RNTPC Paper No. A/NE-TK/866A
For Consideration by the
Rural and New Town Planning
Committee on 20.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/866

Applicant : Mr. TAM Ting Pong represented by Mr. HUI Kwan Yee

Site : Lots 468 (Part), 477 and 478 in D.D. 17, Ting Kok, Tai Po

Site Area : About 669.2m^2

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 Eating Place (Cafe) for a Period of Three Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary eating place (cafe) for a period of three years at the application site (the Site) falling within an area zoned "AGR" on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently paved[1], largely vacant and partly occupied by miscellaneous items (**Plan A-4**).

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 is for providing light refreshment and pre-prepared food by re-heating to serve local residents and tourists, which comprises one single-storey temporary structure with a total floor area of about 198m^2 and a building height of 3m (**Drawing A-1**). Kitchen and toilet will be provided within the above-mentioned structure. The remaining uncovered areas will be used for ancillary parking and loading/unloading areas, manoeuvring of vehicles and circulation. The estimated number of staff working at the Site will be about six, and a maximum of 50 customers could be accommodated at the Site. The operation hours of the proposed use will be between 12:00 p.m. to 9:00 p.m. daily. No additional filling of land will be carried out at the Site. The layout plan submitted by the applicant is shown in **Drawing A-1**.

[1] The Site was largely paved before the draft Ting Kok OZP No. S/NE-TK/11 was gazetted in 2005 with the imposition of planning control on filling of land in "AGR" zone.

1.3 A total of six private car parking spaces (2.5m (W) x 5m (L) each) and two loading/unloading spaces for light goods vehicles (3.5m (W) x 7m (L) each) will be provided at the eastern portion of the Site (**Drawing A-1**). A banner will be hung at a prominent location to remind customers that parking spaces within the Site are limited and access to the Site by public transportation is encouraged. Staff will be deployed to direct traffic at the junction of Ting Kok Road and the local track during weekends/public holidays. They will also instruct vehicles to enter the Site from Ting Kok Road westbound instead of directly right-turning from Ting Kok Road eastbound during peak hours, and remind drivers that waiting/queuing at Ting Kok Road is prohibited. Flexible bollards will be installed along the pedestrian route between the Site and nearby bus stops[2] for better safety management (**Plan A-2**). Relevant consents have been obtained for right of way along the pedestrian route outside the Site. Appropriate signage will be installed in support of the above-mentioned measures, and relevant transportation and pedestrian arrangements will be published via social media. Septic tanks will be used to collect wastewater from kitchen and toilets.

1.4 The Site is part of the subject of eight previous applications, including the last application No. A/NE-TK/782[3] submitted by a different applicant for temporary barbecue site with ancillary car park (**Plan A-2**), which was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 12.1.2024 (as detailed in paragraph 5 below). The planning permission is valid until 12.1.2027, and all approval conditions have been complied with. In this regard, the applicant advises that the operations under application No. A/NE-TK/782 and the current application will not be carried out simultaneously, and the temporary barbecue site under application No. A/NE-TK/782 is currently not operating.

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

(a)	Application Form with attachments received on 21.7.2026	(**Appendix I**)
(b)	Supplementary Information (SI) received on 26.7.2026	(**Appendix Ia**)
(c)	Further Information (FI) received on 31.7.2026*	(**Appendix Ib**)
(d)	FI received on 6.8.2026 and 7.8.2026*	(**Appendix Ic**)
(e)	FI received on 24.9.2026*	(**Appendix Id**)
(f)	FI received on 9.11.2026*	(**Appendix Ie**)
(g)	FI received on 11.11.2026*	(**Appendix If**)

**accepted and exempted from publication and recounting requirements*

1.6 On 11.9.2026, the Committee agreed to defer making a decision on the application for two months as requested by the applicant.

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[2] The pedestrian route passes through the sites under valid planning permissions (No. A/NE-TK/782 and 783) at the north/northwest (**Plan A-2**).

[3] The Site accounts for about 669.2m^2 or 9.4% of the site under application No. A/NE-TK/782 (i.e. about 7,132m^2).

2. Justifications from the Applicant

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

(a) the Site is part of the subject of approved application No. A/NE-TK/782 for temporary barbecue site, whereas the applicant is one of the partners of its operation and consents have been obtained from other operators and relevant land owners. The Site will not require additional occupation of agricultural land. The proposed use under the current application is of the same nature as the approved temporary barbecue site, which is intended for rural leisure use at the Site. It is also in line with the Government's policy to revitalise rural economy, promote sustainable development and strengthen the attractiveness of the area as a leisure and recreational spot;

(b) due to recent economic conditions, changes in local consumption modes and extreme weather (e.g. high temperature and heavy rainfall), traditional barbecue site operations in Tai Po are encountering challenges and closure of businesses. The proposed use will provide a downshifting indoor leisure space for attracting customers, overcoming the impacts of extreme weather. In addition, pet-friendly concept will be incorporated to create synergy with the nearby proposed temporary animal boarding establishment [4];

(c) there is no existing structure within the Site, and any debris or sundries on site will be removed. As design of the proposed use is compatible with rural settings, landscape and ecological impacts arising from the proposed use are not anticipated. No large-scale civil engineering works, land filling/excavation and destruction to woodland will be involved, and the Site will be quickly reinstated after expiry of the planning permission;

(d) heavy cooking activities and pan-frying will not be involved, and therefore massive oil fumes during the cooking process and large volume of food waste are not expected. If necessary, small-scale oil grease trap will be installed in accordance with relevant guidelines. Hygiene and waste disposal will be properly managed by following relevant statutory standards and procedures. Fire safety risk is lower than traditional restaurants, and sufficient fire service installations will be provided at the Site; and

(e) the proposed use will not pose burden on existing traffic flow, since it is small in scale and there will be substantial reduction in traffic impact as compared with temporary barbecue site under application No. A/NE-TK/782. Provision of new access road will not be required.

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 sending request for consent to the "current land

[4] Proposed temporary animal boarding establishment under application No. A/NE-TK/867 is located at the south of the Site (**Plan A-2**), which will be considered at the same meeting as the current application.

owner". Detailed information would be deposited at the meeting for Members' inspection.

4. Background

The Site is currently not subject to any active enforcement action.

5. Previous Applications

5.1 The Site is part of the subject of eight previous applications (A/NE-TK/207, 228, 257, 316, 427, 624, 697 and 782) submitted by two different applicants for temporary barbecue sites with ancillary car parks for a period of three years[5]. Application No. A/NE-TK/207 was rejected by the Committee on 21.7.2006, and the remaining seven applications (No. A/NE-TK/228, 257, 316, 427, 624, 697 and 782) were approved with conditions by the Committee between 2007 and 2024. The planning considerations of these applications are not applicable to the current application, which is for a different use. The planning permission of the last previous application (No. A/NE-TK/782) is valid until 12.1.2027, and all approval conditions have been complied with.

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 two similar applications No. A/NE-TK/796 and 859 for temporary eating place and barbecue site uses within the same "AGR" zone in the vicinity of the Site in the past five years, which were approved with conditions by the Committee on 5.7.2024 and 24.7.2026 respectively mainly on the considerations that the proposed/applied uses were not incompatible with the surrounding environment; significant adverse impacts on the surrounding areas were not anticipated; and no major adverse departmental comments or the concerns of relevant government departments could be addressed through imposition of approval condition/provision of advisory clauses.

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-4**)

7.1 The Site is:

(a) currently paved, largely vacant and partly occupied by miscellaneous items; and

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

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[5] Applications No. A/NE-TK/207, 228, 257, 316 and 427 were submitted by the same applicant, and applications No. A/NE-TK/624, 697 and 782 were submitted by another applicant.

7.2 The surrounding areas are predominantly rural in character comprising active agricultural land, plant nursery, vacant land, village houses, domestic structures, vegetated areas, tree clusters, temporary barbecue sites and holiday camp. To the north/northwest and east are temporary barbecue sites covered by valid planning permissions (No. A/NE-TK/783, 823 and 859) (**Plan A-2**). To the south are proposed temporary animal boarding establishment (under application No. A/NE-TK/867 to be considered at the same meeting with the current application) and areas zoned "Coastal Protection Area" ("CPA") and designated as the Ting Kok Site of Special Scientific Interest (SSSI) (**Plans A-1** to **A-3**). To the west are holiday camp without valid planning permission and vacant land. To the further east is a stream course running from north to south towards Plover Cove (**Plans A-2**). To the further north across Ting Kok Road is the village proper of Ting Kok (**Plans A-1** to **A-3**).

8. Planning Intention

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.

9. Comments from Relevant Government Departments

9.1 Apart from the government department as set out in paragraph 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the recommended advisory clauses are provided in **Appendices IV** and **V** respectively.

9.2 The following government department does not support the application.

Agriculture and Nature Conservation

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

Agriculture

(a) the Site falls within the "AGR" zone, and is generally vacant. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the application is not supported from agricultural perspective; 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.

10. Public Comment Received During Statutory Publication Period

On 28.7.2026, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual was received, expressing views that it is unclear whether approval conditions of the previous application No. A/NE-TK/782 have finally been fulfilled; and no parking space is proposed to cater for the proposed use (**Appendix VI**).

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary eating place (cafe) for a period of three years at the Site falling within an area zoned "AGR" on the OZP (**Plan A-1**). While the proposed use is not in line with the planning intention of the "AGR" zone and DAFC does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation, the applicant advises that the proposed use could serve local residents and tourists. Taking into account the above and the planning assessments below, there is no objection to the proposed use on a temporary basis of three years.

11.2 The Site is currently paved, largely vacant and partly occupied by miscellaneous items. It is situated in an area which is predominantly rural in character comprising active agricultural land, plant nursery, 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. 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 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, DAFC has no comment on the application from nature conservation perspective. Other relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services and Director of Food and Environmental Hygiene 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 '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 to minimise any possible environmental nuisance.

11.4 There are two approved similar applications (No. A/NE-TK/796 and 859) for temporary eating place and barbecue site uses within the same "AGR" zone in the vicinity of the Site in the past five years (**Plan A-1**), 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.

11.5 Regarding the public comment expressing view on the application as detailed in paragraph 10 above, the government departments' comments and the planning assessments above are relevant. For the concern on no parking provision, according to the applicant, six private car parking spaces will be provided at the eastern portion of the Site.

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 20.11.2029. The following approval conditions and advisory clauses are suggested for Members' reference:

Approval Conditions

(a) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 20.5.2027;

(b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 20.8.2027;

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

(d) 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 20.5.2027;

(e) in relation to (d) 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 20.8.2027;

(f) if the above planning condition (c) 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;

(g) if any of the above planning condition (a), (b), (d) or (e) 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

(h) 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 Members' reference:

the proposed use 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 21.7.2026
Appendix Ia	SI received on 26.7.2026
Appendix Ib	FI received on 31.7.2026
Appendix Ic	FI received on 6.8.2026 and 7.8.2026
Appendix Id	FI received on 24.9.2026
Appendix Ie	FI received on 9.11.2026
Appendix If	FI received on 11.11.2026
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
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026