

Planning Application under Section 16 of the Town Planning Ordinance (Cap. 131)

Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 5 Year at The Government Land in front of Shop No. 9 And The Outside Seating Accommodation, G/F., Lai Hung Garden, 1 Tan Kwai Tsuen Road, Hung Shui Kiu, Yuen Long, New Territories
(The application premise)

APPENDIX 1

EXTRACT OF THE APPROVED
TONG YAN SAN TSUEN OUTLINE ZONING PLAN NO.
S/YL-TYST/14

APPROVED TONG YAN SAN TSUEN OUTLINE ZONING PLAN NO.
S/YL-TYST/14

Notes

Schedule of Uses

Explanatory Statement

RESIDENTIAL (GROUP A)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Flat Government Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic Public Transport Terminus or Station (excluding open-air terminus or station) Public Vehicle Park (excluding container vehicle) (on land designated "R(A)3" only) Religious Institution (Ancestral Hall only) Residential Institution Rural Committee/Village Office School (in free-standing purpose-designed building only) Social Welfare Facility Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Refuse Collection Point Hospital Hotel Institutional Use (not elsewhere specified) Office Petrol Filling Station Place of Entertainment Private Club Public Convenience Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation Public Vehicle Park (excluding container vehicle) (not elsewhere specified) Religious Institution (not elsewhere specified) School (not elsewhere specified) Shop and Services (not elsewhere specified) Training Centre

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

- Eating Place
- Educational Institution
- Institutional Use (not elsewhere specified)
- Off-course Betting Centre
- Office
- Place of Entertainment
- Private Club
- Public Convenience
- Recyclable Collection Centre
- School
- Shop and Services
- Training Centre

(Please see next page)

RESIDENTIAL (GROUP A) (cont'd)

Planning Intention

This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

Remarks

- (a) On land designated "Residential (Group A)" ("R(A)"), no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 5, a maximum site coverage of 42% and a maximum building height of 12 storeys (36m), or the plot ratio, site coverage and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater. The lowest three floors could have a maximum site coverage of 100%.
- (b) On land designated "R(A)1" and "R(A)2", no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio and maximum building height specified below, or the plot ratio and height of the existing building, whichever is the greater:

<u>Sub-area</u>	<u>Maximum Plot Ratio</u>	<u>Maximum Building Height</u>
R(A)1	6.5	155mPD
R(A)2	6.5	205mPD

- (c) On land designated "R(A)3", no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 7 and a maximum building height of 160mPD, or the plot ratio and height of the existing building, whichever is the greater.
- (d) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and building height restrictions stated in paragraphs (a) to (c) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (e) In determining the maximum plot ratio and site coverage for the purposes of paragraphs (a) to (c) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.

(Please see next page)

RESIDENTIAL (GROUP A) (cont'd)

Remarks (cont'd)

- (f) In determining the maximum plot ratio for the purposes of paragraph (c) above, any floor space that is constructed or intended for use solely as Government, institution or community (GIC) facilities and public vehicle park, as required by the Government, may be disregarded.
- (g) In determining the maximum plot ratio for the purposes of paragraphs (b) and (c) above, the area of any part of the site that is occupied or intended to be occupied by free-standing purpose-designed buildings (including both developed on ground and on podium level) solely for accommodating GIC facilities including school(s) as may be required by the Government shall be deducted in calculating the relevant site area.

唐人新村分區計劃大綱核准圖編號 S/YL-TYST/14

註釋

土地用途表

說明書

住宅(甲類)

第一欄 經常准許的用途	第二欄 須先向城市規劃委員會申請，可能在有附帶條件或無附帶條件下獲准的用途
救護站 分層住宅 政府用途(未另有列明者) 屋宇 圖書館 街市 康體文娛場所 政府診所 公共車輛總站或車站 (露天總站或車站除外) 公眾停車場(貨櫃車除外)(只限在 指定為「住宅(甲類)3」的土地 範圍內) 宗教機構(只限宗祠) 住宿機構 鄉事委員會會所／鄉公所 學校(只限設於特別設計的獨立校舍) 社會福利設施 私人發展計劃的公用設施裝置	商營浴室／按摩院 食肆 教育機構 展覽或會議廳 政府垃圾收集站 醫院 酒店 機構用途(未另有列明者) 辦公室 加油站 娛樂場所 私人會所 公廁設施 公共車輛總站或車站(未另有列明者) 公用事業設施裝置 公眾停車場(貨櫃車除外)(未另有列 明者) 宗教機構(未另有列明者) 學校(未另有列明者) 商店及服務行業(未另有列明者) 訓練中心

除以上所列，在(a)建築物的最低三層，包括地庫；或(b)現有建築物特別設計的非住宅部分，而兩者均不包括全層或主要為停車位、上落客貨車位及／或機房的樓層，經常准許的用途亦包括：

- 食肆
- 教育機構
- 機構用途(未另有列明者)
- 場外投注站
- 辦公室
- 娛樂場所
- 私人會所
- 公廁設施
- 可循環再造物料回收中心
- 學校
- 商店及服務行業
- 訓練中心

(請看下頁)

住宅(甲類)(續)規劃意向

此地帶的規劃意向，主要是作高密度住宅發展。在建築物的最低三層，或現有建築物特別設計的非住宅部分，商業用途屬經常准許的用途。

備註

- (a) 在指定為「住宅(甲類)」的土地範圍內，任何新發展，或任何現有建築物的加建、改動及／或修改，或現有建築物的重建，不得引致整個發展及／或重建計劃的最高地積比率超過 5 倍，最大上蓋面積超過 42%，以及最高建築物高度超過 12 層(36 米)，或超過在有關發展審批地區草圖的公告在憲報首次刊登該日已經存在的建築物的地積比率、上蓋面積和高度，兩者中以數目較大者為準。最低三層的最大上蓋面積可達 100%。
- (b) 在指定為「住宅(甲類)1」和「住宅(甲類)2」的土地範圍內，任何新發展，或任何現有建築物的加建、改動及／或修改，或現有建築物的重建，不得引致整個發展及／或重建計劃的最高地積比率和最高建築物高度超過下列限制，或超過現有建築物的地積比率和高度，兩者中以數目較大者為準：

<u>支區</u>	<u>最高地積比率</u>	<u>最高建築物高度</u>
住宅(甲類)1	6.5 倍	主水平基準上 155 米
住宅(甲類)2	6.5 倍	主水平基準上 205 米

- (c) 在指定為「住宅(甲類)3」的土地範圍內，任何新發展，或任何現有建築物的加建、改動及／或修改，或現有建築物的重建，不得引致整個發展及／或重建計劃的最高地積比率超過 7 倍及最高建築物高度超過主水平基準上 160 米，或超過現有建築物的地積比率和高度，兩者中以數目較大者為準。
- (d) 城市規劃委員會如接獲根據《城市規劃條例》第 16 條提出的申請，可按個別發展或重建計劃的情況，考慮略為放寬上文(a)至(c)段所述有關地積比率、上蓋面積和建築物高度的限制。
- (e) 為施行上文(a)至(c)段而計算最高地積比率和最大上蓋面積時，任何樓面空間如純粹建造為或擬用作停車位、上落客貨車位、機房和管理員辦事處，或管理員宿舍和康樂設施，而兩者都是供住用建築物或建築物住用部分的全部擁有人或佔用人使用及使其受益，只要這些用途和設施是附屬於發展或重建計劃及與其直接有關，則可免計算在內。

(請看下頁)

住宅(甲類)(續)

備註(續)

- (f) 為施行上文(c)段而計算最高地積比率時，任何純粹建造為或擬用作政府規定的政府、機構或社區設施及公眾停車場的樓面空間，亦可免計算在內。
- (g) 為施行上文(b)及(c)段而計算最高地積比率時，因應政府規定而純粹用作設置政府、機構或社區設施(包括學校)的特別設計的獨立建築物(不論是在地面或平台)，其所佔用或擬佔用該地盤的任何部分的面積，會從有關地盤的面積中扣除。

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(The application premise)

APPENDIX 2

TOWN PLANNING BOARD GUIDELINES FOR
DEVELOPMENT WITHIN “RESIDENTIAL (GROUP A)” ZONE
(TPB PG-NO. 5A)

AND

TOWN PLANNING BOARD GUIDELINES FOR
APPLICATION FOR EATING PLACE WITHIN
"VILLAGE TYPE DEVELOPMENT" ZONE IN RURAL AREAS
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE
(TPB PG-NO. 15A)

**TOWN PLANNING BOARD GUIDELINES FOR
APPLICATION FOR OFFICE DEVELOPMENT IN “RESIDENTIAL (GROUP A)” ZONE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

[Important Note :

The Guidelines are intended for general reference only.

Any enquiry on this pamphlet should be directed to the Secretariat of the Town Planning Board (by email: tpbpd@pland.gov.hk; by post: 15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong; or by phone: 2231 4810 or 2231 4835) or the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000; email: enquire@pland.gov.hk; or by post: 17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

The Guidelines are subject to revision without prior notice.]

1. Introduction

The planning intention of the “Residential (Group A)” (“R(A)”) zone is primarily for high-density residential developments. Office use in “R(A)” zone, except on the lowest three floors of a building or in the purpose-design non-residential portion of an existing building, requires planning permission from the Board. This Guidelines sets out the main planning criteria for assessing planning applications for office development within the “R(A)” zone. Each application will be considered on its individual merits.

2. Scope and Application

- 2.1 This set of Guidelines sets out the main planning criteria for consideration of planning applications for office use within “R(A)” zone. The planning permission system will enable the Board to maintain adequate planning control over the use of “R(A)” sites while allowing flexibility to accommodate office developments within “R(A)” zone, provided there are strong justifications.
- 2.2 This set of Guidelines is applicable to planning applications for both development and redevelopment of sites within “R(A)” zone for office developments, which may incorporate commercial uses on the lower floors.

3. Main Planning Criteria

- 3.1 The following main planning criteria are relevant in consideration of proposed office development in “R(A)” zone:

- (a) The proposed office development should not be located in a predominantly residential area and should be compatible with the existing and planned land uses of the locality, e.g. a site located in close proximity to the core business centre/office hub to form an extension of the commercial area.
 - (b) There is a demand for office space in a particular area or district in which the proposed office development is located.
 - (c) There should be adequate provision of parking and loading/unloading facilities within the site in accordance with the Hong Kong Planning Standards and Guidelines and to the satisfaction of the Transport Department. For sites with narrow frontage, where on-site loading/unloading requirement cannot be met, the applicant should demonstrate that there are alternative locations for loading/unloading facilities to the satisfaction of the Transport Department.
 - (d) The site should be at an easily accessible location, e.g. close to the Mass Transit Railway Station or well served by other public transport facilities.
 - (e) The proposed office development should not cause congestion and disruption to the traffic flow of the locality. In areas prone to traffic congestion, the applicant may be required to submit a traffic impact assessment to demonstrate no adverse traffic impact in the area.
 - (f) The site should be of adequate size to achieve a properly designed office building. The minimum site area requirement for office development varies with site configuration and loading/unloading requirements in particular localities.
 - (g) The proposed office development should be purposely designed for office/commercial uses so that there is no risk of subsequent illegal conversion to substandard domestic units or other uses.
- 3.2 In general, the Board may give favourable consideration to planning applications for office developments which produce specific environmental and planning gains, for example, if the site is located near to major sources of air and noise pollution such as a major road, and the proposed office development is equipped with central air-conditioning and other noise mitigation measures which make it less susceptible to pollution than a residential development. Other forms of planning gain which the Board would favour in a proposed office development would include provision of public open space and community facilities catering to the needs of the district.

規劃指引編號 5A

城市規劃委員會規劃指引
擬在「住宅(甲類)」地帶發展辦公樓宇
而按照城市規劃條例第 16 條提出的規劃申請

[重要提示：

這份指引只供一般參考用。

任何人如對這份指引有疑問，應向城市規劃委員會秘書處(電郵：tpbpd@pland.gov.hk；郵遞：香港北角渣華道 333 號北角政府合署 15 樓；或電話：2231 4810 或 2231 4835)或規劃署規劃資料查詢處(熱線：2231 5000；電郵：enquire@pland.gov.hk；或郵遞：北角政府合署 17 樓及沙田上禾輦路 1 號沙田政府合署 14 樓)查詢。

城市規劃委員會可修訂這份指引，無須事先通知。]

1. 引言

「住宅(甲類)」地帶的規劃意向，主要是作高密度住宅發展。如欲在「住宅(甲類)」地帶進行辦公室用途，必須取得城市規劃委員會(下稱「城規會」)的規劃許可，惟在建築物的最低三層或現有建築物特別設計的非住宅部分則屬例外。這份指引闡述城規會評估在「住宅(甲類)」地帶內發展辦公樓宇的規劃申請時需要顧及的主要規劃準則。城規會會按每宗申請的個別情況作出考慮。

2. 指引範圍及應用

2.1 這份指引闡述城規會考慮在「住宅(甲類)」地帶內進行辦公室用途的規劃申請時需要顧及的主要規劃準則。這個規劃許可審批制度既可讓城規會對「住宅(甲類)」用地的土地運用作出適當的規劃管制，同時亦賦予彈性，讓城規會在申請人提出充分理據的情況下，批准「住宅(甲類)」地帶內的辦公樓宇發展。

2.2 這份指引適用於把「住宅(甲類)」地帶內的用地作發展和重建為辦公樓宇(低層可用作商業用途)的規劃申請。

3. 主要規劃準則

3.1 當局考慮在「住宅(甲類)」地帶內發展擬議辦公樓宇時，主要的相關規劃準則如下：

- (a) 擬建的辦公樓宇不能設在大部分為住宅樓宇的地區，而且須與當區現有及已規劃的土地用途互為配合，例如鄰近核心商業中心／辦公室樞紐，以作為商業區的伸延部分。
- (b) 擬建辦公樓宇位處的指定範圍或地區對辦公樓面有需求。
- (c) 須按照《香港規劃標準與準則》的規定，在地盤內提供足夠的泊車及上落客貨設施，而該等設施須達到運輸署的要求。如果用地臨街面狹窄，未能符合在地盤內提供上落客貨設施的規定，申請人須證明該處有其他地點提供上落客貨設施，而情況令運輸署滿意。
- (d) 地盤須位於交通方便的地點，例如鄰近港鐵車站或有其他公共交通工具可達。
- (e) 擬建的辦公樓宇不得引致當地出現交通擠塞及阻礙交通流動。在容易發生交通擠塞的地區，申請人或須提交交通影響評估報告，以證明擬議發展不會對該區的交通造成負面影響。
- (f) 地盤應有足夠面積，用以興建適當設計的辦公樓宇。樓宇地盤面積的最低規定，隨地盤形狀及該處上落客貨需求而異。
- (g) 擬建的辦公樓宇必須是特別設計作辦公室／商業用途，以免日後出現樓宇被非法改作不合標

準的住宅單位或其他用途的風險。

- 3.2 一般來說，凡在環境及規劃方面帶來特別增益的辦公樓宇規劃申請，城規會或會從優考慮。舉例說，如果用地位於主要的空氣污染及噪音來源(如主要道路)附近，而擬建的辦公樓宇裝設中央空氣調節系統及其他減低噪音設施，因此與住宅樓宇相比，較不受該處環境污染的影響。此外，城規會也歡迎在擬建的辦公樓宇提供其他形式的規劃增益，例如闢設公眾休憩用地及社區設施，以配合地區的需要。

城市規劃委員會
二零二三年十二月

**TOWN PLANNING BOARD GUIDELINES FOR
APPLICATION FOR EATING PLACE WITHIN
"VILLAGE TYPE DEVELOPMENT" ZONE IN RURAL AREAS
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

(Important Note :-

The Guidelines are intended for general reference only.

Any enquiry on this pamphlet should be directed to the Planning Information and Technical Administration Unit of the Planning Department, 17/F, North Point Government Offices, 333 Java Road, Hong Kong - Tel. No. 2231 5000.

The Guidelines are subject to revision without prior notice.)

1. Scope and Application of the Guidelines

- 1.1 The general planning intention of the "Village Type Development" ("V") zone in the rural New Territories is to demarcate both existing recognised villages and areas of land considered suitable for village expansion. It is the planning intention to concentrate village and related development within the "V" zone for a more orderly development pattern, economic and efficient use of land and provision of infrastructure and services. A selective range of uses including commercial, community and recreational uses may be permitted within this zone on application to the Town Planning Board (the Board) on the basis that these uses would serve the needs of villagers and would not adversely affect the character of villages.
- 1.2 In view of the above planning intention, eating place use (such as restaurant and alfresco dining facility) in the "V" zone should be compatible with the surrounding land-uses and would not create any nuisance or cause inconvenience to the local residents. The development should not have adverse impacts on traffic, drainage, sewage disposal and fire safety aspects. In addition, it should not reduce the land area available for village type development. For sites located adjacent to recreational uses or tourist attraction spots, favourable consideration may be given if the above considerations are not compromised.
- 1.3 Even if a proposal is considered acceptable in land-use planning terms and other planning criteria are met, under normal circumstances only a temporary approval for a maximum of three years should be considered so as to retain planning control on the development at the site and to cater for changing circumstances in future.
- 1.4 These Guidelines set out the planning criteria for assessing planning applications for eating place use in the "V" zone in the rural areas.

2. Definition of New Territories Exempted House (NTEH)

"NTEH" is defined in the Covering Notes in rural outline zoning plans.

3. Requirement for Planning Permission

Eating place use on the ground floor of a NTEH within the "V" zone does not require planning permission. However, such use on other floors of a NTEH, on open ground as an extension to a ground floor eating place in a NTEH, or as a free-standing development within the "V" zone requires planning permission from the Board.

4. Main Planning Criteria

- 4.1 The eating place use should not create any environmental nuisance or cause inconvenience to the residents nearby. Such use should preferably be located at the fringe of a village area, e.g. area abutting the main road. For any eating place use that is situated amidst the existing village houses, sympathetic consideration may only be given if there are no objections from local residents.
- 4.2 The eating place use should not have any adverse traffic impact on its surrounding areas nor should it affect any pedestrian circulation in the area.
- 4.3 Sympathetic consideration may also be given to any application which would not have adverse impacts on drainage, sewage disposal facilities or fire safety aspects.
- 4.4 For any application on open ground as an extension to ground floor eating place in a NTEH or as a free-standing development, the eating place use should not adversely affect the land availability for village type development. Application sites with configurations/dimensions which are not suitable to be delineated separately for village type development or which are considered not suitable for village type development (e.g. within 20m of public roads constructed/maintained by the Highways Department or 15m of other local public roads), sympathetic consideration may be given by the Board on individual merits.
- 4.5 For a village located adjacent to recreational uses or tourist attraction spots, favourable consideration may be given to eating place use which will provide catering facilities to serve the visitors and tourists. In such circumstances, adequate car-parking spaces should be provided to serve the eating place use as required by the Transport Department. If it is impossible to provide car-parking spaces at the application site, the applicant should demonstrate that there are adequate car-parking facilities conveniently located in the vicinity to serve the eating place use.
- 4.6 All other statutory or non-statutory requirements of relevant Government departments should be met.

規劃指引編號15A(適用於已按法定圖則註釋總表修訂本修訂/更新的分區計劃大綱圖)

城市規劃委員會規劃指引
擬在鄉郊地區的「鄉村式發展」地帶內開設食肆
而按照城市規劃條例第16條提出的規劃申請

(重要提示：

這份指引只供一般參考用。

任何人如對這份指引有疑問，應向香港北角渣華道333號北角政府合署17樓規劃署規劃資訊及專業行政小組查詢(電話號碼：2231 5000)。

城市規劃委員會有權修訂這份指引，無須預先通知。)

1. 考慮範圍及指引的應用

- 1.1 在新界鄉郊設立「鄉村式發展」地帶的一般規劃意向，是為現有認可鄉村及適合作鄉村擴展的土地訂定界線，從而把鄉村及有關發展集中在此用途地帶內，使發展模式較具條理，同時在土地運用和基礎設施及服務的提供方面，較具經濟效益。在此用途地帶內進行一些選擇性類別用途包括商業、社區及康樂用途，必須向城市規劃委員會提出申請，若這些用途能配合村民的需要及不會對鄉村特色造成不良影響，或會獲得城市規劃委員會批准。
- 1.2 基於上述規劃意向，在「鄉村式發展」地帶內作食肆用途(例如酒樓餐廳和露天飲食設施)，必須與周圍的土地用途互為協調，並且不會對當地居民造成任何滋擾或不便。有關發展不得對交通、渠務、污水排放設施及消防安全構成不良影響。此外，擬議發展不得令用作鄉村式發展的土地有所減少。倘申請地點位於康樂用途或旅遊點毗鄰，而有關申請又符合上述考慮條件，則或會獲城市規劃委員會從優考慮。
- 1.3 即使有關發展計劃在土地用途規劃及其他規劃準則方面皆符合要求，城市規劃委員會在正常情況下只會考慮批給有效期不超過3年的臨時許可，以保留對申請地

點的發展計劃的規劃管制，從而應付日後不斷轉變的社會情況。

- 1.4 這份指引載列在評審有關在鄉郊地區的「鄉村式發展」地帶內作食肆用途的規劃申請時所依據的規劃準則。

2. 新界豁免管制屋宇的定義

新界豁免管制屋宇的定義載於為鄉郊地區擬備的分區計劃大綱圖的《註釋》說明頁內。

3. 取得規劃許可的規定

在「鄉村式發展」地帶內，倘食肆設於新界豁免管制屋宇的地面一層，是無須取得規劃許可的，但如設於新界豁免管制屋宇的其他各層，或其內食肆地面一層位於空地上的擴展部分，或作為一項獨立式發展，則必須向城市規劃委員會取得規劃許可。

4. 主要規劃準則

- 4.1 食肆用途不得對附近居民造成任何環境滋擾或不便。申請地點最好位於鄉村地區的邊緣，例如毗鄰主要道路的地方。倘擬設的食肆位於周圍建有村屋的地方，則要當地居民不提出反對，城市規劃委員會始會對有關申請從寬考慮。
- 4.2 食肆用途不得對周圍地區的交通及區內的行人流通情況造成不良影響。
- 4.3 倘有關申請不會對渠務、污水排放設施及消防安全構成不良影響，則城市規劃委員會亦會從寬考慮。
- 4.4 倘擬議發展位於空地上作為新界豁免管制屋宇地面一層的食肆的擴展部分，或作為一項獨立式發展，則擬設的食肆用途不得對鄉村式發展用地的供應量造成不利影響。倘申請地點的地形／尺寸並不適合個別劃分

作鄉村式發展或不適合供鄉村式發展(例如距離路政署所興建／保養的公用道路不足20米或距離其他鄉村公用道路不足15米)，則城市規劃委員會會按每宗申請的個別情況從寬考慮。

- 4.5 倘申請地點所處的鄉村位於康樂用途或旅遊點毗鄰，而擬設的食肆可為遊人和遊客提供飲食設施，則或會獲城市規劃委員會從優考慮。在此情況下，申請人應按照運輸署的要求提供足夠的泊車位，以應付食肆的需要。倘無法在申請地點設置泊車位，申請人必須證明在申請地點附近交通便利的地方備有泊車設施，足以應付食肆的需要。
- 4.6 擬議用途必須符合有關政府部門的其他法定或非法定規定。

城市規劃委員會
二零零三年六月