

**Relevant Extracts of Town Planning Board Guidelines No. 15A for
‘Application for Eating Place within “Village Type Development” Zone in
Rural Areas under Section 16 of the Town Planning Ordinance’**

The relevant planning criteria for assessing applications include:

- (a) the eating place use should not create 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;
- (b) 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;
- (c) sympathetic consideration may be given if the eating place use would not have adverse impacts on drainage, sewage disposal facilities or fire safety aspects;
- (d) 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 configuration/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;
- (e) 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; and
- (f) all other statutory or non-statutory requirements of relevant government departments should be met.

Previous Application Covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Development(s)/Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TT/44	Pond Filling	11.12.1998

**Similar Applications for Temporary Shop and Services with/without
Public Vehicle Park within the Subject “V” Zone
on the Tai Tong Outline Zoning Plan in the Past Five Years**

Approved Applications

	<u>Application No.</u>	<u>Development(s)/Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TT/533	Temporary Shop and Services for a Period of 3 Years	18.3.2022 [revoked on 18.12.2023]
2	A/YL-TT/547	Temporary Shop and Services for a Period of 3 Years	12.8.2022 [lapsed on 12.8.2025]
3	A/YL-TT/557	Renewal of Planning Approval for Temporary Shop and Services (Local Provision Store with Ancillary Storage Area and Real Estate Agency) for a Period of 3 Years	29.7.2022 [lapsed on 29.7.2025]
4	A/YL-TT/602	Temporary Shop and Services for a Period of 5 Years	11.9.2023
5	A/YL-TT/656	Temporary Shop and Services and Public Vehicle Park for a Period of 3 Years	16.8.2024 [revoked on 16.5.2025]
6	A/YL-TT/657	Temporary Shop and Services and Public Vehicle Park for a Period of 3 Years	14.3.2025
7	A/YL-TT/662	Temporary Shop and Services with Ancillary Facilities for a Period of 5 Years	20.9.2024
8	A/YL-TT/709	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	18.7.2025
9	A/YL-TT/711	Temporary Shop and Services for a Period of 3 Years	1.8.2025
10	A/YL-TT/750	Proposed Temporary Shop and Services for a Period of 3 Years	27.3.2026

Government Bureau/ Departments' General Comments

1. Electric Vehicle Charging

Comments of the Secretary for Environment and Ecology:

- No adverse comment on the application from electric vehicle charging policy perspective.
- Advisory comments as detailed in **Appendix V**.

2. Traffic

Comments of the Chief Highway Engineer/New Territories West, Highways Department:

- No adverse comment on the application from highways maintenance perspective.
- Advisory comments as detailed in **Appendix V**.

3. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- No in-principle objection to the application from the public drainage point of view provided that all existing drains/watercourse should be maintained and the overland flow from adjacent lands should not be affected.
- Should the application be approved, conditions should be stipulated to request the applicant to submit a revised drainage proposal and to implement and maintain the drainage facilities for the proposed use to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- Advisory comments as detailed in **Appendix V**.

4. Fire Safety

Comments of the Director of Fire Services:

- No in-principle objection to the proposal subject to the fire service installations and water supplies for firefighting being provided to the Site.
- Advisory comments as detailed in **Appendix V**.

5. Water Supplies

Comments of the Chief Engineer/Construction, Water Supplies Department:

- No objection to the application.
- Advisory comments as detailed in **Appendix V**.

6. Environment

Comments of the Director of Environmental Protection:

- No objection to the application.
- No environmental complaint concerning the Site has been received in the past three years.
- Advisory comments as detailed in **Appendix V**.

7. Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- No objection to the application.
- Advisory comments as detailed in **Appendix V**.

8. Food and Environmental Hygiene

Comments of the Director of Food and Environmental Hygiene:

- No adverse comment on the application.
- Advisory comments as detailed in **Appendix V**.

9. Electricity Safety

Comments of the Director of Electrical and Mechanical Services:

- No objection to the application.
- Advisory comments as detailed in **Appendix V**.

10. District Officer's Comments

Comment of the District Officer (Yuen Long), Home Affairs Department:

His office has not received any comments on the application from the village representatives in the vicinity of the Site.

11. Other Departments

The following departments have no objection to/no comment on the application:

- Project Manager (West), Civil Engineering and Development Department;
- Director of Agriculture, Fisheries and Conservation; and

- Commissioner of Police.

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) prior planning permission should have been obtained before commencing the proposed use(s) at the Site;
- (c) to note the comments of the Secretary for Environment and Ecology:
 - (i) the Government announced the Green Transformation Roadmap of Public Buses and Taxis in December 2024, including measures to realise the target of introducing about 3,000 electric taxis by end-2027. A comprehensive fast charging network is needed to effectively support the operations of electric taxis and achieve the aforesaid target. In addition, the Government announced the Updated Version of the Hong Kong Roadmap on Popularisation of Electric Vehicles in February 2026, which states that the Government will leverage market forces in the future to build a public charging network with fast chargers as the backbone. In this connection, we recommend that the applicant consider installing some fast chargers with a rated output power of 100kW or higher at the Site and open up a certain number of charging spaces for electric commercial vehicles for use, e.g. electric taxis, electric light goods vehicles;
 - (ii) the applicant is also suggested to consider arranging some of the chargers to also be compatible with Guobiao charging standard to support southbound vehicles; and
 - (iii) it is recommended that the applicant provide charger information, including the real-time availability data of each charger, through the government-designated mobile applications such as “HKeMobility” of the Transport Department. For any queries, please contact the Environmental Protection Department’s (EPD) Electric Vehicle Hotline at 3757-6222 or email to ev@epd.gov.hk;
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lots 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; and
 - (ii) if the planning application is approved, the lot owner(s) shall apply to LandsD for a Short Term Waiver (STW) to permit the structure(s) erected within the said private lot(s). The application(s) for STW will be considered by LandsD in its capacity as a landlord and there is no guarantee that such application(s) will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the proposed uses are temporary in nature, only erection of temporary structure(s) will be considered;
- (e) to note the comments of the Commissioner for Transport that:

sufficient manoeuvring space shall be provided within the Site. No queueing or

reversing of vehicles on public road are allowed;

- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) HyD should not be responsible for the maintenance of any access connecting the Site and Tai Shu Ha Road West;
 - (ii) the applicant should ensure a run-in/out is constructed in accordance with the latest version of HyD Standard Drawings no. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement; and
 - (iii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (g) to note the comments of the Director of Environmental Protection that:
 - (i) to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites” issued by EPD to minimize the potential environmental nuisances on the surrounding area;
 - (ii) to provide adequate supporting infrastructure/ facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use. If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of EPD's ProPECC PN 1/23 including completion of percolation test and certification by Authorized Person;
 - (iii) all wastewater collected from kitchen and washing areas, including that from basins, sinks and floor drains, should be discharged via a grease trap in accordance with the requirements of EPD's ProPECC PN 1/23, including grease trap should be capable of providing at least 20 minutes retention during peak flow as committed in the applicant's justifications;
 - (iv) to follow “Control of Oily Fume and Cooking Odour from Restaurant and Food Business” to minimise oily fume and cooking odour from the restaurant as committed in the applicant's justifications;
 - (v) to arrange licensed collectors to collect the sewage and waste generated from the proposed use regularly as committed in the applicant's justifications; and
 - (vi) it is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances;
- (h) to note the comments of the Director of Fire Services that:
 - (i) the relevant layout plans should be incorporated with the proposed fire service installations (FSIs) to the Fire Services Department for approval;
 - (ii) 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 on the layout plans;
- (iii) licensing requirements, if any, would be formulated upon receipt of the referral from the relevant licensing authority; and
 - (iv) if the proposed structure(s) 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 Engineer/Construction, Water Supplies Department (CE/C, WSD):
- (i) existing water mains will be affected. The cost of any necessary diversion shall be borne by the proposed development;
 - (ii) in case it is not feasible to divert the affected water mains, a waterworks reserve within 1.5 metres from the center line of the water main shall be provided to WSD. No structure shall be built or materials stored within this waterworks reserve. Free access shall be made available at all times for staff of the WSD or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - (iii) no trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main; and
 - (iv) Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site;
- (j) to note the comments of the Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) that:
- (i) figure 3 - the proposal should indicate how the runoff (the flow direction) within the site would be discharged to the proposed u-channel;
 - (ii) figure 3 - please adopt different symbol for different size of u-channel for clarity;
 - (iii) figure 3 - please provide section/connection details of the proposed connection to the existing manholes SMH1012152 and SMH1012154. Please also review if pipe would be more appropriate;
 - (iv) figure 3 - please clarify for the “existing watercourse approx. 25m width”;
 - (v) figure 3 - please review the position of the proposed catchpit CP3.02 on the plan;
 - (vi) figure 5 - please review the existing ground profile to the left hand side of the proposed u-channel (+10.7) in Section B-B, which seems to be higher than +10.7mPD. If affirmative, external catchment shall be considered in the calculation;
 - (vii) figure 5 - please indicate the size of the proposed u-channels;
 - (viii) appendix A - please clarify what the 600UC at SMH1012152 and SMH1012154

refers to and why only catchment A1 is considered. The original catchment served by the existing drainage facility and any additional runoff from the proposed development should be considered in the capacity check;

- (ix) standard details should be provided to indicate the sectional details of the proposed catchpit (e.g. CEDD's standard drawing no. C2405);
 - (x) please confirm if any walls or hoarding are/to be erected or laid along the site boundary. Adequate opening should be provided to intercept the existing overland flow passing through the Site. Please provide its details for comments;
 - (xi) the development should neither obstruct overland flow nor adversely affect existing natural streams village drains, ditches and the adjacent areas etc.
 - (xii) The applicant should resolve any conflict/disagreements with relevant lot owner(s) and seek permission from the DLO/YL, LandsD for laying new drains/channels and/or modifying/upgrading existing ones in other private lots or on Government Land, where required, outside the Site; and
 - (xiii) the applicant is reminded to submit a duly completed Form HBPI together with cheque to DSD for either a technical audit by DSD or self-certification by registered professional at the applicant's cost on the completed connection works. The applicant is also reminded to submit a duly completed declaration form (Form HBP1_CC) and to provide latest approved and certified as-built drainage plans as well as relevant construction records to DSD at least 9 days before each technical audit by DSD. The applicant may refer to DSD Advice Note No.2 — How to make Drainage Connections which is available on DSD's homepage;
- (k) 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 emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - (ii) the Site abuts on a specified street (Tai Shu Ha Road West) of not less than 4.5m wide. Its permitted development intensity shall be determined under the First Schedule of the B(P)R, where no plot ratio/ gross floor area restriction has been stipulated in statutory plans/ approved planning applications;
 - (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 (UBWs) under the BO and should not be designated for any proposed use under the captioned application;
 - (iv) for UBWs erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the Site under the BO;
 - (v) 11 structures are proposed in the application. Before any new building works

(including containers/open shed as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW under the BO. An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO;

- (vi) 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;
 - (vii) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings which are subject to the control of Part VII of the B(P)R; and
 - (viii) detailed checking under the BO will be carried out at building plan submission stage;
- (l) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
- (i) no Food and Environmental Hygiene Department's (FEHD's) facilities shall be affected;
 - (ii) proper licence/permit issued by FEHD is required if there is 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;
 - (iii) under the Food Business Regulation, Cap. 132X, a food business licence is required for the operation of the relevant type of food business listed in the Regulation. For any premises intended to be used for food business (e.g. a restaurant, a food factory, a fresh provision shop), a food business licence from the FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) shall be obtained. The application for licence, if acceptable by the FEHD, will be referred to relevant government departments such as the BD, Fire Services Department and Planning Department 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;
 - (iv) depending on the mode of operation, generally there are several types of food business licence/permits that the operator may apply for under the Food Business Regulation:
 - (a) if food is sold to customers for consumption on the premises, a restaurant licence should be obtained;
 - (b) if food is only prepared for sale for consumption off the premises, a food factory licence should be obtained;
 - (c) if fresh, chilled or frozen beef, mutton, pork, reptiles (including live snake), fish (including live fish) and poultry is sold, a fresh provision

shop licence should be obtained; and

- (d) if milk, frozen confections, non-bottled drinks, cut fruit etc. are to be sold, relevant restricted food permits should be obtained;
 - (v) when choosing a premises, 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. Applicants are strongly advised to check well in advance the following documents: (a) the Government Lease, (b) the Occupation Permit of the building, and (c) the statutory plan. No part of a food premises shall be located in, under or over any structures built without the approval and consent of the BA;
 - (vi) 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 (PPE) 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; and
 - (vii) 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. Also, for any waste generated from such activities/ operation, the applicant should arrange disposal properly at their own expenses; and
- (m) to note the comments of the Director of Electrical and Mechanical Services 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 mentioned document 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.

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主旨: A/YL-TT/792 大棠
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致 城市規劃委員會：

有關上述地區申請建議用途，就擬議臨時商店及服務行業，食肆和公眾停車場一事，本人提出就有關用途，要求申請人具體提出實質用途，究竟是食肆？商店？停車場？或是一籃子都是？就環境，交通，排污，水浸，村民出入安全問題，申請人有沒有提供數據和妥善安排？在未有得到申請人的回覆，希望貴處能暫停批出申請。
謝謝！

受影響的村民敬上
2026 年 6 月 25 日

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寄件者: [REDACTED]
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主旨: A/YL-TT/792 DD 116 Shiu Tsui Lo Wai, Tai Tong

類別: Internet Email

A/YL-TT/792

Lots 4042 and 4043 RP (Part) in D.D. 116, Shiu Tsui Lo Wai, Tai Tong, Yuen Long

Site area: About 6,313sq.m

Zoning: "VTD" 「

Applied use: Shop and Services / Eating Place / 24 Public Vehicle Park

Dear TPB Members,

The site has been used for brownfield for decades with no record of applications. R-Riches specializes in these large lot amalgamations, which are then filled with container adapted services, like that near Kam Sheung Station here it has its offices.

If done properly they can improve the local ambiance but no mention of the provision of toilets, hand washing facilities, etc that would be essential where food preparation is carried out. There is also no indication of how refuse will be handled, etc.

Members fail to bear in mind COVID and the lessons that should have been learned with regard to the need to improve hygiene standards.

Mary Mulvihill