RNTPC Paper No. A/NE-TK/870
For Consideration by the
Rural and New Town Planning
Committee on 6.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/870

Applicant : Mr. TSE Chi Yeung represented by Allgain Land Planning Limited

Site : Various Lots in D.D. 17 and Adjoining Government Land (GL), Ting Kok, Tai Po

Site Area : About 4,005m^2 (including GL of about 91m^2 or 2.3% of the Site)

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19

Zoning : "Agriculture" ("AGR")

Application : Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) with Ancillary Barbecue Site and Associated Filling of Land for a Period of Three Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary place of recreation, sports or culture (hobby farm) with ancillary barbecue site and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned "AGR" (**Plan A-1**). According to the Notes of the OZP for the "AGR" zone, 'Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only)', which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is partly paved and largely covered by artificial grass mat, and is currently occupied by some temporary structures (**Plans A-4a** and **A-4b**).

1.2 The Site is accessible via a local track leading to Ting Kok Road (**Plan A-2**). According to the applicant, the proposed use comprises an open-air farming area of about 2,410m^2 (i.e. about 60.2% of the Site), and four single-storey structures with a total floor area of about 109m^2 and a building height of not more than 3m for meter room, storage rooms and toilet. The remaining uncovered areas will be used as barbecue area (i.e. about 500m^2 or 12.5% of the Site with maximum of eight barbecue pits), ancillary car park and circulation areas. The estimated number of staff working at the Site will be not more than four, and a maximum of 60 visitors could be accommodated at the Site. No tree felling within the Site will be involved. The operation hours will be from 9:00 a.m. to 9:00 p.m. daily. Ad-hoc activities (e.g. markets, game booths and carnivals) may be occasionally

held within the barbecue area. The layout plan submitted by the applicant is shown in **Drawing A-1**.

1.3 A total of 11 private car parking spaces (2.5m (W) x 5m (L) each) requiring prior reservation will be provided at the Site (**Drawing A-1**). While any vehicles entering the Site should notify the staff 30 minutes in advance, staff will manage traffic flow at the ingress/egress for preventing road obstruction caused by vehicle queues and inform the drivers that entering the Site by directly right-turning from Ting Kok Road eastbound is prohibited, with installation of relevant signage. Vehicles will be restricted from entering the Site upon full occupancy of the ancillary car park. There will be alarm at the ingress/egress for warning pedestrians when vehicles are approaching the Site. As advised by the applicant, visitors to/from the nearby bus stops at Ting Kok Road will be guided to take a safe pedestrian route by passing through the sites under valid planning permissions (No. A/NE-TK/782 and 783) at the west (**Plan A-2**), with installation of signage and crash barriers along the route. Consents for such right of way have been obtained from the relevant operators. In addition, staff will assist in easing pedestrian flow at Ting Kok Road during peak hours.

1.4 The applicant also applies for regularisation of filling of land of about 1,050m^2 (i.e. about 26.2% of the Site) with concrete of not more than 0.2m in depth for site formation of structures, ancillary car park and circulation areas. The land filling plan submitted by the applicant is shown in **Drawing A-2**. Drainage facilities will be provided in accordance with relevant requirements and guidelines. The existing septic tank underneath the proposed toilet will be used to collect sewage and regularly desluged. No public announcement system, whistle blowing, portable loudspeaker or any form of audio amplification system will be allowed at the Site.

1.5 In support of the application, the applicant has submitted the following documents:

(a)	Application Form with attachments received on 18.8.2026	(**Appendix I**)
(b)	Supplementary Information (SI) received on 20.8.2026	(**Appendix Ia**)
(c)	Further Information (FI) received on 7.9.2026#	(**Appendix Ib**)
(d)	FI received on 2.10.2026*	(**Appendix Ic**)
(e)	FI received on 15.10.2026*	(**Appendix Id**)

** accepted and exempted from publication and recounting requirements*
 # accepted but not exempted from publication and recounting requirements

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Application Form, SI and FIs at **Appendices I** to **Id**, as summarised below:

(a) the Site falls within an area zoned "AGR", in which the proposed use is under Column 2 and compatible with the surrounding environment. The proposed use on a temporary basis of three years will not affect the long-term planning intention of the Site, and only temporary structures will be involved. Under the prevailing agricultural policy, the proposed use with limited leisure activities could extend the platform of promoting agricultural products and activities. It

will be commercially operated by charging fees, but without any relationship with the adjoining temporary eating place and barbecue site covered by planning permission No. A/NE-TK/859;

(b) the farming area will be for cultivating crops adapted to local climate (e.g. organic herbs, strawberries, cherry tomatoes, salad vegetables and other seasonal vegetables) and the farming experience will be guided by staff. Should the application be approved, the artificial grass mat within the farming area will be removed, and existing soil will be aerated with addition of soil suitable for farming to guarantee its fertility and permeability. The barbecue area is ancillary to the proposed use, which will help retain visitors to stay for longer time with more consumptions. While crops harvested from the farming area will be supplied to the barbecue area as food, food waste from the barbecue area will be used as composite for the farming area. The proposed operation mode will attract diverse visitors, enhance promotion effects and achieve educational purpose. Physical barriers will be installed to separate the farming and barbecue areas, to ensure that no barbecue activities will encroach onto the farming area;

(c) should the application be approved, the applicant will rectify the currently fenced-off area for conformity with the boundary of the Site, and applications for Short Term Tenancy and Short Term Waiver will be made to the Lands Department (LandsD); and

(d) no environmental destruction will be involved, and the applicant is committed to reinstate the Site after expiry of the planning permission. The applicant will also follow environmental mitigation measures stated in the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP') and relevant guidelines on hobby farm to minimise environmental nuisance. No significant noise impact is anticipated. Fire service installations (FSIs) will be provided in accordance with the requirements of the Fire Services Department.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is not a "current land owner" but has 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. 31B) by posting site notice and sending notice to the Tai Po Rural Committee. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion, "Owner's Consent/Notification" Requirements under TPB PG-No. 31B are not applicable.

4. Background

The Site is subject to planning enforcement action (No. E/NE-TK/207) against Unauthorized Development (UD) involving use for place of recreation, sports or culture (including barbecue site) (**Plan A-2**). Enforcement Notice was issued on 30.8.2026 requiring discontinuation of the UD by 30.10.2026. Since the UD has not been discontinued upon expiry of the notice, prosecution action is being considered.

5. Previous Applications

5.1 The Site is part of the subject of four previous applications (No. A/NE-TK/181, 628, 704 and 796)[1]. Among which, application No. A/NE-TK/181 submitted by a different applicant for proposed temporary horse riding school was rejected by the Board on review on 17.6.2005. The remaining three applications (No. A/NE-TK/628, 704 and 796) submitted by two different applicants [2] for temporary barbecue sites with/without eating place were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2018 and 2024. The planning permission of the last previous application (No. A/NE-TK/796) was subsequently revoked on 5.1.2026 due to non-compliance with approval conditions relating to the submission and/or implementation of precautionary measures[3], drainage and FSIs proposals and sewerage impact assessment (SIA). The planning considerations of these applications are not applicable to the current application, which is for a different use.

5.2 Details of the previous applications are at **Appendix II** and their locations are shown on **Plan A-2**.

6. Similar Applications

6.1 There are three similar applications (No. A/NE-TK/778, 797 and 843) involving temporary hobby farms with/without associated filling of land in the vicinity of the Site in the past five years. While application No. A/NE-TK/778 straddled the same "AGR" zone and the adjacent "Open Space" zone, application No. A/NE-TK/843 straddled the same "AGR" zone and the adjacent area shown as 'Road'. Application No. A/NE-TK/797 fell within another "AGR" zone in the opposite side of Ting Kok Road. All of these applications were approved with conditions by the Committee between 2024 and 2026, mainly on the considerations that the proposed/applied use was not incompatible with and not expected to cause significant adverse impacts on the surrounding areas.

6.2 Details of the similar applications are at **Appendix III** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

(a) partly paved and largely covered by artificial grass mat, and is currently occupied by some temporary structures; and

(b) accessible via a local track leading to Ting Kok Road.

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[1] The overlapping area of the current application and applications No. A/NE-TK/628 and 704 is about 560m^2 (i.e. about 14% of the Site under the current application). In addition, the overlapping area of the current application and application No. A/NE-TK/796 is about 1,195m^2 (i.e. about 30% of the Site under the current application), which is largely proposed as ancillary barbecue area and car park under the current application.

[2] Applications No. A/NE-TK/628 and 704 were submitted by the same applicant.

[3] Installations of chain-link fences and signs to prevent the visitors and staff from entering the Ting Kok Site of Special Scientific Interest (SSSI) were required by the Agriculture, Fisheries and Conservation Department.

7.2 The surrounding areas are predominantly rural in character comprising active agricultural land, vacant land, village houses, domestic structures, vegetated areas, tree clusters, temporary barbecue sites and holiday camp. To the north and east are active agricultural land, vegetated areas, domestic structures and a stream course running from north to south towards Plover Cove (**Plans A-2**). To the northwest is proposed temporary holiday camp (under application No. A/NE-TK/864 to be considered at the same meeting with the current application) (**Plans A-2**). To the west are mainly temporary eating place and/or barbecue sites covered by valid planning permissions (No. A/NE-TK/783, 823 and 859) (**Plans A-2**), holiday camp without valid planning permission, active agricultural land and vacant land. To the south are an area zoned "Coastal Protection Area" ("CPA") and the Ting Kok SSSI (**Plans A-1** to **A-3**). To the further northwest across Ting Kok Road is the village proper of Ting Kok (**Plans A-1** to **A-3**).

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 within the "AGR" zone 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 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and the recommended advisory clauses are provided at **Appendices IV** and **V** respectively.

9.2 The following government department objects to the application:

Land Administration

9.2.1 Comments of the District Lands Officer/Tai Po, LandsD (DLO/TP, LandsD):

(a) he objects to the application;

(b) 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 GL neither occupation nor

works of any kind thereon is allowed without the prior approval from LandsD;

(c) there are unauthorized structures on the private land. A warning letter was registered against Lot 362 in D.D. 17 in the Land Registry (**Plan A-2**). 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;

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

(e) his advisory comments are at **Appendix V**.

9.3 The following government departments provide views on the application:

Agriculture and Nature Conservation

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

Agriculture

(a) while the Site falls within the "AGR" zone and possesses potential for agricultural rehabilitation, he has no strong view on the application for the proposed use and land filling from agricultural perspective on the understanding that agricultural activities are involved in the proposed use and the Site will be reinstated upon expiry of the planning permission. He has no other comments on the non-agricultural proposal, i.e. ancillary barbecue site related to the application; and

Nature Conservation

(b) he has no comment on the application from nature conservation perspective, in view that there is a distance between the Site and the "CPA" zone and Ting Kok SSSI to the south and the impact is considered to be insignificant.

Environment

9.3.2 Comments of the Director of Environmental Protection (DEP):

(a) he has no objection to the application from environmental perspective;

(b) no environmental complaint in relation to the Site was received in the past three years;

(c) in view of the close vicinity to sensitive areas (i.e. the "CPA" zone and Ting Kok SSSI) and the provision of septic tank, it is suggested to impose approval conditions in relation to the

submission of SIA and the implementation of sewerage facilities as identified in the SIA; and

(d) his advisory comments are at **Appendix V**.

10. Public Comment Received During Statutory Publication Periods

On 25.8.2026 and 15.9.2026, the application and FI submitted by the applicant were published for public inspection. During the statutory public inspection periods, one comment from an individual was received, objecting to the application mainly on the considerations that private lot numbers involved within the Site have not been specified; it is doubtful whether the Site has any capacity for recultivation; a large area within the Site is filled; and the Site serves as a buffer area to the "CPA" and SSSI (**Appendix VI**).

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary place of recreation, sports or culture (hobby farm) with ancillary barbecue site and associated filling of land for a period of three years at the Site falling within an area zoned "AGR" on the OZP (**Plan A-1**). According to the applicant, the proposed use comprises a total farming area of about 60.2% of the Site (i.e. about 2,410m^2) (**Drawing A-1**). The proposed use is not in conflict with the planning intention of the "AGR" zone and DAFC has no strong view on the application from agricultural perspective on the understanding that agricultural activities are involved in the proposed use and the Site will be reinstated upon expiry of the planning permission. Taking into account the above and the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.

11.2 The application also involves regularisation of filling of land of about 1,050m^2 (i.e. about 26.2% of the Site) with concrete of not more than 0.2m in depth for site formation of structures, ancillary car park and circulation areas (**Drawing A-2**). Filling of land within the "AGR" zone requires planning permission as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and DEP have no objection to or no adverse comment on the application from public drainage and environmental perspectives respectively. As the Site is zoned "AGR", an approval condition requiring the reinstatement of the Site upon the expiry of the planning permission so as to uphold the planning intention of the "AGR" zone and restore the greenery of the area is recommended should the Committee decide to approve the application.

11.3 The Site is partly paved and largely covered by artificial grass mat, and is currently occupied by some temporary structures (**Plans A-4a** and **A-4b**). The Site is situated in an area which is predominantly rural in character comprising active agricultural land, vacant land, village houses, domestic structures, vegetated areas, tree clusters, temporary barbecue sites and holiday camp (**Plans A-2** and **A-3**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective, and considers that the proposed use is not

incompatible with the surrounding environment and significant adverse landscape impact arising from this application is not anticipated.

11.4 Noting that the "CPA" zone and Ting Kok SSSI are located to the south of the Site and there is provision of septic tank at the Site, DEP suggests the imposition of approval conditions on the submission of SIA and the implementation of sewerage facilities as identified in the SIA. DAFC has no comment on the application from nature conservation perspective, in view that there is a distance between the Site and the "CPA" zone and Ting Kok SSSI on the south side and the impact is considered to be insignificant. Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of concerned government departments, relevant approval conditions and advisory clauses are recommended in paragraph 12.2 below and **Appendix V** respectively. Should the application be approved, the applicant will be advised to follow the environmental mitigation measures as set out in the 'COP' and to meet the statutory requirements under relevant pollution control ordinances to minimise any possible environmental nuisance. Regarding DLO/TP, LandsD's concern on the unauthorized structures erected within/outside the Site, the applicant will be advised to liaise with LandsD on the land administration matter should the Committee approve the application.

11.5 There are three similar applications No. A/NE-TK/778, 797 and 843 involving temporary hobby farms with/without associated filling of land straddling/within the same "AGR" zone or another "AGR" zone in the opposite side of Ting Kok Road in the vicinity of the Site in the past five years (**Plan A-1**), which were approved with conditions by the Committee between 2024 and 2026 as detailed in paragraph 6.1 above. The planning circumstances of the current application are similar to those of the approved similar applications. Approval of the current application is in line with the Committee's previous decisions.

11.6 Regarding the public comment objecting to the application as detailed in paragraph 10 above, the government departments' comments and the planning assessments 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 comment in paragraph 10 above, PlanD has no objection to the application.

12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 6.11.2029. The following approval conditions and advisory clauses are suggested for Members' reference:

Approval Conditions

(a) no barbecue activities are allowed at the farming area proposed by the applicant at any time during the planning approval period;

(b) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 6.5.2027;

(c) in relation to (b) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 6.8.2027;

(d) in relation to (c) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;

(e) 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 6.5.2027;

(f) in relation to (e) 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 6.8.2027;

(g) the submission of a sewerage impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 6.5.2027;

(h) in relation to (g) above, the implementation of sewerage facilities identified therein within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 6.8.2027;

(i) if any of the above planning condition (a) or (d) 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;

(j) if any of the above planning condition (b), (c), (e), (f), (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; and

(k) upon the expiry of the planning permission, the reinstatement of the Site, including the removal of fill materials and hard paving, and grassing the Site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

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

12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Member's reference:

the proposed use with associated filling of land is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good

quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification 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 application and decide whether to grant or refuse to grant permission.

13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application Form with attachments received on 18.8.2026
Appendix Ia	SI received on 20.8.2026
Appendix Ib	FI received on 7.9.2026
Appendix Ic	FI received on 2.10.2026
Appendix Id	FI received on 15.10.2026
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026