

2023年 6月 3 0日

此文件在 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
申請的日期。

This document is received on 30 JUN 2023.
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 請在適當的方格內上加上「✓」號

2301731

27/6

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/NE-SSH/150
	Date Received 收到日期	30 JUN 2023

- 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 樓及新界沙田上禾輦路 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	
(<input checked="" type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構) YIP Ka Shing 葉家誠	
2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)	
(<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input checked="" type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構) Grandmax 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)	Lot Nos.1046, 1047 and 1051 (Part) in D.D.165 and adjoining Government Land, Tseng Tau Village, Sai Sha Road, Shap Sz Heung, Sai Kung, 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 172 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Gross floor area 總樓面面積 sq.m 平方米 <input type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	22 sq.m 平方米 <input checked="" 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 Shap Sz Heung Outline Zoning Plan No.S/NE-SSH/11
(e) Land use zone(s) involved 涉及的土地用途地帶	Village Type Development
(f) Current use(s) 現時用途	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) (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”^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (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”^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。
- ☒ is not a “current land owner”[#].
並不是「現行土地擁有人」[#]。

- ☐ 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 13/06/2023 (DD/MM/YYYY), this application involves a total of 2 “current land owner(s)”[#].
根據土地註冊處截至 2023 年 6 月 13 日的記錄，這宗申請共牽涉 2 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of “current land owner(s)”[#].
已取得 2 名「現行土地擁有人」[#]的同意。

Details of consent of “current land owner(s)” [#] obtained 取得「現行土地擁有人」 [#] 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. 如上列任何方格的空間不足，請另頁說明)

- ☒ has notified2..... "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)
1	Lot Nos.1046 & 1047 in D.D.165, Tai Po, New Territories	20/06/2023
1	Lot No.1051 in D.D.165, Tai Po, New Territories	20/06/2023

(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
25/06/2023 (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 _____ (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[&]

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☐ year(s) 年☐ 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 ☐About 約Proposed covered land area 擬議有上蓋土地面積sq.m ☐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 ☐About 約Proposed non-domestic floor area 擬議非住用樓面面積sq.m ☐About 約Proposed gross floor area 擬議總樓面面積sq.m ☐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)	
(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／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"/>
		
		

	<p>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)</p> <p>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)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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(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/ <u>NE-SSH</u> / <u>136</u>
(b) Date of approval 獲批給許可的日期	<u>01/09/2020</u> (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	<u>01/09/2023</u> (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years
(e) Approval conditions 附帶條件	<div style="margin-bottom: 10px;"> <input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件 </div> <div style="margin-bottom: 10px;"> <input checked="" type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件 </div> <div style="margin-bottom: 10px;"> <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： _____ _____ _____ </div> <div style="margin-bottom: 10px;"> Reason(s) for non-compliance: 仍未履行的原因： _____ _____ _____ </div> <div> (Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明) </div>
(f) Renewal period sought 要求的續期期間	<div style="margin-bottom: 10px;"> <input checked="" type="checkbox"/> year(s) 年 <u>3 years</u> </div> <div> <input type="checkbox"/> month(s) 個月 </div>

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 refer to the additional sheet attached.

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這宗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

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

Kevin Lau

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 ☒ RICS RPS(GP)

on behalf of
代表

Grandmax Surveyors Limited

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

Date 日期

27/06/2023

(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。

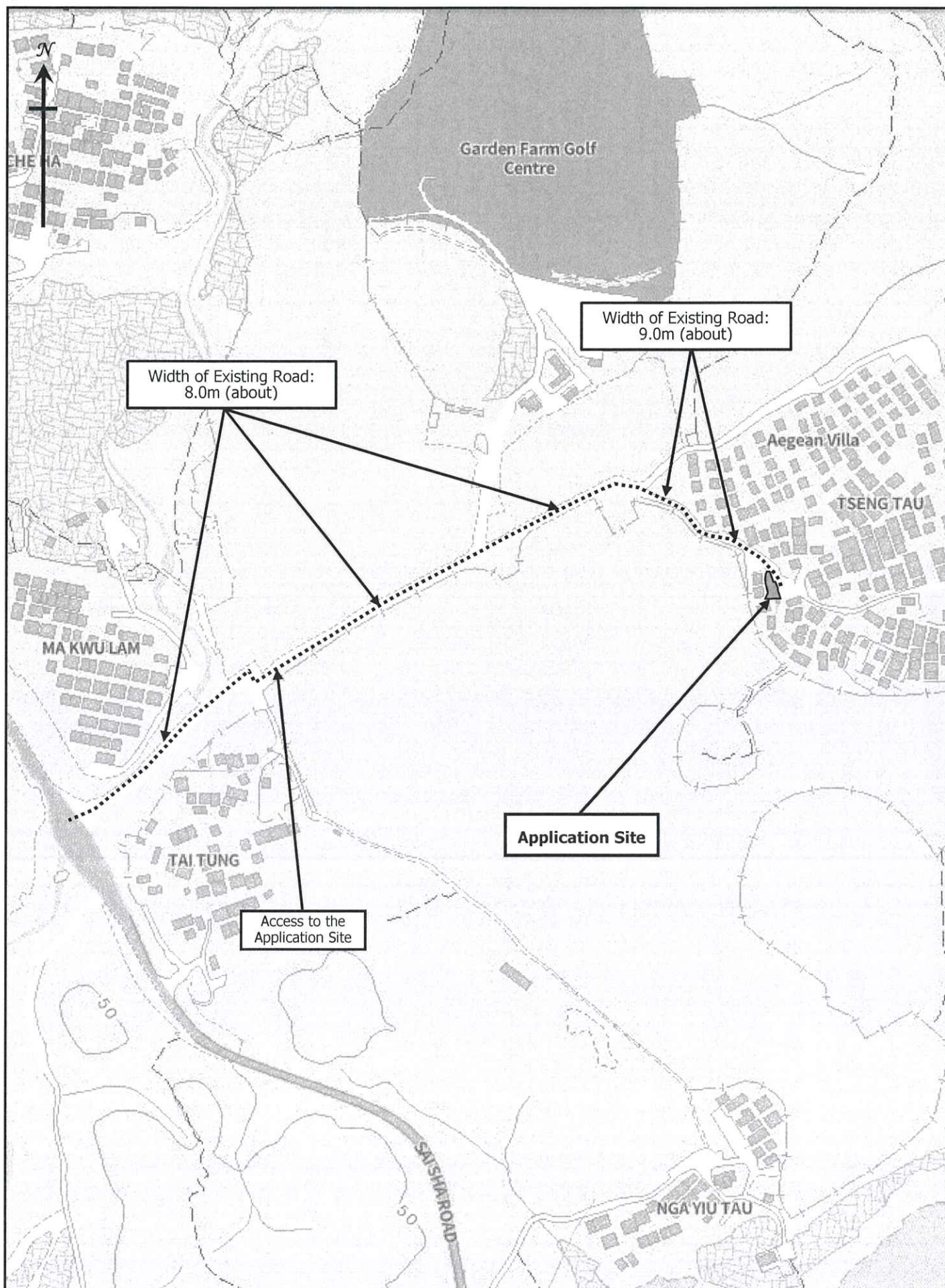
Gist of Application 申請摘要

(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	Lot Nos.1046, 1047 and 1051 (Part) in D.D.165 and adjoining Government Land, Tseng Tau Village, Sai Sha Road, Shap Sz Heung, Sai Kung, New Territories
Site area 地盤面積	172 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 22 sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	Approved Shap Sz Heung Outline Zoning Plan No.S/NE-SSH/11
Zoning 地帶	Village Type Development
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	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Restaurant) 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	<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
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用		
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	<div style="text-align: right;">m 米</div> <input type="checkbox"/> (Not more than 不多於)	
		<div style="text-align: right;">Storeys(s) 層</div> <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	<div style="text-align: right;">m 米</div> <input type="checkbox"/> (Not more than 不多於)	
		<div style="text-align: right;">Storeys(s) 層</div> <input type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	<div style="text-align: right;">%</div> <input type="checkbox"/> About 約		
(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) <hr/> <hr/>		NA NA NA NA NA NA
	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) <hr/> <hr/>		NA NA NA NA NA NA



LOCATION PLAN

Figure 1

Not to Scale



GRANDMAX SURVEYORS LIMITED
俊滙測量師行有限公司



LOT INDEX PLAN

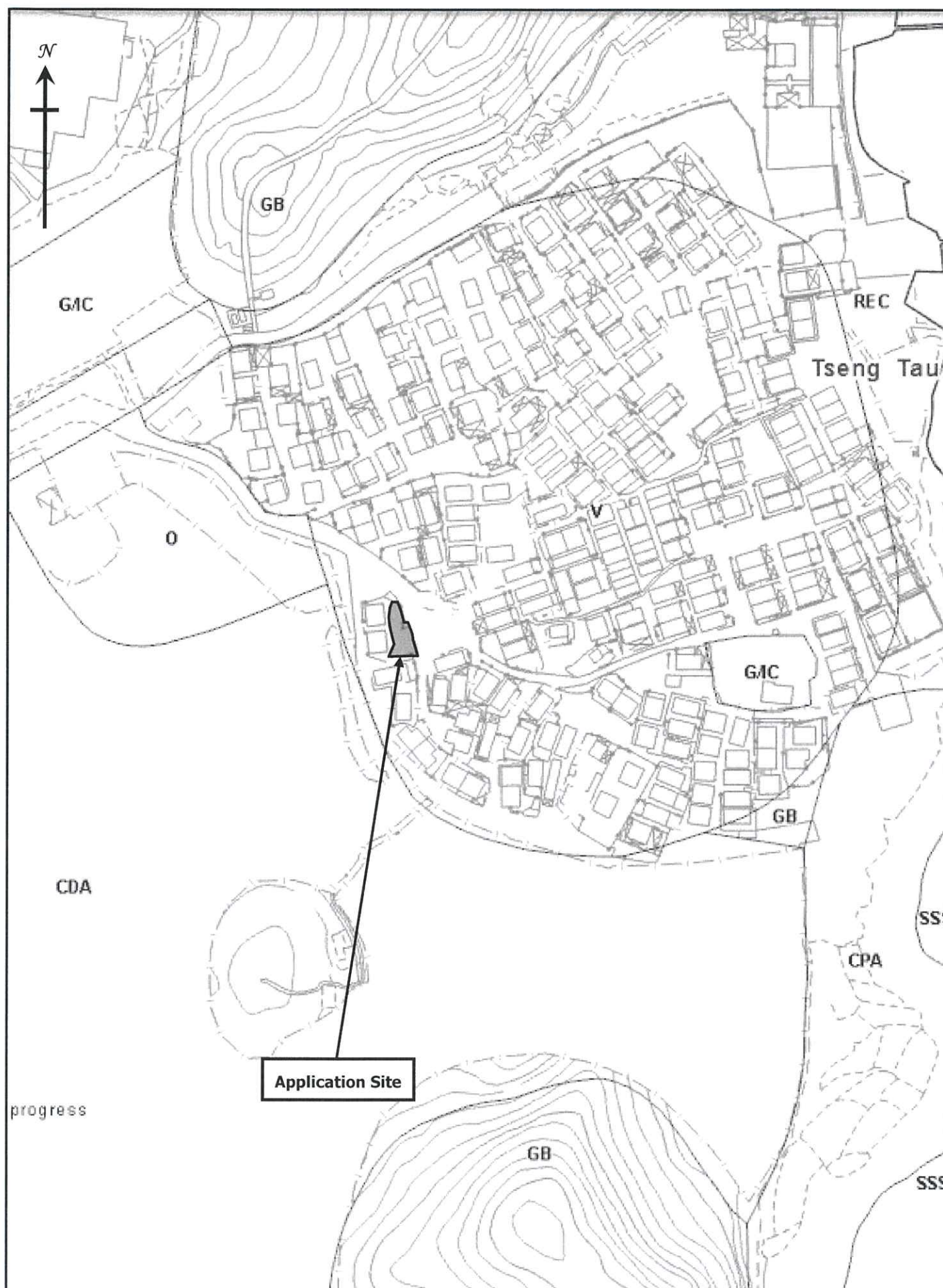
Figure 2

1:1000



GRANDMAX SURVEYORS LIMITED
俊滙測量師行有限公司

WIP Mar 2023



OUTLINE ZONING PLAN

(Extracted from Shap Sz Heung Outline Zoning Plan No. S/NE-SSH/11)

Figure 3

Not to Scale



GRANDMAX SURVEYORS LIMITED
俊滙測量師行有限公司

7. Justifications

The Applicant seeks for a renewal of planning approval for Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a period of 3 years.

Location and Environment

The Application Site is located in the western fringe of Tseng Tau Village. Tseng Tau Village is one of the local villages in Shap Sz Heung, New Territories. The Application Site and Tseung Tau Village are accessible by a road branched off from Sai Sha Road. The surroundings are village environment with New Territories Exempted Houses ("NTEHs").

Site Use and Operation

The Application Site is currently a Temporary Eating Place (Outside Seating Accommodation of a Restaurant) under planning approval no.A/NE-SSH/136 with an site area of 172 sq.m. (about). The outside seating accommodation is attached to the restaurant operated under the tradename "井頭匯" in the ground floor of adjoining NTEH at Nos.83 & 85, Tseng Tau Village. The Applicant is the operator of "井頭匯".

The Outside Seating Accommodation ("OSA") is intended to accommodate a maximum of 80 persons and the operation hours would be 7:00 a.m. to 9:30 p.m. daily.

Previous Approval and Conditions

The Application Site is the subject of planning approvals, viz:

Application No.	Application Site	Applied Use	Approval Date
A/NE-SSH/89	Lot Nos.1046, 1047 and 1051(Part) in D.D. 165 and adjoining Government Land, Tseng Tau Village	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 5 Years	25/4/2014
A/NE-SSH/107	Lot Nos.1046, 1047 and 1051(Part) in D.D. 165 and adjoining Government Land, Tseng Tau Village	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	28/7/2017
A/NE-SSH/136	Lot Nos.1046, 1047 and 1051(Part) in D.D. 165 and adjoining Government Land, Tseng Tau Village	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	1/9/2021

Landscape, drainage and fire services installations proposals and implementations have been approved and completed in the previous planning approvals (as listed above) as approval conditions. They are now all maintained in a good manner in the Application Site, thus there would be no adverse landscape, drainage and fire services impacts concerned.

Strong Local Demands in the Village and Well Operated Restaurant

The restaurant using the Application Site has been in operation over 10 years in the district and have been well demanded in the locality. It is the only restaurant in Tseng Tau and its adjoining villages, visitors are mainly local residents. Thus, the strong demand leads to the restaurant to provide not only indoor but outdoor sitting area for customers.

As most of the customers are local residents, that means most customers access to the Application Site on foot only. Whist there are limited outside visitors, the limited vehicular traffics will be managed by the Tseng Tau Tsuen (Sai Kung) Management Committee. A letter from the Committee regarding the same is attached per **Enclosure 1.**

Conclusion

The proposed renewal is only a temporary development in nature with no adverse impacts and has been a welcomed and demanded use in the locality. In additional, all necessary provision to minimize any possible adverse impacts have all been approved, implemented and maintained in good conditions. We seek for a consideration to approve renewal of the application by Town Planning Board for a period of 3 years.

西貢井頭村村務委員會

新界西貢北十四鄉西沙路井頭村 1E

致：城市規劃委員會

敬啟者：

有關：西貢北約井頭村丈量約份第 165 約地段第 1046 號、
第 1047 號及第 1051 號（部分）和毗連政府土地
規劃許可申請續期—臨時食肆（露天戶外座位區）

本村務委員會對上述申請表示不反對。由於大部分村內之行車通道及泊車用地，屬於私人擁有土地，故於 2009 年 11 月 1 日，本村務委員會各委員於村務會議中，一致通過正式交由本村務委員會，負責管理，包括本村內所有公眾方事務，其職責如下：

- (a) 保持村內所有行車通道暢通無阻；
- (b) 負責村內所有行車通道之維修保養；
- (c) 保持村內專線小巴站交通暢通無阻；
- (d) 安排住戶及訪客泊車位置及秩序；
- (e) 保持公共地方衛生及清潔。

就有關食肆泊車問題，本村務委員會於 2010 年 9 月起，已作出以下安排，本村務委員會村對有關成效，非常滿意：

- (1) 每日由 10:00 am-22:00am，安排職員指揮及管理食肆食客泊車秩序，多年來成績令村民滿意。
- (2) 由本村務委員會管理之範圍內，提供上限 20 個訪客車位，給予有關食肆食客使用。
- (3) 有關食肆位置於小巴 807K 總站旁邊，該路線小巴為大部份食客使用之交通工具，故多年來，本村務委員會並未感受到有泊車問題之壓力。如有疑問，可致電梁正金居民代表；電話 [REDACTED]

多謝貴會對本村事務長期之關注。

鄧碧興
原居民代表

日期：2023 年 6 月 8 日

備註：附頁 (I:)



梁正金

梁正金
居民代表

Relevant Extract 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”
(TPB PG-No. 15A)

The relevant planning criteria for assessing applications include:

- (a) 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;
- (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 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;
- (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.

Relevant Extract of Town Planning Board Guidelines No. 34D 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 relevant assessment 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 the 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 application 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 appropriate approval period, which may be shorter than the time under request.

Previous S.16 Applications

Application No.	Uses/Developments	Date of Consideration	Approved Conditions
A/NE-SSH/89	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 5 Years	13.6.2014	A1 – A6
A/NE-SSH/107	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	28.7.2017	A1, A4 – A8
A/NE-SSH/136	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	1.9.2020 ¹	A1, A5, A8 – A9

Approval Conditions

- A1 No operation between the specified time, as proposed by the applicant
- A2 The submission and implementation of landscape and tree preservation proposals
- A3 The submission and implementation of a drainage proposal
- A4 The submission and implementation of water supplies for firefighting and fire services installations proposal
- A5 Revocation clause
- A6 Reinstatement clause
- A7 Maintenance of existing trees and landscape planting on the application site
- A8 Maintenance of the drainage facilities on the application site
- A9 Maintenance of the fire services installations on the application site

¹ In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 24.7.2020 for consideration of the application has been rescheduled.

Recommended Advisory Clauses

- (a) to note the comments of District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
 - (i) a recent site inspection revealed that an unauthorized fishpond was erected on Lots Nos. 1046 and 1047. The applicant is required to clear the as-built fishpond. Otherwise, enforcement action would be taken against the unauthorized structures according to case priority. Should the Board approve the application, the lot owners are required to submit a Short Term Waiver (“STW”) application to regularize the unauthorized fishpond. Besides, given the applied use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered;
 - (ii) the applicant has submitted a Short Term Tenancy (“STT”) application for the concerned Government land. Upon renewal of the s.16 application approved by the Board, LandsD will continue to consider the STT and STW applications in accordance with the established procedures and guidelines. However, there is no guarantee at this stage that the STT and STW applications would be approved. If the STT/STW application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD including the payment of rental/waiver fee and administrative fee as considered appropriate; and
 - (iii) no trees on any Government land shall be interfered with unless with prior approval of this office or other relevant authorities.
- (b) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) the applicant is reminded to observe and adopt the pollution abatement measures outlined in the General Environmental Guidelines for Outside Seating Accommodation; and
 - (ii) the applicant should have a proper planning and good house-keeping for noisy machines/equipment (such as locating the machine/equipment away from Noise Sensitive Receives (NSRs), use of quiet machine, adopting noise mitigation/silencing measures) to avoid noise nuisances to nearby residents.
- (c) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. Tree removal applications should be submitted direct to LandsD for approval;
- (d) to note the comments of the Director of Food and Environmental Hygiene that:

- (i) the operation of the OSA of a restaurant must not cause any environmental nuisance or obstruction to the surrounding, and the applicant/licensee of the OSA should continue to observe the licensing conditions of OSA at all times;
 - (ii) the refuse generated by the proposed OSA are regarded as trade refuse. The applicant /licensee of the OSA is responsible for its removal and disposal at their expenses; and
 - (iii) the operation of any business should not cause any obstruction or environment nuisance in the vicinity.
- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that:
 - (i) if any existing structures are erected on leased land without approval of the Buildings Department (BD) (not being an NTEH), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
 - (ii) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by the BD to affect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be constructed as an acceptance of any existing building works or UBW on the Site under the BO;
 - (iv) if the applied use under the application is subject to the issue of a licence, the applicant should be reminded that any 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;
 - (v) in connection with (ii) above, the Site shall be provided with the means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 5 and 41D of the Building (Planning) Regulations respectively; and
 - (vi) if the Site does not abut on a specific street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulations at the building plan submission stage.