

Government Departments with No Objection / No Adverse Comment

The following government departments have no objection to or no adverse comment on the application:

- (a) Commissioner for Transport;
- (b) Chief Highway Engineer/New Territories West, Highways Department (HyD);
- (c) Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- (d) Director of Environmental Protection;
- (e) Director of Agriculture, Fisheries and Conservation;
- (f) Chief Engineer/Mainland North, Drainage Services Department;
- (g) Chief Engineer/Construction, Water Supplies Department;
- (h) Director of Fire Services;
- (i) Project Manager (West), Civil Engineering and Development Department (CEDD);
- (j) Project Manager (North), CEDD;
- (k) Head of Geotechnical Engineering Office, CEDD;
- (l) Chief Building Surveyor/New Territories West, Buildings Department;
- (m) Commissioner of Police;
- (n) Director of Food and Environmental Hygiene; and
- (o) District Officer (Yuen Long), Home Affairs Department.

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tpbpd/PLAND

寄件者: [REDACTED]
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主旨: (LMKYLRE-2026-2035) 支持元朗新田丈量約份第99約的政府土地(申請編號: A/STT/35)
附件: LMKYLRE-2026-2035 (支持元朗新田丈量約份第99約的政府土地臨時食肆 (餐廳戶外座位區) 的規劃許可續期 (為期 3 年) 申請編號: ASTT35).pdf
類別: Internet Email

本處檔號: LMKYLRE-2026-2035

敬啟者:

支持元朗新田丈量約份第 99 約的政府土地
臨時食肆 (餐廳戶外座位區) 的規劃許可續期 (為期 3 年)
申請編號: A/STT/35

本人就上述申請編號 A/STT/35 的規劃許可續期事宜, 向 貴委員會致以全力支持。

詳情請閱附件, 謝謝!

元朗區議員(元朗鄉郊東)梁明堅
梁明堅議員辦事處

地址: [REDACTED]
電話: [REDACTED]
傳真: [REDACTED]
電郵: [REDACTED]



元朗區議會

YUEN LONG DISTRICT COUNCIL

辦事處地址
Office Address

梁明堅 議員

LEUNG MING KIN OF DC MEMBER

電話：
傳真：
電郵：

收件者：城市規劃委員會秘書
傳真：2877 0245
電郵：tpbpd@pland.gov.hk

本處檔號：LMKYLRE-2026-2035

送遞方式：傳真 及 電郵

敬啟者：

支持元朗新田丈量約份第 99 約的政府土地
臨時食肆（餐廳戶外座位區）的規劃許可續期（為期 3 年）
申請編號：A/STT/35

本人就上述申請編號 A/STT/35 的規劃許可續期事宜，向 貴委員會致以全力支持。

申請地點位於元朗新田丈量約份第 99 約的政府土地，現申請續期為期三年的臨時食肆（餐廳戶外座位區）用途。該食肆一直為區內居民及訪客提供便捷的餐飲服務，並有效帶動周邊的鄉郊經濟與社區活力。過去營運期間，申請人已遵守相關規劃及環境條件，並未有造成交通、排水或噪音等負面影響。本人認為續期後的用途符合「鄉村式發展」地帶的規劃意向，且與周邊環境相容。

懇請 貴委員會批准是項續期申請，以延續該處的社會及經濟效益，並促進新田地區的可持續發展。

此致
城市規劃委員會秘書

元朗區議員（元朗鄉郊東）梁明堅 謹啟

2026 年 6 月 5 日

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the Government Land (GL) within the application site (the Site) (about 29m², delineated as ‘Existing Fishpond’ on **Drawing A-1** of the RNTPC Paper) has been illegally occupied with unauthorised structure(s) without any permission. Any occupation of GL without Government’s prior approval is an offence under Cap. 28. There is illegal occupation of GL which regularisation would not be considered according to prevailing land policy. The applicant should immediately cease the illegal occupation of GL and remove the unauthorised structure(s) as demanded by LandsD. LandsD reserves the rights to take necessary land control action against the illegal occupation of GL without further notice; and
 - (ii) should the planning application be approved, and upon completion of the rectification works, the applicant has to apply to Food and Environmental Hygiene Department (FEHD) for Outside Seating Accommodation (OSA) and LandsD will consider the relevant OSA land licence application referred from FEHD, subject to no adverse comments from the departments concerned. If such application is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD;
- (b) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (c) to note the comments of the Chief Engineer/Railway Development 1-1, Railway Development Office, HyD that as the Site is in proximity to the works site for the Northern Link (NOL) and the applicant is reminded to consider the construction traffic of NOL works;
- (d) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) sewage discharge from the Site should be directed to nearby public sewer. In case of unavailability of public sewer, proper sewage collection, treatment and disposal facilities should be provided in accordance with the requirements in Professional Persons Environmental Consultative Committee Practice Notes 1/23;
 - (ii) the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ shall be followed to minimise any potential environmental nuisances; and
 - (iii) the guideline on ‘Control of Oily Fume and Cooking Odour from Restaurants and Food Business’ issued by Environmental Protection Department shall be followed for the operation of the eating place;

- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (DSD) that:
 - (i) the applicant shall be responsible for the operation and maintenance of the drainage facilities as indicated in the drainage proposal, including but not limited to the routine clearance of debris and overgrown vegetation at the catchpits and channels; and
 - (ii) no public sewerage maintained by DSD is currently available for connection. No sewerage collected from the Site should be discharged to the drainage system. For sewage disposal and treatment, agreement from DEP shall be obtained;
- (f) to note the comments of the Director of Fire Services that the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (g) to note the comments of the Project Manager (North), Civil Engineering and Development Department that the Site would have potential project interface with the San Tin Technopole development project, and the applicant should facilitate the coordination with the responsible project officers regarding the interfacing matters, if any; and
- (h) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
 - (i) no 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. The operation of any eating place should be under a food licence issued by FEHD. If the operator intends to operate a restaurant business in the territory, a restaurant licence should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132). For the operation of other types of food business, relevant food licences should also be obtained from FEHD in accordance with Cap. 132. Under the Food Business Regulation (Cap. 132X), a Food Factory Licence should be obtained from FEHD for food business which involves the preparation of food for sale for human consumption off the premises before commencement of such business. The application for food business licences under Cap.132, if acceptable by FEHD, will be referred to relevant government departments for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;
 - (iii) when choosing a premises for food business licences, the applicant must ensure that the operation of food business at the subject premises is in compliance with the requirements imposed under the legislation administered by FEHD, other government departments and the relevant authorities. No part of a food premises shall be located in, under or over any structures built without the approval and consent of the Building Authority (BA). Applicants should satisfy FEHD that their premises applying for a food business licence be (1) free of unauthorised building works; (2) in compliance with Government lease conditions; and (3) in

compliance with statutory plan restrictions, otherwise FEHD will not process the application for a licence further;

- (iv) whenever restaurant licensees wish to include an OSA into their licensed premises, they are required to submit application to FEHD by filling in the application form together with four copies of proposed layout cum OSA plan and two copies of 1:1000 location map and photo(s) showing the shop front/external wall facing the OSA for approval. If the application of OSA is acceptable for further processing, FEHD will refer it to the relevant departments such as Buildings Department, Transport Department, Fire Services Department, Planning Department, Home Affairs Department and LandsD for clearance. A Letter of Requirements would be issued if no objection was raised by the departments concerned and the OSA licence will be issued upon full compliance of all the requirements;
- (v) From the restaurant licensing point of view, no shelters other than movable sunshades and the like should be allowed in the OSA. Prior approval and consent must be obtained from the BA under the Buildings Ordinance (Cap. 123) for the construction of awnings or other supporting structures. The main licensing criteria for OSA in respect of Hygiene Requirements are as follows:
 - (1) an OSA should normally be annexed to restaurant premises, i.e. food and beverages need not be conveyed through an intervening public thoroughfare;
 - (2) additional food preparation space and scullery area equivalent to 1/10 of the OSA area should be provided inside the roofed-over restaurant premises;
 - (3) adequate sanitary and ablution facilities should be provided within the roofed-over area of the premises for use by the customers; and
 - (4) area in a backyard/open yard where there are no waste/soil pipes or manholes prejudicing the hygienic operation of the OSA will also be considered;
- (vi) the operation of the eating place must not cause any environmental nuisance to the surrounding. The refuse generated by the eating place are regarded as trade refuse. The management or owner of the Site is responsible for its removal and disposal at their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity; and
- (vii) proper licence issued by FEHD is required if related place of entertainment is involved. Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public Entertainment Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement, a Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment.