

2022年 10月 6日

收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到

Appendix I of RNTPC
Paper No. A/FLN/31

6 OCT 2022

This document is received on
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Form No. S16-III
表格第 S16-III 號

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE
(CAP.131)**

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to Proposal Only Involving Temporary Use/Development of
Land and/or Building Not Exceeding 3 Years in Rural Areas or Renewal
of Permission for such Temporary Use or Development***

**適用於祇涉及位於鄉郊地區土地上及/或建築物內進行為期不超過三年
的臨時用途/發展或該等臨時用途/發展的許可續期的建議***

*Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.

*其他土地上及/或建築物內的臨時用途/發展(例如位於市區內的臨時用途或發展)及有關該等臨時用途/發展的許可續期，應使用表格第 S16-I 號。

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

"Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made

「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內加上「✓」號

2202451 27/9 by hand

Form No. S16-III 表格第 S16-III 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/FLN/31
	Date Received 收到日期	6 OCT 2022

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會 (下稱「委員會」) 秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輋路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Ho Lam Enterprise Investment Limited

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Land Supreme Surveyors Limited

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Lots Nos. 541 (Portion) and 542 (Portion) in D.D. 51, 280 Shek Wu San Tsuen, Sheung Shui, New Territories
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 267.45 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 164.30 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	..... N/A sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Fanling North Outline Zoning Plan No. S/FLN/2
(e) Land use zone(s) involved 涉及的土地用途地帶	"Government, Institution or Community" - "G/IC" and "Open Space" - "O"
(f) Current use(s) 現時用途	Existing Structures (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 -

- ☐ is the sole "current land owner"¹ (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」¹ (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"¹ (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」¹ (請夾附業權證明文件)。
- ☒ is not a "current land owner"¹.
並不是「現行土地擁有人」¹。

- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"¹.
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」¹。

(b) The applicant 申請人 -

- ☐ has obtained consent(s) of "current land owner(s)"¹.
已取得 名「現行土地擁有人」¹的同意。

Details of consent of "current land owner(s)" ¹ obtained 取得「現行土地擁有人」 ¹ 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上述任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"[#]
已通知 名「現行土地擁有人」[#]。

Details of the "current land owner(s)" [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☒ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)*[&]
於 _____ (日/月/年)向每一名「現行土地擁有人」"郵遞要求同意書"

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)*[&]
於 _____ (日/月/年)在指定報章就申請刊登一次通知[&]

- ☒ posted notice in a prominent position on or near application site/premises on
24/09/2022 (DD/MM/YYYY)*[&]
於 _____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]

- ☒ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on 23/09/2022 (DD/MM/YYYY)*[&]
於 _____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會[&] The Notice dated 22/09/2022 was posted at the Notice Board of Sheung Shui Rural Committee

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號
申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別	
(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B)) (如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)	
(a) Proposed use(s)/development 擬議用途/發展	 (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期	<input type="checkbox"/> year(s) 年 <input type="checkbox"/> month(s) 個月
(c) Development Schedule 發展細節表	
Proposed uncovered land area 擬議露天土地面積	.....sq.m <input type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	.....sq.m <input type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	.....
Proposed domestic floor area 擬議住用樓面面積	.....sq.m <input type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	.....sq.m <input type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	.....sq.m <input type="checkbox"/> About 約
Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明)	
.....	
Proposed number of car parking spaces by types 不同種類停車位的擬議數目	
Private Car Parking Spaces 私家車車位	.....
Motorcycle Parking Spaces 電單車車位	.....
Light Goods Vehicle Parking Spaces 輕型貨車泊車位	.....
Medium Goods Vehicle Parking Spaces 中型貨車泊車位	.....
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	.....
Others (Please Specify) 其他 (請列明)	.....
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目	
Taxi Spaces 的士車位	.....
Coach Spaces 旅遊巴車位	.....
Light Goods Vehicle Spaces 輕型貨車車位	.....
Medium Goods Vehicle Spaces 中型貨車車位	.....
Heavy Goods Vehicle Spaces 重型貨車車位	.....
Others (Please Specify) 其他 (請列明)	.....

Proposed operating hours 擬議營運時間			
.....			
.....			
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤/ 有關建築物?	Yes 是	<input type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用))	
	No 否	<input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input type="checkbox"/>	
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話, 請另頁註明可盡量減少可能出現不良影響的措施, 否則請提供理據/理由。)			
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是	<input type="checkbox"/> Please provide details 請提供詳情	
	No 否	<input type="checkbox"/>	
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是	<input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的細節及/或範圍) <input type="checkbox"/> Diversion of stream 河道改道 <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約	
	No 否	<input type="checkbox"/>	
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	On environment 對環境 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> On traffic 對交通 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> On water supply 對供水 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> On drainage 對排水 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> On slopes 對斜坡 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> Affected by slopes 受斜坡影響 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> Landscape Impact 構成景觀影響 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> Tree Felling 砍伐樹木 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> Visual Impact 構成視覺影響 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> Others (Please Specify) 其他 (請列明) Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> 		

	Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)
.....	
.....	
.....	
.....	
.....	

(B) Renewal of Permission for Temporary Use or Development in Rural Areas 位於鄉郊地區臨時用途/發展的許可續期	
(a) Application number to which the permission relates 與許可有關的申請編號	A/ FLN / 20
(b) Date of approval 獲批給許可的日期	13/12/2019 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	13/12/2022 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	Temporary Shop and Services (Fast Food Shop) for a period of 3 years
(e) Approval conditions 附帶條件	<input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件 <input checked="" type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件 <input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件： Reason(s) for non-compliance: 仍未履行的原因： (Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)
(f) Renewal period sought 要求的續期期間	<input checked="" type="checkbox"/> year(s) 年 3 years <input type="checkbox"/> month(s) 個月

7. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

Please see attached Appendix 1

8. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.

本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature

簽署

Kong Chee Cheung

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

Kong Chee Cheung BSc(Econ)(Hons) LLB(Hons)

Director

Name in Block Letters

姓名 (請以正楷填寫)

Position (if applicable)

職位 (如適用)

Professional Qualification(s) ☒ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 /☐ HKIA 香港建築師學會 /☒ HKIS 香港測量師學會 /☐ HKIE 香港工程師學會 /☐ HKILA 香港園境師學會 /☐ HKIUD 香港城市設計學會☐ RPP 註冊專業規劃師

Others 其他

on behalf of

代表

Land Supreme Surveyors Limited

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及印章 (如適用)

Date 日期

27/09/2022

(DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

(a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and

處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及

(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.

方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第1段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第486章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道333號北角政府合署15樓。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)
(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	Lots Nos. 541 (Portion) and 542 (Portion) in D.D. 51, 280 Shek Wu San Tsuen, Sheung Shui, New Territories		
Site area 地盤面積	267.45	sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地	sq. m 平方米	<input type="checkbox"/> About 約)
Plan 圖則	Approved Fanling North Outline Zoning Plan No. S/FLN/2		
Zoning 地帶	"Government, Institution and Community" - "G/IC" and "Open Space" - "O"		
Type of Application 申請類別	<input type="checkbox"/> Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____ <input checked="" type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <input checked="" type="checkbox"/> Year(s) 年 <u>3</u> <input type="checkbox"/> Month(s) 月 _____		
Applied use/ development 申請用途/發展	Temporary Shop and Services (Fast Food Shop) for a period of 3 years		

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	164.30 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	0.61 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用	Two	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	3.7 m 米 <input checked="" type="checkbox"/> (Not more than 不多於)	
		One Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	6.89 % <input checked="" type="checkbox"/> About 約 *Including 20.09 sq. m of canopies		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____		Nil
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____		Nil

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件

	<u>Chinese</u> 中文	<u>English</u> 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
Reports 報告書		
Planning Statement/Justifications 規劃綱領／理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

Executive Summary

- Application Sites : Lots Nos. 541 (Portion) and 542 (Portion) in D.D. 51, 280 Shek Wu San Tsuen, Sheung Shui, New Territories
- Site Area : 267.45 m² (about)
- Plan : Approved Fanling North Outline Zoning Plan ("OZP") No. S/FLN/2
- Current Zoning :
- | | <u>Zoning</u> |
|--------------------|--|
| Application Site A | "Government, Institution or Community" – "G/IC" |
| Application Site B | Partly "Open Space" – "O" and Partly "Government, Institution or Community" – "G/IC" |
- Application : This is a renewal of approved S.16 Planning Application for Temporary Shop and Services (Fast Food Shop) for 3 years for the sale of take-out food. There are 2 existing one-storey structures with a total floor area of 164.3 m². The operating hours are from 6:30 a.m. to 11:00 p.m., from Monday to Sunday, including public holidays.

行政摘要

- 申請地點 : 新界上水石湖新村 280 號丈量約份第 51 約地段 541(部份)及 542(部份)
- 申請地點面積 : 267.45 平方米 (約)
- 有關法定圖則的名稱及編號 : 粉嶺北分區計劃大綱核准圖編號 S/FLN/2

- 涉及的土地用途地帶 :
- | | <u>地帶</u> |
|--------|-----------------------------|
| 申請地點 A | "政府、機構或社區" |
| 申請地點 B | "休憩用地"(部份) 及 "政府、機構或社區"(部份) |

- 規劃申請 : 申請已批准的 S.16 規劃許可的續期用作臨時商店及服務行業(快餐店), 為期三年, 用作出售外賣食物, 兩申請地點各有一個一層高構築物, 總樓面面積約 164.3 平方米, 營業時間為星期一至日, 每日上午六時三十分至晚上十一時(包括公眾假期)。

Justifications
for Renewal of Approved S.16 Planning Application
for Temporary Shop and Services (Fast Food Shop) for 3 years
Lots Nos. 541 (Portion) and 542 (Portion)
280 Shek Wu San Tsuen, Sheung Shui, New Territories

1. **The Applied Renewal**

S.16 Planning Application No. A/FLN/20 for Temporary Shop and Services (Fast Food Shop) for 3 years for the sale of take-out food was approved by the Town Planning Board on 13 December 2019 subject to approval conditions. The aforesaid Town Planning Board's approval will expire on 13 December 2022. Therefore, renewal for the approved S.16 planning application for the same temporary use for another 3 years is required.

2. **Location**

Application Site A and Application Site B are situate on Lots Nos. 541 (Portion) and 542 (Portion) respectively in D.D. 51, Shek Wu San Tsuen, Sheung Shui, New Territories.

3. **Site Area**

The total area of the Application Sites is approximately 267.45 m² with the breakdown as follows:-

	Site Area - m ² (about)	Floor Area – m ² (about)
Application Site A	132.54	73.59
Application Site B	134.91	90.71
Total	267.45	164.3

4. Development Parameters

(a) There are 2 one-storey existing structures on sites:-

No.	Renewal of Applied Use of Structure	Floor Area – m ² (about)	Height – m (about)	Remarks
Structure A	Fast Food Shop	73.59 m ²	3.3 m	Take-out food only. There are 2 canopies with covered areas of 2.42 m ² and 17.67 m ² respectively, or a total area of 20.09 m ²
Structure B	Fast Food Shop	90.71 m ²	3.7 m	Take-out food only.
	Total	164.3 m ²		

Based on the site conditions, the engineering consultant suggested to reduce the area of the canopy at the northern side of Structure A while to increase the site area in the south so that the site area of Application Site A is reduced by approximately 11.6 m². As a result, the total site area of this renewal is decreased by 4.16%. Please see the Layout Plans at Plans D1 and D2 for details.

(b) Operating Hours

The operating hours of the 2 take-out shops are as follows:-

No.	Applied Use of Structure	Operating Hours - Monday to Sunday, including Public Holidays	Remarks
Structure A	Fast Food Shop	From 6:30 a.m. to 11:00 p.m.	
Structure B	Fast Food Shop	From 6:30 a.m. to 11:00 p.m.	

(c) Planning Gain

There are various residential developments in the vicinity. The applied use supports and facilitates the local people living in the vicinity.

(d) No Adverse Environmental Impacts

The 2 structures are existing ones and are only 1 storey each. It is compatible with the surrounding environment and does not generate any adverse noise, dust or drainage impacts.

5. **Town Planning Zoning**

Application Site A for Structure A falls within an area zoned for “Government, Institution or Community” – “G/IC” on the approved Fanling North Outline Zoning Plan No. S/FLN/2. Application Site B for Structure B is mainly zoned for “Open Space” – “O” while a small part is zoned for “Government, Institution or Community” – “G/IC” on the same OZP.

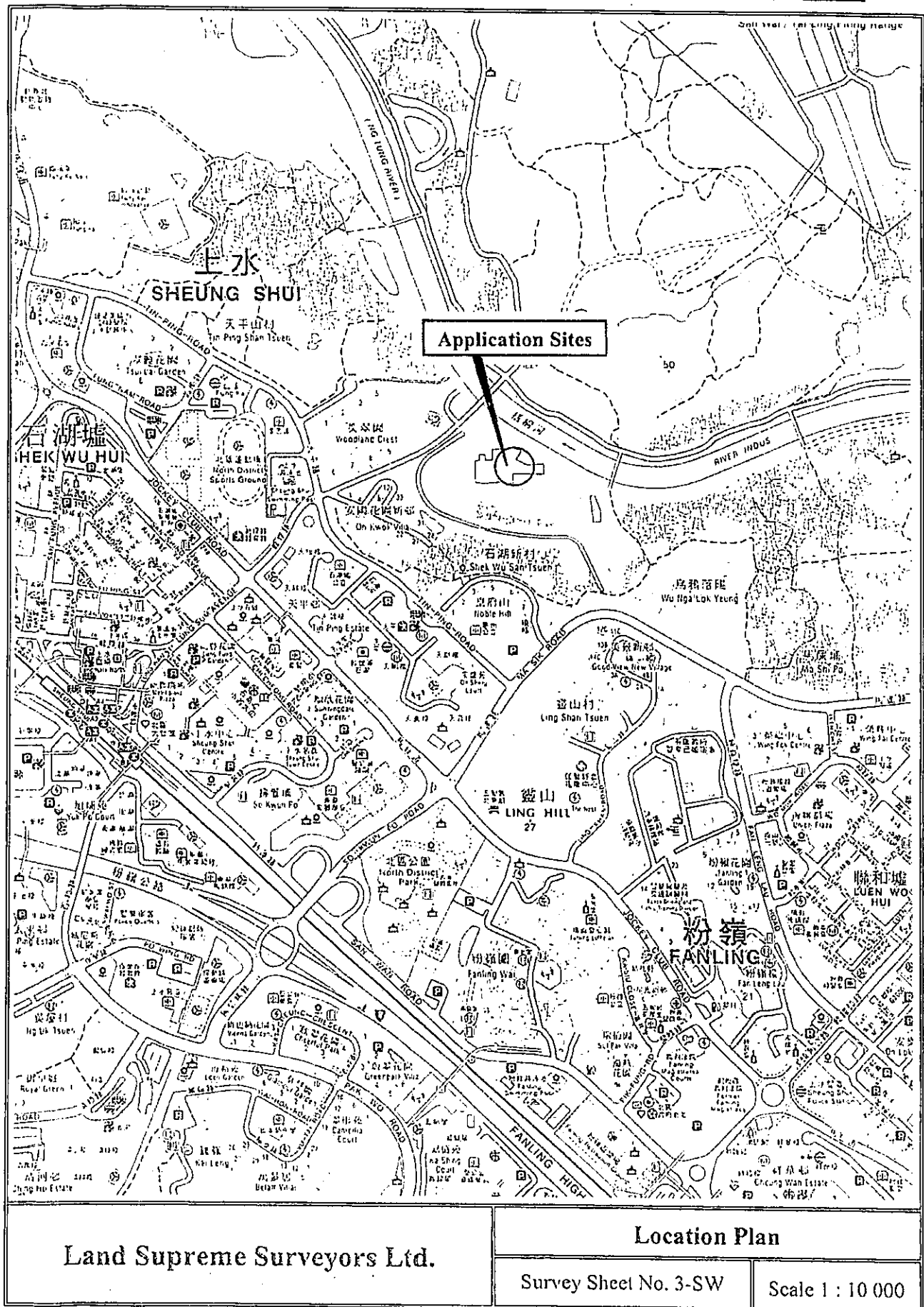
The G/IC zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. “Cooked Food Centre” is permissible as a Column 1 use of the G/IC zone under Eating Place but it has to be operated by the Government. The O zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

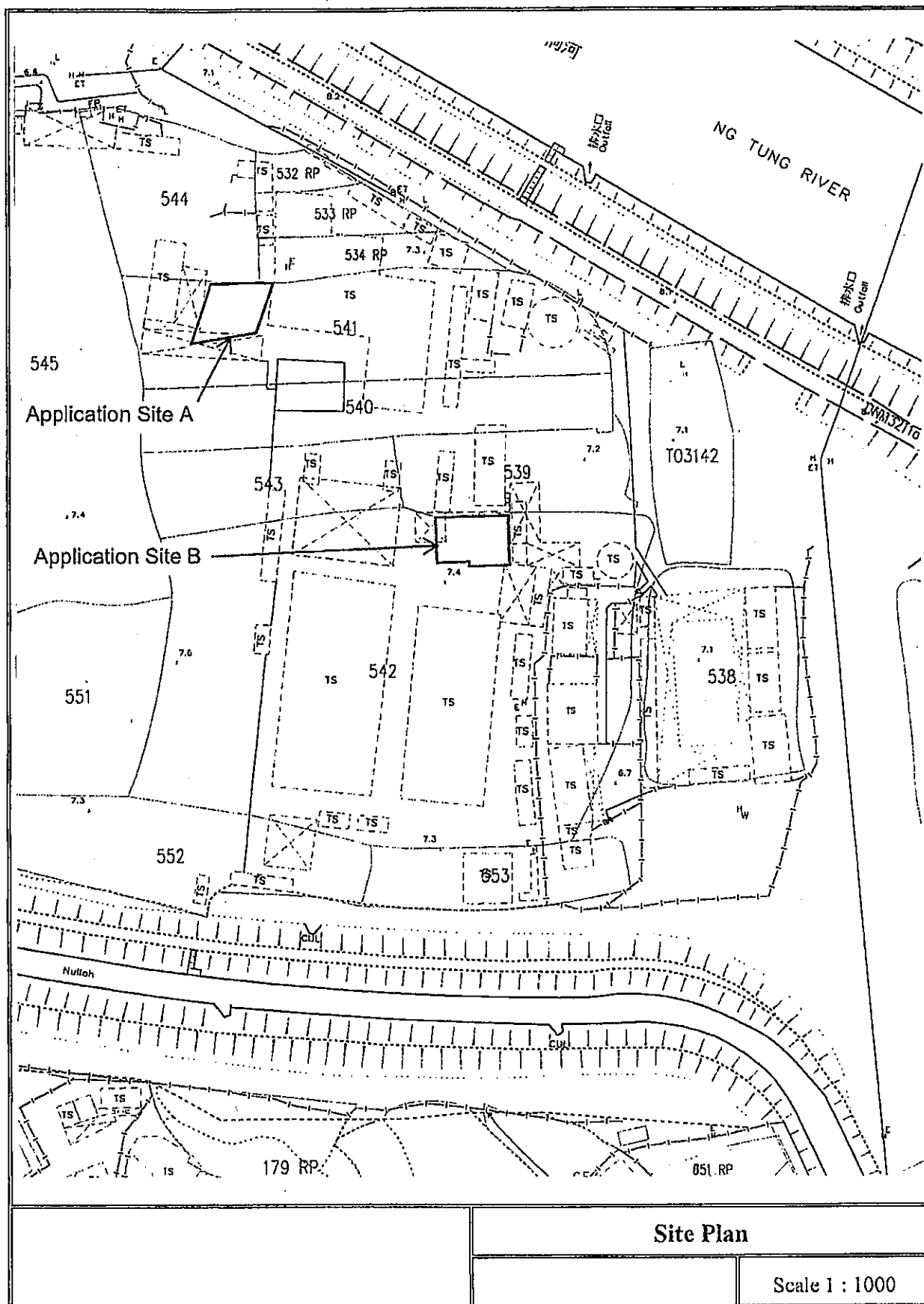
6. **Actions taken by the Applicant after Approval**

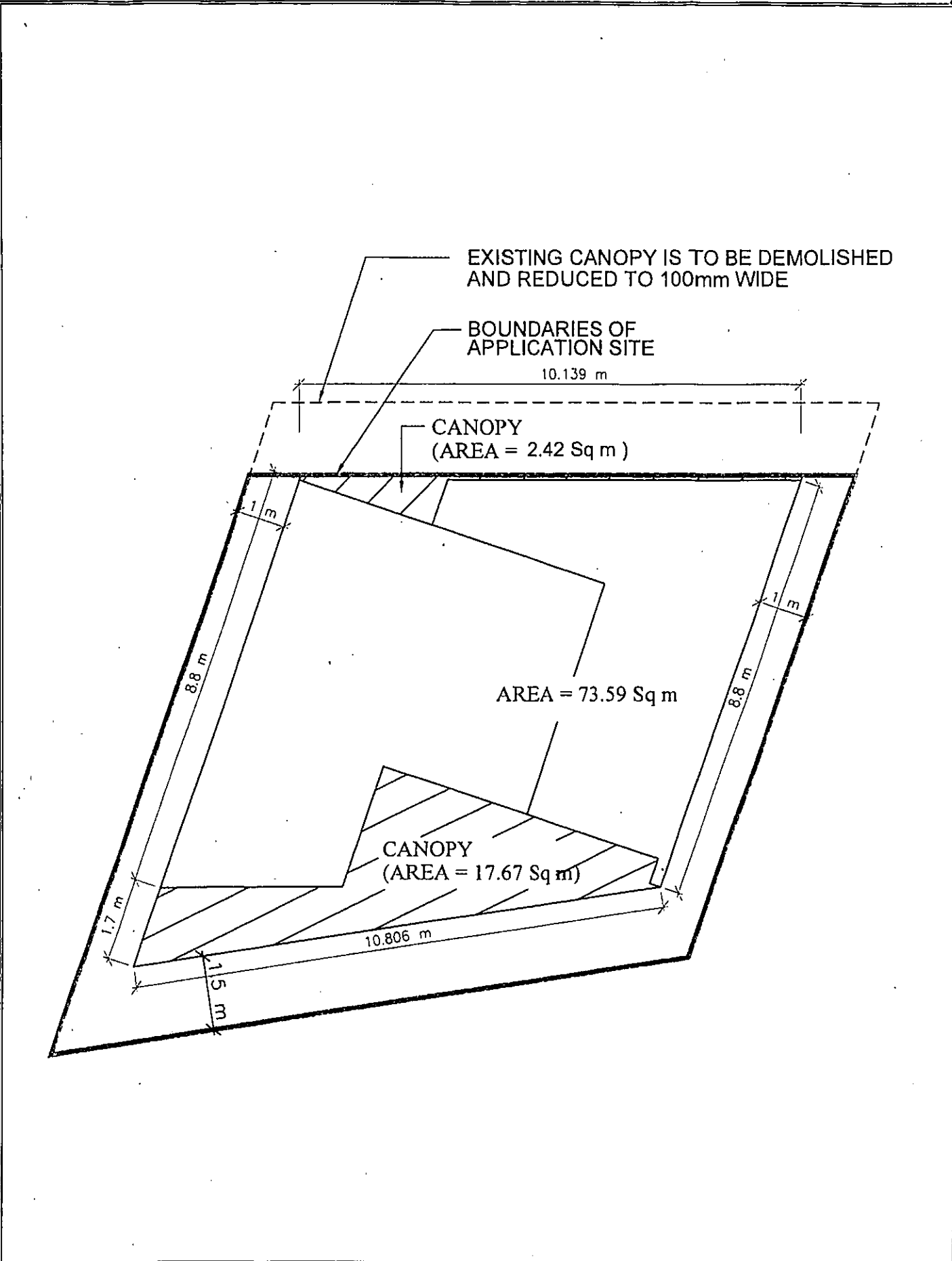
S.16 Planning Application No. A/FLN/20 was approved by the Town Planning Board on 13 December 2019 subject to approval conditions relating to drainage and fire services issues. All the aforesaid conditions were complied eventually.

The Applicant submitted an application to the Food and Environmental Hygiene Department (“FEHD”) for a licence firstly on 21 July 2020 and later on 4 September 2020 so as to open the fast food shop. The applied licence has not yet been issued by FEHD. The Applicant informed that they are still handling the application for the licence with FEHD for the time being. The Applicant also indicated that to facilitate the issuance of the licence by FEHD, they applied to the District Lands Office/North (“DLO/N”) for a short term waiver for the subject Structures A and B on 15 March 2021. However, DLO/N considered that there might be other structures on site. As a result, the issuance of the applied short term waiver is still being handled by DLO/N for the time being. The Applicant informed that they are taking action to resolve the issue with DLO/N.

The subject area is part of the Fanling North New Development Area. The immediate area falls within the Phase of Remaining Works and the area is not likely to be developed in the near future but only until around 2023/2024. As such, the highest and best use of the Application Sites is the current one, i.e. Temporary Shop and Services (Fast Food Shop) for the sale of take-out food in the coming 3 years otherwise the existing sites/structures will remain vacant and cannot serve the residents living in the subject area. The Applicant indicated that they will cease the fast food operation on site when the subject sites are required by the Government to implement the Fanling North NDA project.

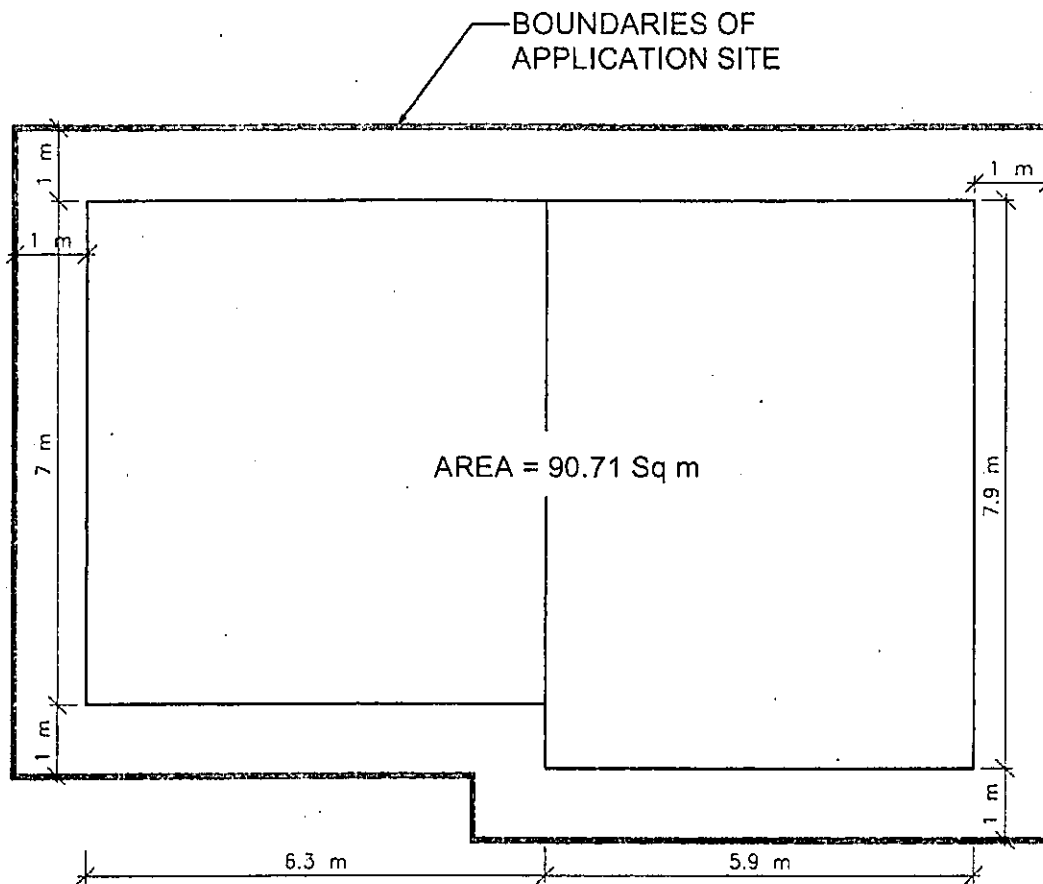






Layout Plan for Structure A

Scale 1 : 100



Our Ref.: (66) in LSS/N/2238

By Email Only

Your Ref.: TPB/A/FLN/31

21 November 2022

The Secretary
Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

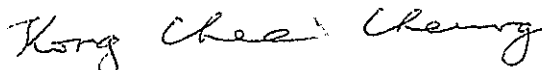
Dear Sir/Madam

**Renewal of Approved S.16 Planning Application for
Temporary Shop and Services (Fast Food Shop) for 3 Years
at Lots Nos. 541 (Portion) and 542 (Portion) in D.D. 51
280 Shek Wu San Tsuen, Sheung Shui, New Territories**

We refer to the above s.16 Planning Application No. A/FLN/31, and attach the Further Information in response to the comments made by District Lands Office, North for your further action on the subject application.

Thank you.

Yours faithfully,
For and on behalf of
Land Supreme Surveyors Limited



Kong Chee Cheung
BSc(Econ)(Hons) LLB(Hons)
MRICS MHKIS RPS(GP)
Director

CCK/jc

Encl.

c.c. DPO/FS and YLE (Attn.: Mr Louis Cheung Ho Wing)

By Email

Responses to Departmental Comments received for
Planning Application No. A/FLN/31

Comments received:		Responses:
1.	<p>From: District Lands Office, North (Contact person: Mr K.L. HO; Tel: 2675 1777)</p>	
1.	The application 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. No right of access via adjoining Government land is granted to the application site.	Noted.
2.	LandsD has reservation on the planning application since there are unauthorized building works on the private lots which are already subject to lease enforcement actions according to case priority. The lots owner should rectify/regularize the lease breaches as demanded by LandsD. The unauthorized building works and breach of lease conditions had <u>not</u> been rectified since last S.16 application (i.e. Oct 2019). There is no valid Short Term Waiver (STW) application being processed by this office.	An application for short term waiver for the subject 2 take-out shops was submitted to District Lands Office, North ("DLO/N") on 24 May 2021. The Applicant informed that they would continue to liaise with DLO/N to rectify/regularise the lease conditions.
3.	Should planning approval be given to the subject planning application, the lots owner will need to apply to this office for a STW to permit the structures erected or regularize any irregularities on site. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structures will be considered. The application will be considered by the LandsD acting in the capacity of the lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, its commencement date would be backdated to the first date of the occupation and it will be subject to such terms and conditions, including among others the payment of fee and administrative fee, as may be imposed by the LandsD.	Noted.

Relevant Extract of Town Planning Board Guidelines on
Renewal of Planning Approval and Extension of Time for Compliance with
Planning Conditions for Temporary Use or Development
(TPB PG-No. 34D)

1. The criteria for assessing applications for renewal of planning approval include:
 - (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
 - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
 - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
 - (d) whether the approval period sought is reasonable; and
 - (e) any other relevant considerations.
2. Under normal circumstances, the approval period for renewal should not be longer than the original validity period of the temporary approval. In general, the Board is unlikely to grant an approval period exceeding three years unless there are strong justifications and the period is allowed for under the relevant statutory plans. Depending on the circumstances of each case, the Board could determine the appropriate approval period, which may be shorter than the time under request.

Previous s.16 Application covering the Sites

Approved Application

Application No.	Uses/Developments	Date of Consideration
A/FLN/20	Proposed Temporary Shop and Services (Fast Food Shop) for a Period of 3 Years	13.12.2019

Similar s.16 Application in the vicinity of the Sites within the same “G/IC” and “O” zones

Rejected Application

Application No.	Uses/Developments	Date of Consideration
A/FLN/22	Proposed Temporary Shop and Services and Place of Entertainment for a Period of 3 Years	3.9.2021 (Rejected on review)

Government Departments' General Comments

1. Traffic

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

- no comment on the planning application from traffic engineering perspective.

Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- no comment on the planning application.

2. Landscape

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no objection to the application from the landscape planning perspective as there is no significant change in the landscape character of the adjacent area since the last approved application, and further significant adverse impact on the existing landscape character and resources within the Sites due to the continuous use is not anticipated.

3. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no comment on the application; and
- should the Town Planning Board consider that the application is acceptable, a condition should be stipulated requiring the applicant the maintenance of the existing drainage facilities on the Sites to his satisfaction.

4. Fire Safety

Comments of the Director of Fire Services (D of FS):

- no objection in principle to the application subject to the existing fire service installations implemented on the Site being maintained in efficient working order at all times.

5. District Officer's Comments

Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

- he has not received any comments from locals upon close of consultation and has no

particular comments on the application.

6. Other Departments

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

- Director of Environmental Protection (DEP);
- Director of Agriculture, Fisheries and Conservation (DAFC);
- Director of Food and Environmental Hygiene Department (DEFH);
- Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- Chief Estate Surveyor/New Development Area, Lands Department (CES/NDA, LandsD);
- Commissioner of Police (C of P);
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- Director of Electrical and Mechanical Service (DEMS).

Recommended Advisory Clauses

- (a) the Sites fall within the Remaining Phase of Kwu Tung North/Fanling North New Development Area project. The Sites may be reverted to the government at any time during the planning approval period for the implementation of government projects.
- (b) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - the Sites comprise 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. No right of access via adjoining Government Land is granted to the Sites; and
 - should planning approval be given to the subject planning application, the lots owner will need to apply to his office for a Short Term Waiver (STW) to permit the structures erected or regularize any irregularities on site. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. The application will be considered by the LandsD acting in the capacity of the lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, its commencement date would be backdated to the first date of the occupation and it will be subject to such terms and conditions, including among others the payment of fee and administrative fee, as may be imposed by the LandsD.
- (c) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that:
 - should the application be approved, the applicant is reminded to perform good site practice so as not to pollute the Ng Tung River to the north of the Sites.
- (d) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
 - for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.
- (e) to note the comments of the Director of Food and Environmental Hygiene Department (DEFH) that:
 - no Food and Environmental Hygiene Department's facilities will be affected;
 - proper licence / permit issued by his Department is required if there is any food business / catering service / activities regulated by the 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 the 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 his Department 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; and

- if the proposal involves any commercial/trading activities, no environmental nuisance should be generated to the surroundings. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses. The applicant should be reminded that the operation of the food business place must not cause any environmental nuisance to the surrounding. The refuse generated by the proposed eating place are regarded as trade refuse. The management or owner of the Sites 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.

(f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:

- if the existing structures are erected on leased land without approval of the Building Authority (BA) (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
- before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Sites, prior approval and consent of the BA should be obtained, otherwise they are unauthorized building works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
- for UBW erected on leased land, enforcement action may be taken by BA to effect their removal in accordance with BD's 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 Sites under the BO;
- the Sites do 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 Building (Planning) Regulations at the building plan submission stage; and
- the Sites 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 respectively.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

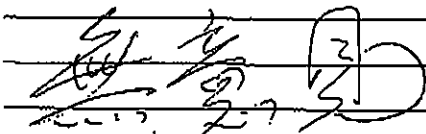
By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates
A/FLN/31

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)



「提意見人」姓名/名稱 Name of person/company making this comment 侯志強

簽署 Signature



日期 Date

21 OCT 2022

