Previous Applications

Approved Applications

Application No.	Proposed Use(s) / Development(s)	Zoning(s)	Date of Consideration
A/NE-TK/228	Temporary Barbecue Site for a Period of Three Years	"AGR" and area shown as 'Road'	9.3.2007 (approved for two years) (revoked on 9.9.2007)
A/NE-TK/257[1]	Temporary Barbecue Site for a Period of Three Years	"AGR" and area shown as 'Road'	18.7.2008 (approved for two years)
A/NE-TK/316[1]	Proposed Temporary Barbecue Site for a Period of Three Years	"AGR" and area shown as 'Road'	27.8.2010 (approved for two years) (revoked on 27.5.2011)
A/NE-TK/427	Temporary Barbecue Site for a Period of Three Years	"AGR" and area shown as 'Road'	5.4.2013 (approved for two years)
A/NE-TK/624	Temporary Barbecue Site for a Period of Three Years	"AGR"	9.2.2018
A/NE-TK/697	Temporary Barbecue Site for a Period of Three Years	"AGR"	5.2.2021 (revoked on 5.7.2023)
A/NE-TK/782	Temporary Barbecue Site with Ancillary Car Park for a Period of Three Years	"AGR"	12.1.2024

Remarks:

[1] Applications No. A/NE-TK/257 and 316 covered the same site.

Rejected Application

Application No.	Proposed Use(s) / Development(s)	Zoning(s)	Date of Consideration	Rejection Reasons
A/NE-TK/207	Proposed Temporary Barbecue Site for a Period of Three Years	"AGR"	21.7.2006	R1 and R2

Rejection Reasons

R1. There was insufficient information in the submission to demonstrate that the development would not cause adverse impact on the mangrove habitat in the Ting Kok Site of Special Scientific Interest to the south of the application site.

R2. The approval of the application would set an undesirable precedent for other similar applications within the "Agriculture" zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

Similar Application

Approved Application

Application No.	Proposed Use(s) / Development(s)	Zoning(s)	Date of Consideration
A/NE-TK/851	Proposed Temporary Animal Boarding Establishment with Ancillary Facilities and Associated Filling of Land for a Period of Three Years	"AGR"	27.3.2026

Government Departments' General Comments

1. Land Administration

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

- no objection to the application;
- the application site (the Site) comprises one Old Schedule Agricultural Lot, i.e. Lot 480 (Part) 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;
- there is no guarantee to the grant of a right of way to the Site or approval of the emergency vehicular access thereto; and
- his advisory comments are at **Appendix V**.

2. Traffic

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

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

3. Landscape

Comments of 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 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, the recent site photos and site inspection, the Site was formed and vacant. No tree was found on it. According to the applicant, no tree felling will be involved; and
- in view of the above, significant adverse landscape impact arising from this application is not anticipated.

4. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from the environmental perspective;
- no environmental complaint in relation to the Site was received in the past three years; and
- his advisory comments are at **Appendix V**.

5. Drainage

Comments of 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**.

6. 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**.

7. 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 any existing structures at the Site;
- it is noted that one structure is 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 Building Authority 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 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**.

8. Electricity Safety

Comments of the Director of Electrical and Mechanical Services (DEMS):

- no particular comment on the application from electricity supply safety perspective; and
- his advisory comments are at **Appendix V**.

9. Food and Environmental Hygiene

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

- no adverse comment on the application; and
- his advisory comments are at **Appendix V**.

10. Other Departments

The following departments have no objection to or 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);
- District Officer (Tai Po), Home Affairs Department (DO(TP), HAD);
- Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD); and
- Project Manager/North, CEDD (PM/N, CEDD).

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) if the lot owner wishes to permit structure(s) to be erected on the Site, the lot owner is required to submit an application for Short Term Waiver (STW) to LandsD. LandsD will consider the STW 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 application would be approved. If the STW 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 and administrative fee as considered appropriate. Besides, given the proposed use is temporary in nature, only erection of temporary structure will be considered;

  (ii) the applicant will likely make use of the adjoining private lots and unleased/unallocated Government land (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. 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 lots owners concerned;

  (iii) it is the responsibility of the applicant to obtain prior approval from relevant government departments for running a boarding establishment for animals; and

  (iv) 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 Director of Agriculture, Fisheries and Conservation (DAFC) 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. He will provide detailed information and requirement on animal boarding establishment when the applicant submits licence application to him. For clarity of communication discourse, animal shelters for stray/homeless animals (which do not involve providing animal accommodation in return for a fee) is a separate category of keeping of animals, out of the purview of Cap. 139I;

(e) 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 for their 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;

(f) to note the comments of the Director of Environmental Protection (DEP) that the applicant is reminded to:

(i) follow the relevant mitigation measures and requirements in the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance;

(ii) the design and construction of proposed septic tank and soakaway system shall follow the requirements of the Environmental Protection Department (EPD)'s Professional Persons Environmental Consultative Committee Practice Notes 1/23 'Drainage Plans subject to Comment by EPD' and located at least 30m from any nearby watercourse. Percolation test requirement should be certified by an Authorized Person; and

(iii) meet the statutory requirements under relevant pollution control ordinances;

(g) 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 demonstrate he/she already had/will provide stormwater collection and discharge system to nearby established drainage system or existing streamcourses having adequate flow capacity 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 modify 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. EPD should be consulted regarding the sewage treatment/disposal aspects of the proposed use; and

(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;

(h) 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, and the location of the proposed FSIs to be installed should be clearly marked. As there is no access for emergency vehicles being

provided to reach 30m from the Site, additional fire safety measures shall be imposed; and

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

(i) 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 the 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 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 and 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;

(vii) 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; and

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

(j) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that, in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the 'Code of Practice on Working near Electricity Supply Lines' established under the Regulation when carrying out works in the vicinity of the electricity supply lines; and

(k) 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 is/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 and the operation of any business should not cause any obstruction; and

(iii) 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 his own/at his expenses.

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

tpbpd/PLAND

寄件者: [redacted]
寄件日期: 2026年08月17日星期一 0:23
收件者: tpbpd/PLAND
主旨: A/NE-TK/867 DD 17 Ting Kok

類別: Internet Email

A/NE-TK/867
Lot No .480 (part) in D.D. 17, Ting Kok, Tai Po
Site area: About 232.45sq.m
Zoning: "Agriculture"
Applied use: Animal Boarding Establishment / ??? vehicle Parking???

Dear TPB Members,

This application should be considered in tandem with 866,

The applicant claims to be part of the group that operates the large BBQ site approved under 782 despite a long history of failure to fulfil conditions.

782 has had a number of extensions and it is not clear if conditions have finally been fulfilled. If not, this has implications for this operation.

The proposed structure will be designed by converting a container.
The site is estimated to accommodate a maximum of 20 dogs or cats.

Strong Objections. Animal husbandry and eating places are not compatible land uses. It is one matter to allow animals into eating places under conditions, quite another to house them in close proximity, particularly at a site that has a record of failing to fulfil drainage and fir conditions.

Housing animals in containers is also unacceptable; this is cruelty to animals as containers attract and retain heat and have poor ventilation.

The application should be rejected

Mary Mulvihill