BA regulating the building safety of the existing structures and must ensure obtaining their approval and consent before applying for a food business licence;

(3) depending on the mode of operation, generally there are three types of food business licence that the operator of an outdoor barbecue site may apply for under the Food Business Regulation (Cap. 132X):

- if food is sold to customers for consumption on the premises, a restaurant licence should be obtained;

- if food is only prepared for sale for consumption off the premises, a food factory licence should be obtained; and

- if fresh, chilled or frozen beef, mutton, pork, reptiles (including live snake), fish (including live fish) and poultry is sold, a fresh provision shop licence should be obtained; and

(4) when a restaurant licensee/licence applicant wishes to use any outside seating accommodation (OSA) outside the restaurant premises for alfresco dining, he/she should take notice of the main licensing criteria for OSA, covering matters such as legal right to use the land concerned, planning, building safety, fire safety, and traffic requirements, etc. as well as to obtain approval from DFEH before commencement. Restaurants operating OSA business without approval may be subject to prosecution pursuant to the Food Business Regulation (Cap. 132X). Repeated convictions may lead to suspension or cancellation of their licences;

(iii) proper licence issued by FEHD is required if related place of entertainment is involved. Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or

permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public Entertainment Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display, a circus, a lecture or story-telling, an exhibition of any one or more of the following, namely, pictures, photographs, books, manuscripts or other documents or other things, a sporting exhibition or contest, a bazaar, a dance party or an amusement ride and mechanical device which is designed for amusement, a Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment;

(iv) 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. Also, for any waste generated from such activities/operation, the applicant should arrange disposal properly at their own expenses; and

(v) the applicant shall conduct, by all practical means, pest control measures to avoid infestation of pest including mosquitos and rodents at the site and its surroundings.

□Urgent □Return receipt □Expand Group □Restricted □Prevent Copy □Confidential

tpbpd/PLAND

寄件者: [redacted]
寄件日期: 2026年09月13日星期日 1:33
收件者: tpbpd/PLAND
主旨: A/NE-TK/870 DD 17 Ting Kok BBQ

類別: Internet Email

A/NE-TK/870
Various Lots in D.D. 17 and Adjoining Government Land, Ting Kok, Tai Po
Site Area; About 4,005sq.m (Includes Government Land of about 91sq.m)
Zoning: "Agriculture"
Applied use: Hobby Farm / Barbecue Site / 6 Vehicle Parking

Dear TPB Members,

Object to applications that do not provide the lots numbers. This should be mandatory to enable tracking.

858 withdrawn. Back with the inclusion of Hobby farm. I would remind members that for that application the operator stated that "The proposed development site has been previously damaged and has no capacity for recultivation."

The applicant mentions that 1,095sq.m will be filled in but there is an additional 1,000sq.m filled in for the greenhouse. So 50% of the site filled in.

This is unacceptable for lots that are a buffer zone to "CPA" and "SSSI" zones.

The application should be rejected.

Mary Mulvihill

From: [redacted]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 14 May 2026 1:19 AM HKT
Subject: A/NE-TK/858 DD 17 Ting Kok BBQ

A/NE-TK/858

Various Lots in D.D. 17 and Adjoining Government Land, Ting Kok, Tai Po

Site Area; About 4,005sq.m (Includes Government Land of about 91sq.m)

Zoning: "Agriculture"

□Urgent □Return receipt □Expand Group □Restricted □Prevent Copy □Confidential
Applied use: Barbecue Site / 6 Vehicle Parking

Dear TPB Members,

Strong Objections to further incursion into the Agriculture Zone.

No record of previous approvals. However, the Applicant states that '*The proposed development site has been previously damaged and has no capacity for recultivation*."

So 'Destroy to Build". Has any enforcement action been taken?

There are already numerous BBQ sites in the district, sufficient to meet demand. They have a dismal record when it comes to fulfilling conditions. The adjacent lots under 796 approved 5 July 2024 was revoked 5 Jan 2026.

The Applicant does not provide the Lot numbers, any indication as to how much of the site will, or already has, been filled in, No data re capacity..

Members should question DPO as to whether Lands Dept has been monitoring these sites to gain understand the level of demand v supply.

The application should be rejected. Covering the entire waterfront area of Ting Kok in cement will certainly diminish its appeal as an attractive area for R&R.

Mary Mulvihill