RNTPC Paper No. A/NE-TK/867A
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/867

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

Site : Lot 480 (Part) in D.D. 17, Ting Kok, Tai Po

Site Area : About 232.45m^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 Animal Boarding Establishment for a Period of Three Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary animal boarding establishment 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 Notes of the OZP for the "AGR" zone, 'Animal Boarding Establishment', which is a Column 2 use, requires planning permission from the Town Planning Board (the Board). The Site is currently paved[1] and vacant (**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 comprises one single-storey container-converted structure with a total floor area of about 72m^2 and a height of 3m for animal kennel with 22 cubicles and staff toilet (**Drawing A-1**). While a maximum of 20 dogs or cats will be accommodated, two of cubicles will be reserved for spare use. The remaining uncovered areas will be used for pedestrian access and circulation. The estimated number of staff working at the Site will be about one to two, and one of them will stay overnight to take care of the animals. The operation hours of the proposed use will be between 8:00 a.m. and 8:00 p.m. daily (except for overnight animal boarding services). Prior reservation will be required for visiting the Site and no walk-in visitors will be allowed. All animals will be kept inside the proposed enclosed structure equipped with soundproofing and heat insulation materials/facilities and 24-hour air-conditioning ventilation system at all times. There will be no outdoor

[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.

activity for animals within the Site. Peripheral wooden fencing of 1.2m in height will be erected along the site boundary for safety purpose. No public announcement system, whistle blowing, portable loudspeakers, or any form of audio amplification system will be allowed at the Site. 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**.

1.3 No parking and loading/unloading spaces will be provided at the Site. While visitors could access to the Site by public transportation, nearby open areas outside the Site could be used for pick-up/drop-off purpose (**Plan A-2**). Flexible bollards and directional signage 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. Guidance on visiting the Site will be published via social media, and conveyed to visitors upon their appointments. In addition, the septic tank will be used to collect wastewater from toilet and general cleaning, and waterproof urine pads will be provided for animals. All solid waste from animals will be put in plastic bags stored in leakage-proof bins with sealed lids, and disposed to the nearby refuse collection point.

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 232.45m^2 or 3.3% 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 is compatible with leisure and recreational uses in rural areas, and will not cause destruction to the surrounding environment;

(b) while many families in rural areas have pets and many animal boarding establishment services are located in urban areas, the proposed use at the Site will provide legal and safe animal boarding establishment services for meeting the increasing demand. To overcome the challenges of economic transformation and traditional operation of barbecue sites, the proposed use could prevent the Site from being idle through better land utilisation. Qualified and experienced pet care personnels will be employed, and professional standards of hygiene and pet healthcare will be strictly followed. Pet grooming and bathing services will not be available in the operation;

(c) there is no existing structure within the Site, and any debris or sundries on site will be removed. No permanent civil engineering works, land filling and destruction to woodland will be involved. Since the operation will be taken place indoor only and stringent operation management will be adopted, adverse noise, landscape, sewerage, ecological and environmental impacts arising from the proposed use are not anticipated. Waste disposal will be properly managed in compliance with relevant standards, and fire service installations will be provided at the Site. While there is no residential use in the proximity of the Site, sufficient buffer distances and coordinative relationships with other uses in the proximity will be maintained to protect animal and public safety; and

(d) with the requirement of prior reservation, traffic flow could be controlled and thus traffic impact will be negligible. Vehicle queue on nearby public road is not expected as parking space will not be provided at the Site. No provision of new access road will 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 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 [4]. 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 Application

6.1 There is a similar application (No. A/NE-TK/851) for temporary animal boarding establishment use with associated filling of land within another "AGR" zone across Ting Kok Road to the further northeast of the Site in the past five years, which was approved with conditions by the Committee on 27.3.2026 mainly on the considerations that the proposed use was not incompatible with the surrounding areas; and all relevant government departments consulted had no objection to or no adverse comment on the application.

6.2 Details of the similar application are at **Appendix III** and its location is 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 and vacant; and

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

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 proposed temporary eating place (cafe) (under application No. A/NE-TK/866 to be considered at the same meeting with the current application) and temporary barbecue sites covered by valid planning permissions (No. A/NE-TK/783, 823 and 859) (**Plan A-2**). To the south are 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

[4] 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.

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 provides views on the application.

Agriculture, Nature Conservation and Animal Management

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

Agriculture

(a) he has no strong view on the application from agricultural perspective. The Site is zoned "AGR" and is generally vacant. Nevertheless, 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 rehabilitated for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc., though whether there will be agricultural activities on a specific site will hinge on a lot of factors;

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;

Animal Management

(c) the Site has no application/licensed premises granted by Animal Business Regulatory Section under the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap.139B), Public Health (Animals and Birds) (Exhibitions) Regulations

(Cap. 139F), Public Health (Animals) (Boarding Establishment) Regulations (Cap. 139I) and Public Health (Animals) (Riding Establishment) Regulations (Cap. 139J); and

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

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, objecting to the application mainly on the considerations that it is unclear whether approval conditions of the previous application No. A/NE-TK/782 have finally been fulfilled; the proposed use is not compatible with the proposed eating place use under application No. A/NE-TK/866, which should be considered in tandem with the current application; and housing animals in a container with retaining heat and poor ventilation is cruel (**Appendix VI**).

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary animal boarding establishment 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 entirely in line with the planning intention of the "AGR" zone, DAFC has no strong view on the application from agricultural perspective. 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 and vacant (**Plan A-4**). 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. The applicant will also be advised 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 DAFC.

11.4 There is an approved similar application (No. A/NE-TK/851) for temporary animal boarding establishment use with associated filling of land within another "AGR" zone across Ting Kok Road to the further northeast 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 application. Approval of the current application is in line with the Committee's previous decision.

11.5 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. For the concern on conditions of animal kennel, the applicant advises that all animals will be kept inside the proposed enclosed structure equipped with heat insulation materials/facilities and 24-hour air-conditioning ventilation system at all times.

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 Application
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