

This document is received on -7 MAY 2024
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 Regulated Areas,
or Renewal of Permission for such Temporary Use or Development***

**適用於祇涉及位於鄉郊地區或受規管地區土地上及/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.tpb.gov.hk/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.tpb.gov.hk/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

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/NE-TKLW/84
	Date Received 收到日期	- 7 MAY 2024

- 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.tpb.gov.hk/>. 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.tpb.gov.hk/>), 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

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)
Income Mall 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)
LCH Planning & Development Consultants 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)	Demarcation District No. 80 Lot No. 37 (Part)
(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 93 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 93 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) 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 Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/2
(e) Land use zone(s) involved 涉及的土地用途地帶	Recreation
(f) Current use(s) 現時用途	Permitted Campsite Use (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 ...10/03/2024... (DD/MM/YYYY), this application involves a total of1..... "current land owner(s)"^{##}.
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」^{##}。

(b) The applicant 申請人 -

- ☒ has obtained consent(s) of1..... "current land owner(s)"^{##}.
已取得 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)
1	D.D. No. 80 Lot. No.37	11/03/2024

(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 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 _____ (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 or Regulated Areas**

位於鄉郊地區或受規管地區土地上及/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 or Regulated Areas, please proceed to Part (B))

(如屬位於鄉郊地區或受規管地區臨時用途/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	Proposed Temporary Eating Place for a Period of 3 Years (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 checked="" type="checkbox"/> year(s) 年	3
(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 93 Proposed covered land area 擬議有上蓋土地面積sq.m <input checked="" type="checkbox"/> About 約 Proposed number of buildings/structures 擬議建築物／構築物數目 1		
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 93sq.m <input checked="" type="checkbox"/> About 約 Proposed gross floor area 擬議總樓面面積 93sq.m <input checked="" 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) Refer to Planning Statement		
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 24 Hours, including weekdays, weekends and holiday			
(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 checked="" 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)) Lin Ma Hang Road	
	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 checked="" 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 checked="" 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 checked="" type="checkbox"/> On traffic 對交通 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> On water supply 對供水 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> On drainage 對排水 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> On slopes 對斜坡 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Affected by slopes 受斜坡影響 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Landscape Impact 構成景觀影響 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Tree Felling 砍伐樹木 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Visual Impact 構成視覺影響 Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Others (Please Specify) 其他 (請列明) Yes 會 <input type="checkbox"/> No 不會 <input checked="" 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>Not applicable</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 or Regulated Areas 位於鄉郊地區或受規管地區臨時用途/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/ _____ / _____
(b) Date of approval 獲批給許可的日期 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<p><input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件</p> <p><input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件</p> <p><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：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
(f) Renewal period sought 要求的續期期間	<p><input type="checkbox"/> year(s) 年</p> <p><input type="checkbox"/> month(s) 個月</p>

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。

This image shows a full page of white paper with horizontal dotted lines. The lines are evenly spaced and run across the width of the page, providing a guide for handwriting or typing. There are no margins, text, or other markings on the page.

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

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

HO JOSEPH JUNIOR

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

LCH Planning & Development Consultants Limited

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

Date 日期

15/03/2024

(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	Demarcation District No. 80 Lot No. 37 (Part) 丈量約份第80約地段第37號(部分)
Site area 地盤面積	93 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 Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/2 打鼓嶺北分區計劃大綱圖編號S/NE-TKLN/2
Zoning 地帶	Recreation 康樂
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 3 <input type="checkbox"/> Month(s) 月 <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 <input type="checkbox"/> Month(s) 月
Applied use/ development 申請用途/發展	Proposed Temporary Eating Place for a period of 3 years 申請作擬議臨時食肆，為期3年

(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	93 <input checked="" 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 blocks 幢數	Domestic 住用		
	Non-domestic 非住用	1	
(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	About 3.5 m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	100 % <input checked="" 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) _____ _____		
	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) _____ _____		

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 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 checked="" type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>
Land Status Plan 土地類別圖 Extract of Outline Zoning Plan 分區計劃大綱圖摘錄		
Swept Path Analysis 車線分析圖		
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"/>
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。



LCH Planning and Development
Consultants Limited

Our Ref.: PD2402001/04

Your Ref.:

26 April 2024

By Email

Town Planning Board Secretariat
15/F, North Point Government Offices,
333 Java Road,
North Point,
Hong Kong

Dear Sir/Madam,

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE
PROPOSED TEMPORARY EATING PLACE AT DEMARCATION DISTRICT NO. 80
LOT NO. 37 (PART) FOR A PERIOD OF 3 YEARS

We refer to our submission made on 15 March 2024.

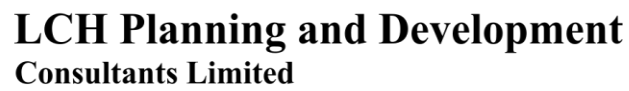
We would like to withdraw our early submission under our ref. PD2402001/03.
Attached our updated planning statement with figures.

Should you require further information or have any query, please feel free to contact the undersigned or Emily Hui at 2586 1737.

Yours faithfully,
For and on behalf of
LCH Planning & Development Consultants Limited

Junior Ho *RPS RPP*
Director

Encl.
c.c. the Applicant



Planning Statement Report

March 2024
Report : Version 1.1



Executive Summary

(in case of discrepancy between English and Chinese versions, English version shall prevail)

This Application is submitted to the Town Planning Board ("**the Board**") under Section 16 of the Town Planning Ordinance ("**the Ordinance**") for a proposed temporary Eating Place for a period of 3 years ("**the Proposed Development**") at Demarcation District No. 80 Lot No. 37 (Part) ("**the Application Site**").

The Application Site falls within an area of "Recreation" ("**REC**") zone on the Approved Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/2 ("**the OZP**"). Upon approval of the Proposed Development, the existing one-storey structure will be converted to temporary eating place purpose. The proposed building height of about 3.5 m and the total floor area is about 93 m².

The Application is critical to support the provision of catering services to the approved camping site. It also echoes Northern Metropolis Action Agenda to support eco-tourism opportunities and the boundary economy of the Heung Yuen Wai Boundary Control Point. The Proposed Development support the long-term planning intention of "**REC**". Similar applications in the "**REC**" zone in the Ta Kwu Ling North area have also been considered and approved. There will be no adverse traffic, visual, landscape, drainage and environmental impacts.

In view of the above justifications, we would sincerely seek the favourable consideration of the Board to approve this Application.



內容摘要

(如內文與其英文版本有差異，則以英文版本為準)

本規劃申請根據《城市規劃條例》第 16 條，就丈量約份第 80 約地段第 37 號的部分地段 (下稱「**申請地點**」) 的用地，向城市規劃委員會 (下稱「**城規會**」) 申請作擬議臨時食肆，為期 3 年 (下稱「**擬議發展**」)。

申請地點現時於《打鼓嶺北分區計劃大綱圖編號 S/NE-TKLN/2》(下稱「**大綱圖**」) 劃作「康樂」地帶。申請獲准後，擬議發展包括將一個一層高的構築物改作為臨時食肆用途。擬議構築物的高度約 3.5 米，總樓面面積約為 93 平方米。

申請對於支持已經批准及營運中的營地可否提供餐飲服務至關重要。申請亦響應北部都會區行動綱領 2023，支持生態旅遊機會以及香園圍邊境管制站附近的邊界經濟發展。擬議發展支持打鼓嶺北「康樂」地帶的長遠規劃意向。而且於打鼓嶺北的「康樂」地帶亦已有不少相關申請曾被批准。擬議發展亦不會對交通、視覺、景觀、排水和環境造成不利影響。

鑒於以上提出的依據，我們真誠地尋求城規會批准該申請。



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1 INTRODUCTION

1.1 The Application

- 1.1.1 We are commissioned by the Applicant to prepare and submit on its behalf this planning application for a proposed temporary 'Eating Place' for a period of 3 years (hereinafter referred to as the "**Proposed Development**") at Lot No. 37 in Demarcation District No. 80 (part) (hereinafter referred to as the "**Application Site**") to the Town Planning Board ("**the Board**") under Section 16 of the Town Planning Ordinance ("**the Ordinance**").
- 1.1.2 The Application Site falls within an area designated as "Recreation" ("**REC**") zone on the Approved Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/2 ("**the OZP**") (**Figure 4**). According to the Notes of the OZP for "REC" zone, 'Eating Place' is a Column 2 use that may be permitted by the Board.
- 1.1.3 According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.



2 THE APPLICATION SITE AND DEVELOPMENT PROPOSAL

2.1 Land Status

- 2.1.1 The Application Site falls within the boundary of Lot No. 37 in Demarcation District No. 80 (part) (**"the Lot"**) (**Figure 3**).
- 2.1.2 The Application Site is subject to a Short Term Waiver No. 1638 dated 7 November 2022 which covers the various lots in D. D. 80 for the purpose of Holiday Comp with associated facilities. According to the Short Term Waiver, the concerned Lots are restricted to a maximum total built-over area of 830.5 sq. m. and a maximum height of 6 m and 2 storeys of the building(s) or structure(s) erected on the Lots.

2.2 Current Condition of the Application Site

- 2.2.1 The Application Site covers an area of about 93 square metres ("sq. m."). There is an existing one-storey structure erected on the Site.
- 2.2.2 The Application Site is attached to two local access road on its north and east which links to unnamed road that eventually connects to Lin Ma Hang Road. The Site is situated at the north of Lin Ma Hang Road and southwest of Pak Fu Shan. Besides, it is located at the northeast of Heung Yuen Wai Boundary Control Point.
- 2.2.3 **Figure 1** illustrates the location of the Application Site and its immediate vicinity, with **Figure 2** illustrates the site plan.

2.3 Park Nature Hillside

- 2.3.1 The Application Site and the surrounding area is operated as a camping site known as 'Park Nature Hillside', which is operated by the Applicant. It is a stylish camping site that provide eco-tourism opportunities in the boundary area.
- 2.3.2 The Application Site is currently designated for campers to cook their meals during their stays in the camping site. The dining area has been designated with store room to serve this area.
- 2.3.3 The campsite operator originally intended to utilize the Application Site as an dining area of the camping site to serve the campers by applying relevant food licences. The kitchen, specifically serving the campers, could be considered as ancillary facilities to the camping site purpose, which is permitted under the "REC" zone. However, the Applicants faced challenges in applying relevant food licences from Food and Environmental Hygiene Department, and hence, to submit this Application in order to obtain relevant food licences.

2.4 Surrounding Context

- 2.4.1 Ta Kwu Ling is a sub-urban area located northern area in the New Territories which is comprised of multiple villages. The predominant land uses are vehicle parking, storage, temporary and domestic structures, as well as



vacant land. Ta Kwu Ling forms one of three new development areas currently being planned for North District, in parallel with Fanling North and Kwu Tung North. Ta Kwu Ling North is positioned to the north of Tsung Yuen Ha Chuen. The area is accessible via Lin Ma Hang Road in Ta Kwu Ling North, which is the major road in Ta Kwu Ling North. The major transportation mode is by bus or minibus, connecting Ta Kwu Ling North to several MTR stations and public minibus terminal.

2.4.2 The Application Site is located at the northern edge of Ta Kwu Ling, with village houses, temporary structures and car parks surrounding the site. Tsung Yuen Ha is situated between the middle and eastern section of Ling Ma Hang Road. Going south along the Ling Ma Hang is Chuk Yuen, and further east is Ha Heung Yuen.

2.4.3 Since the Application Site is entirely situated within the camping site, the ingress/egress to the Application Site would pass through the main gate of the camping site in the Southern tip, connecting to the Lin Ma Hang Road.

2.5 The Proposal

2.5.1 It is proposed to convert the existing structure to a single-storey temporary eating place, and there is no major change on this existing use. The construction of the structure has been completed and is expected to be commenced upon approval of this application.

2.5.2 The structure is comprised of one block structure. The area schedule are summarized as below:

<u>Area Schedule</u>	
No. of Structure	1
Height	About 3.5m
Floor Area	<u>About 93 sq.m.</u> For Eating Place

Refer to **Figure 5** for the indicative layout plan.

2.5.3 The Proposed Development will be managed and operated by the same operator of “Park Nature Hillside”. In addition to accommodating the campers at the adjacent camping site, the kitchen will also open to the public, serving the nearby visitors. To tally with the operation of the camping site, it is intended to operate 24 hours, from Monday to Sunday including public holidays.

2.5.4 **Nevertheless, the current scheme of the Proposed Development is in a smaller development scale as compared to the approved campsite scheme that was submitted during the Short Term Waiver application. The relevant campsite scheme was submitted to various Government Departments for approval of Short Term Waiver No. 1638. The Application Site has been designated for kitchen/ staff quarter/ storage use with about 297 sq.m. floor area already. Upon review by the operator, this Application now propose a smaller floor area for eating place purpose. The only difference is that Proposed Development will accommodate non-campers as well.**



- 2.5.5 The Proposed Development will serve both campers and non-campers. The priority will be given to the registered campers as this is the major purpose of this Application. Thus, the customer base is estimated to consist of a higher proportion of campers compared to non-campers.
- 2.5.6 Since the Proposed Development is situated entirely within the camping site, the staff of the camping site will provide first screening on the non-campers. Besides, the non-campers are not allowed to enter the camping site without permission.
- 2.5.7 Taking into consideration that the single-storey structure on the Application Site will be the sole structure present on the Lot, it satisfies the special conditions of the Short Term Waiver. No modification of the existing Short Term Waiver is expected.

2.6 Existing Transport Services

- 2.6.1 Existing public transport services to the vicinity are shown below:

<u>Mode</u>	<u>Route No.</u>	<u>Origin - Destination</u>	<u>Frequency</u>
Scheduled Green Minibus	59K	Sheung Shui Station Public Minibus Terminus - Chuk Yeun	35 - 45 minutes
	59S	Sheung Shui Station Public Minibus Terminus -Heung Yuen Wai Boundary Control Point (HYWBCP)	25 - 35 minutes
Franchised Bus	B7	Fanling Station - Heung Yuen Wai Port	10 - 20 minutes
	B8	Tai Wai Station - Heung Yuen Wai Port	30 minutes
	B9	Tuen Mun Station - Heung Yuen Wai Port	60 minutes
	79K	Sheung Shui - Ta Kwu Ling (Tsung Yuen Ha)	15-35 minutes

- 2.6.2 It only takes about 5 minutes to walk from the Application site to the HYWBCP, by going through the subway from the bus stop along Lin Ma Hang Road.



3 PLANNING ASSESSMENT

3.1 Statutory Planning Context

- 3.1.1 The Application Site falls within an area designated as “Recreation” (“REC”) zone on the Approved Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/2 (**Figure 3**) (also known as the “OZP”). The planning intention of the “REC” zone is *“intended primarily for low-density recreational developments for the use of the general public”*.
- 3.1.2 According to Notes of “REC” zone of OZP, ‘Eating Place’ is a Column 2 use under “REC” zone. According to the Notes of the OZP, temporary use not exceeding a period of three years within “REC” zone requires planning permission from the Town Planning Board notwithstanding that the use is not provided for in terms of the Plan.
- 3.1.3 Approval of this application on a temporary basis for a period of 3 years would follow the long-term planning intention of the “REC” zone, indeed, would support the provision of low-rise recreational development, which is the existing camping site.

S/NE-TKLN/2	
RECREATION	
Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Animal Boarding Establishment
Barbecue Spot	Broadcasting, Television and/or Film Studio
Field Study/Education/Visitor Centre	Eating Place
Government Use (Police Reporting Centre only)	Flat
Holiday Camp	Golf Course
On-Farm Domestic Structure	Government Refuse Collection Point
Picnic Area	Government Use (not elsewhere specified)
Place of Recreation, Sports or Culture	Helicopter Landing Pad
Public Convenience	Hotel
Rural Committee/Village Office	House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
Tent Camping Ground	Place of Entertainment
	Private Club
	Public Utility Installation
	Public Vehicle Park (excluding container vehicle)
	Religious Institution
	Residential Institution
	Shop and Services
	Theme Park
	Utility Installation for Private Project
	Zoo

(Source: Town Planning Board, HKSAR Government)



S/NE-TKLN/2

RECREATION (cont'd)

Planning Intention

This zone is intended primarily for low-density recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the low-density recreational developments may be permitted subject to planning permission.

Remarks

- (a) No residential development (except 'New Territories Exempted House') shall result in a total development in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

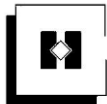
(Source: Town Planning Board, HKSAR Government)

3.2 Similar Approved Applications for Eating Place/ Commercial Use

3.2.1 There are two similar applications for temporary eating place in the vicinity of the Application Site which falls within "REC" zone approved by the Town Planning Board in 2021, which are Application No. A/NE-TKLN/39 and A/NE-TKLN /23.

3.2.2 Application No. A/NE-TKLN/39 is situated on Lin Ma Hang Road at the east of HYWBCP, serving mainly the staff and workers of HYWBCP. Another Application No. A/NE-TKLN/23 is situated at the immediate west of the Application Site, serving only the users within the parent-child play area. The details of the two applications are summarized as follows:

Application No.	A/NE-TKLN/39	A/NE-TKLN/23
Date	28/05/2021	05/02/2021
Applied Use	Proposed Temporary Retail Shop, Canteen and Ancillary Office for a Period of 3 Years	Proposed Temporary Place of Recreation, Sports or Culture (Parent-Child Play Area), Eating Place, Shop and Services for a Period of 5 Years
Site Area	270.5 sq. m.	5,147 sq. m.
Maximum Building Height	3.5 m	6.25 m



Decision	Approved with condition(s) on a temporary basis	Approved with condition(s) on a temporary basis
Expire Date	28/05/2024	05/02/2026

3.2.3 There are also a few planning applications for commercial use in support of the boundary economy, as approved by the Board recently.

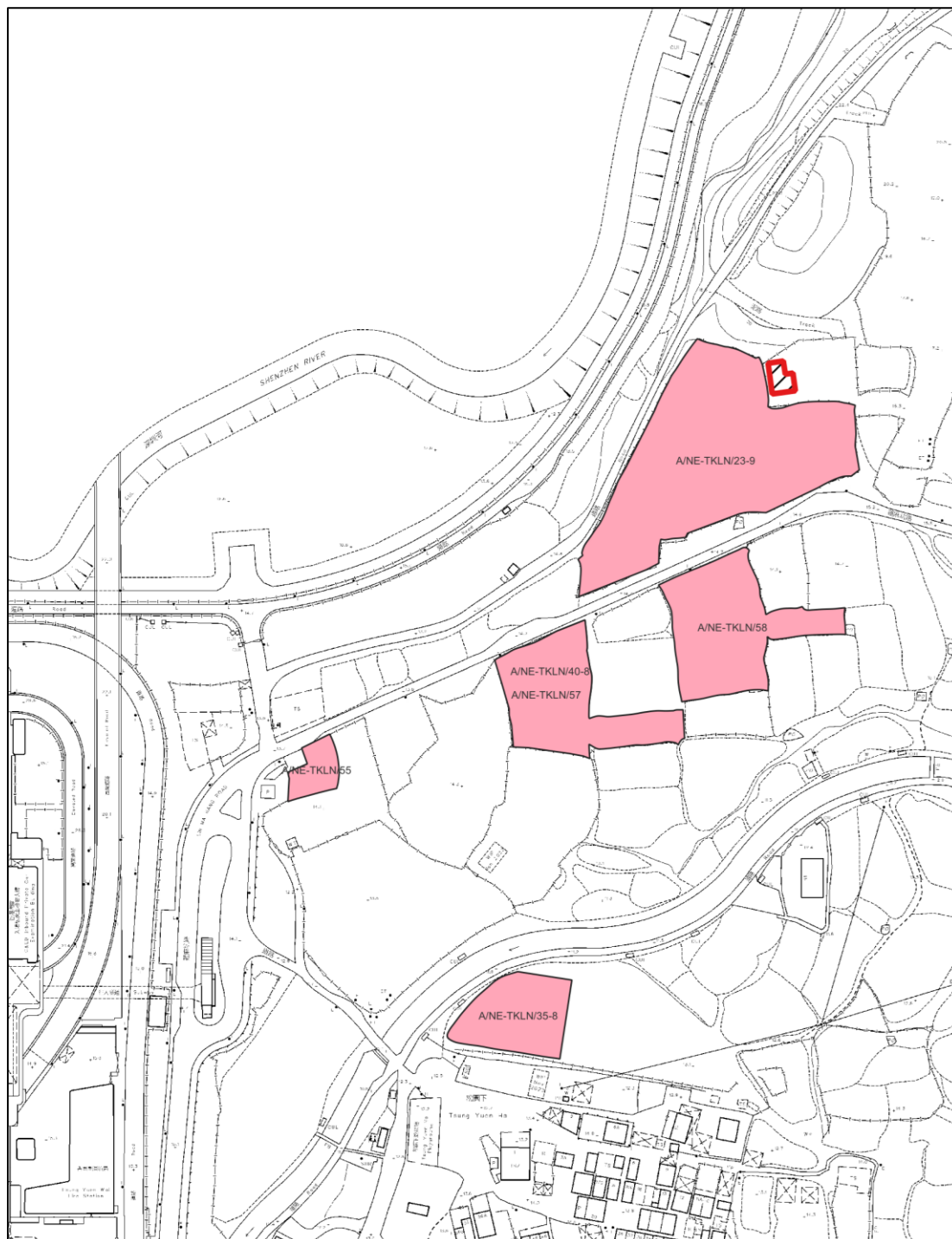


Diagram 1 Approved Commercial Use Applications in the Vicinity (Source: Town Planning Board & HK GEODATA STORE, HKSAR Government)



3.3 Environmental Consideration

- 3.3.1 The Applicant will follow the relevant mitigation measures and requirements in the latest “*Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites*” to minimize any potential environmental impact. No adverse environmental impact is anticipated. Nevertheless, the Applicant will apply relevant food licences which will comply with relevant regulations as well.

3.4 Visual Compatibility

- 3.4.1 The Application Site is situated in area of rural village landscape character which are surrounded by temporary structures and car parks. The proposed kitchen is single storey and has a maximum height of 3.5 m which is compatible with the surrounding use and will not disturb the prevailing rural village landscape character. There is no existing tree within the Application Site.

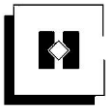
3.5 Drainage Consideration

- 3.5.1 Upon the grant of Short Term Waiver, a drainage proposal was submitted to the Drainage Services Department, and was approved already. Resultant drainage works has been conducted in regards to the approved drainage proposal.
- 3.5.2 There is no substantial change in the campsite development proposal submitted for the approval of Short Term Waiver as compared to the Proposed Development, there should be no drainage impact from this planning application upon the implementation of the approved drainage proposal.

3.6 Traffic Consideration

- 3.6.1 The comprehensive transport system in the nearby HYWBCP increase the accessibility of the Application Site. It is expected that the potential visitors without a car would access the Application Site by public transport from the HYWBCP.
- 3.6.2 For the cross-boundary travellers transiting with their vehicles, they would park their vehicles in the surrounding public vehicle parks which provide at least 190 car parking spaces, or else in the carpark of the HYWBCP. The planning applications of the public vehicle parks in the vicinity approved by Town Planning Board in the past years are summarized as follows:

Application No.	Approval Date	Total No. of Vehicles Parking Spaces Provided
A/NE-TKLN/45	29/07/2022	42
A/NE-TKLN/53	23/06/2023	69
A/NE-TKLN/57	22/09/2023	24
A/NE-TKLN/58	22/09/2023	26
A/NE-TKLN/67	27/10/2023	18
A/NE-TKLN/70	27/10/2023	11



- 3.6.3 The traffic trips of the cross-boundary travellers have already been reflected in the approved planning applications for public vehicle parks. It is anticipated that no traffic trips for cross-boundary travellers would be generated nor attracted due to the Proposed Development.
- 3.6.4 As the Proposed Development aims to mainly serve the nearby campers, their traffic trips have been considered and reflected during the grant of the concerned Short Term Waiver.

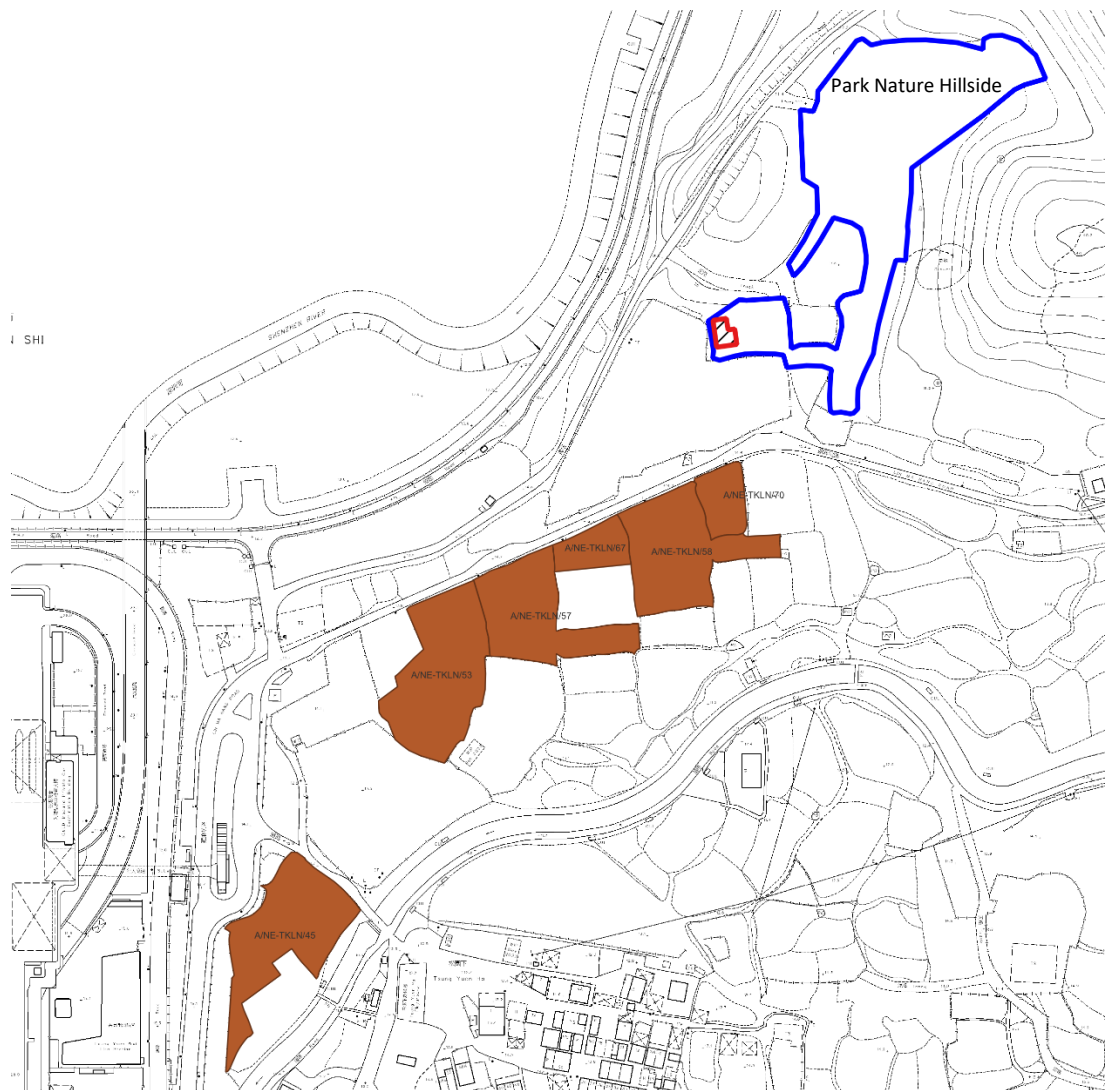


Diagram 2 Approved Public Vehicle Parks in the Vicinity (Source: Town Planning Board & HK GEODATA STORE, HKSAR Government)

- 3.6.5 There is no additional loading/ unloading bay to serve the Proposed Development. The Proposed Development will utilize the existing loading/ unloading bay as provided under the camping site only. Relevant swept path analysis is at **Figure 6**.



4 PLANNING MERITS & JUSTIFICATIONS

4.1 Prerequisite to Provide Catering Service to the Campers

- 4.1.1 Currently, the Applicant could not provide kitchen services to its customers, which is not satisfactory in the recreational facilities. This Application is critical to provide normal catering service to the campers of Park Nature Hillside. With the approval of this Application, the Applicant can then apply relevant food licences from the Food and Environmental Hygiene Department.

4.2 Moderate Needs of the Cross-boundary Travellers

- 4.2.1 In addition to serving the campers on the adjacent camping site, the Proposed Development could also cater minor needs of cross-boundary travellers. Due to the resumption of normal travel in the post-pandemic era and the increasing cooperation and development between Hong Kong and Mainland China, there is a rising demand for dining options and accessible eateries in the vicinity.

4.3 Echo with Northern Metropolis Action Agenda 2023

- 4.3.1 The Proposed Development shall strengthen the eco-tourism opportunities as promoted in the Northern Metropolis Action Agenda. Besides, catering the needs of the cross-boundary travellers also support the boundary economy. Currently there is no particular supporting facilities in the vicinity of the HYWBCP. The Proposed Development can support the development of the Boundary Commerce and Industry Zone as detailed in the Northern Metropolis Action Agenda 2023. Thus, this application demonstrates significant planning merit.

4.4 Convenient Location for Eating Place

- 4.4.1 The Application Site is located in a convenient location which is situated within 5 minutes walking distance to the HYWBCP and the approved public vehicle parks. The cross-boundary travellers can easily walk to the HYWBCP via the underground tunnel.
- 4.4.2 There is also a public transport interchange for franchised buses, green minibuses and taxis in HYWBCP, and numerous vehicle parks in the vicinity. The high accessibility and availability of these transport options provide flexibility for visitors to convenient rest and enjoy a meal at the proposed canteen.

4.5 Support the Long-term Planning Intention

- 4.5.1 Approval of the application on a temporary basis for a period of 3 years would not jeopardize the long-term planning intention of the "REC" zone. With respect to the OZP, the Application Site is designated for recreational purposes as it has low environmental and scenic values. As the Application Site is currently used as an ancillary outdoor cooking/ dining area of the adjacent camping site, this Application will not change the existing use of the



Application Site while optimizing the use of land resources which is compatible with the surrounding environment.

4.6 Supported by Previous Planning Approvals of Similar Applications

4.6.1 Planning context has substantially changed upon the full commission of HYWBCP. There were two similar applications of temporary eating within the same "REC" zone in the Ta Kwu Ling North area approved with conditions by the Committee in the recent years. Besides, temporary commercial use like shop and services are supported by the Board as well. Therefore, with the support of previous project approvals under similar circumstances, the proposed temporary eating place is not inconsistent with the surrounding land uses and it is unlikely to generate adverse impacts to the surrounding area.

4.7 Compatible with the Surrounding Development with No Adverse Visual and Landscape Impact

4.7.1 The temporary eating place and is visually compatible with the surrounding environment as well as the camping site. No tree felling is anticipated. There is no change to the rural village landscape character as well. No adverse visual and landscape impact is anticipated.

4.8 No Adverse Traffic Impact

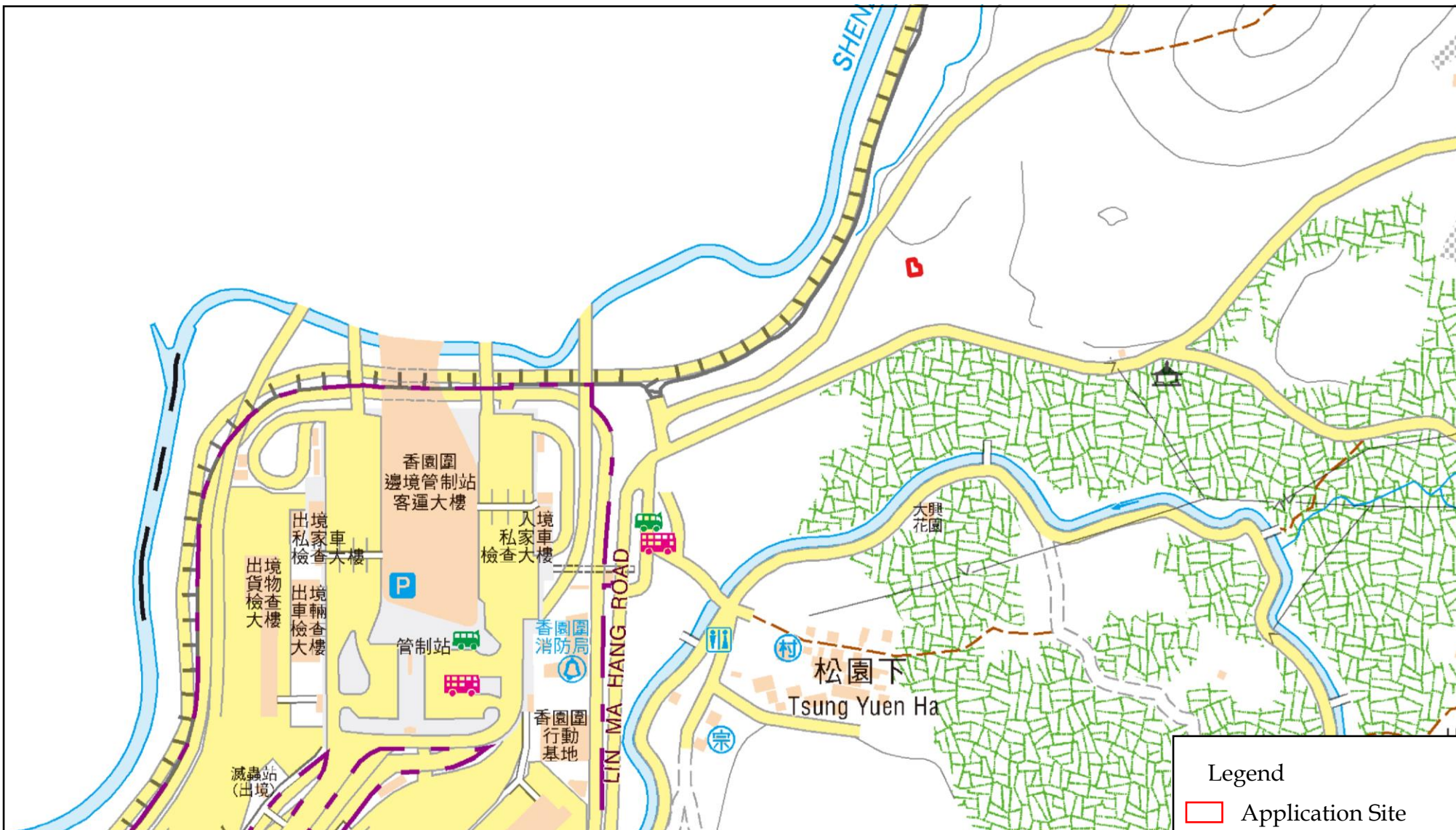
4.8.1 The proposed temporary eating place will not incur adverse traffic impact. No traffic trip is expected to be generated from the cross-boundary travellers as they will park their vehicles in the surrounding public vehicle parks. The campers' traffic generation have been addressed upon the approval of the Short Term Waiver already. The existing loading and unloading bay of the camping site will be utilized by the Proposed Development as well. Therefore, it is expected that there will not be significant negative impacts regarding the traffic network of the area concerned.

4.9 No Adverse Environmental Impact

4.9.1 The latest "Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses" issued by Environmental Protection Department will also be followed. Therefore, there will not be adverse environment impacts including noise and air quality.

4.10 No Adverse Drainage Impact

4.10.1 The approved drainage proposal of the camping site is under implementation. With no material change in the development context, no adverse drainage impact is anticipated.



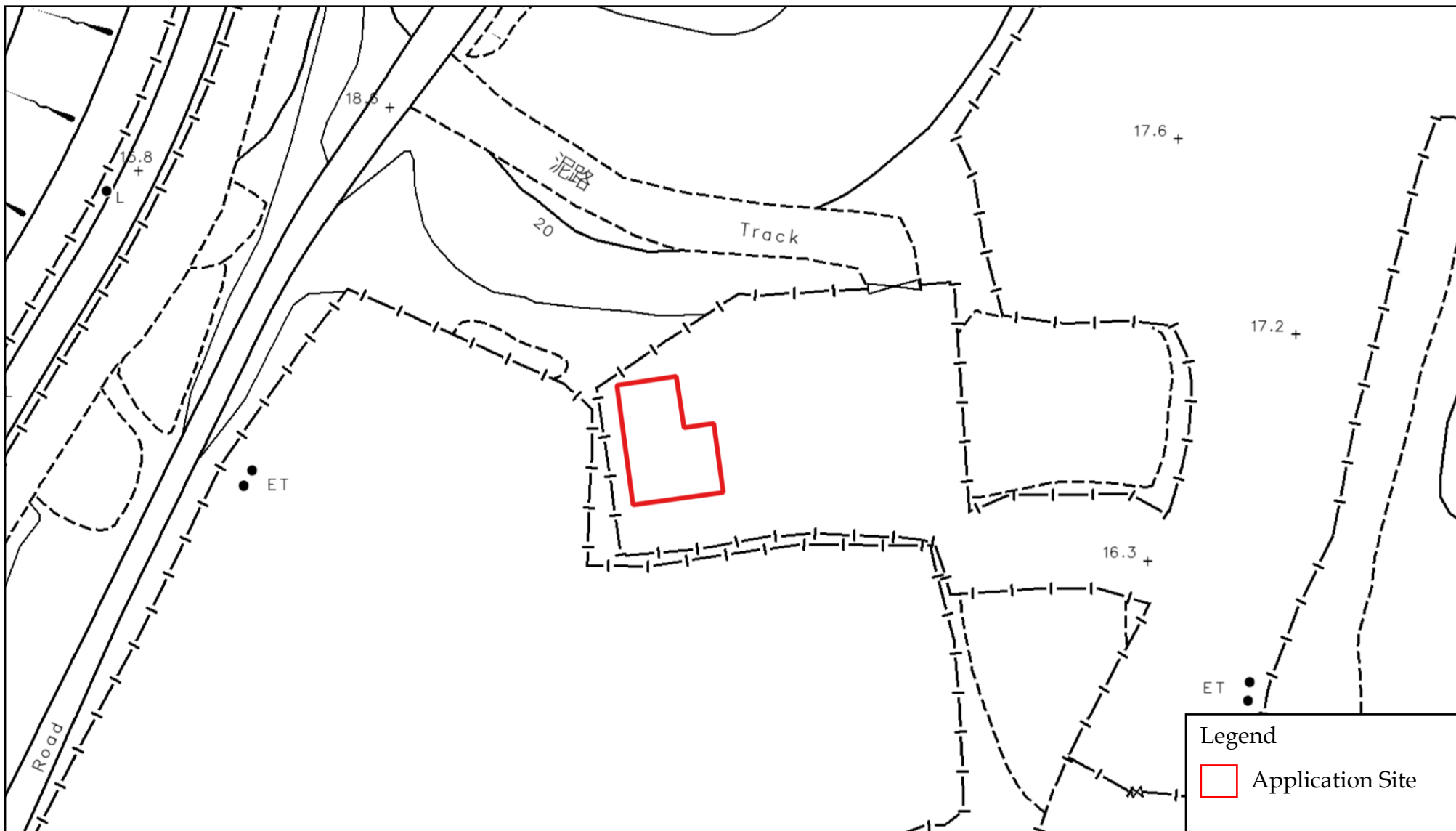
**LCH Planning and Development
Consultants Limited**

Figure 1 : Location Plan

(For reference only. Not to scale.)

Section 16 Application for Proposed Temporary Eating Place at
Demarcation District No. 80 Lot No. 37 (Part) for a period of 3 Years

(Source: HK GEODATA STORE, HKSAR Government)



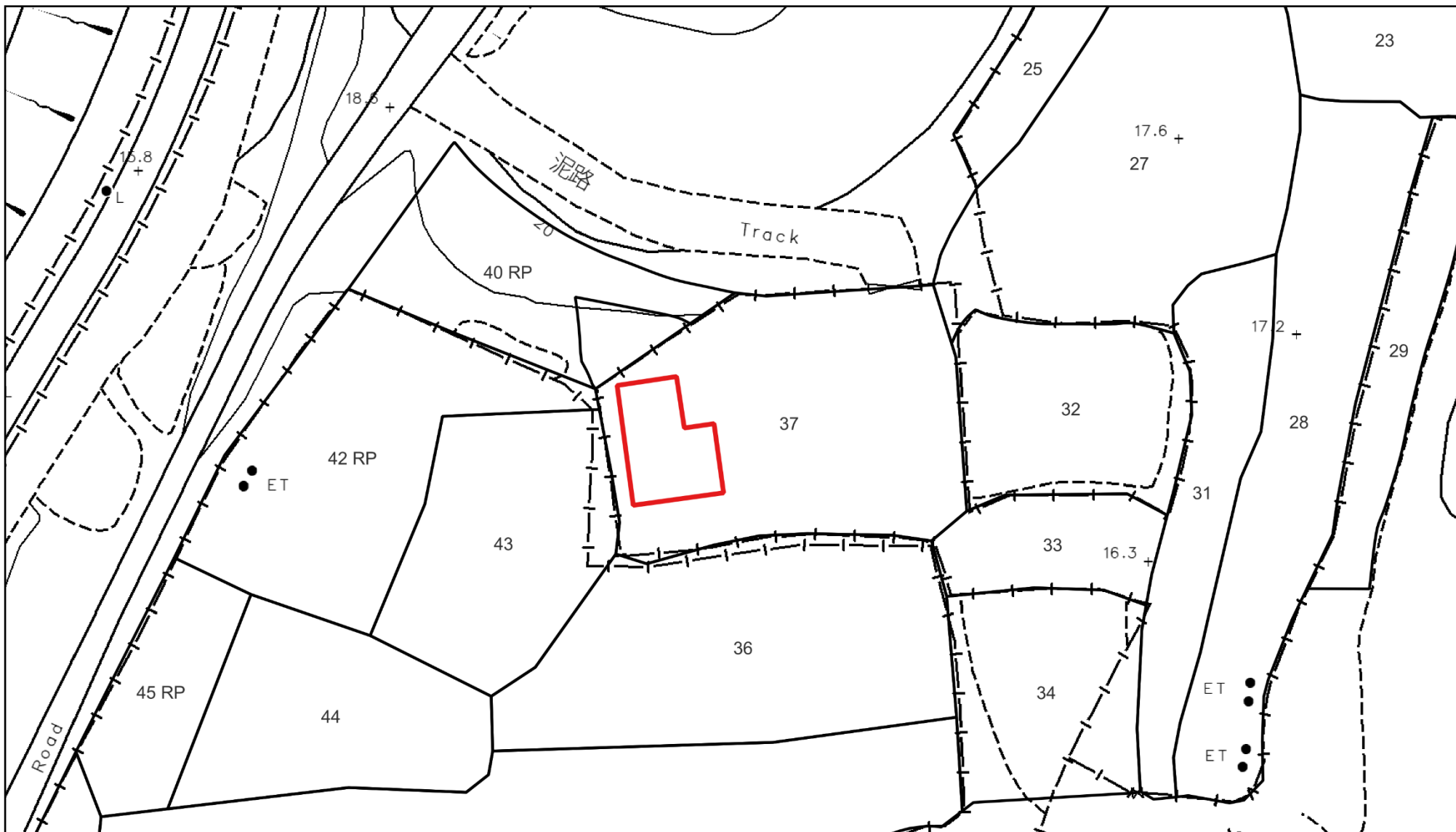
**LCH Planning and Development
Consultants Limited**

Figure 2 : Site Plan

(For reference only. Not to scale.)

Section 16 Application for Proposed Temporary Eating Place at
Demarcation District No. 80 Lot No. 37 (Part) for a period of 3 Years

(Source: HK GEODATA STORE, HKSAR Government)



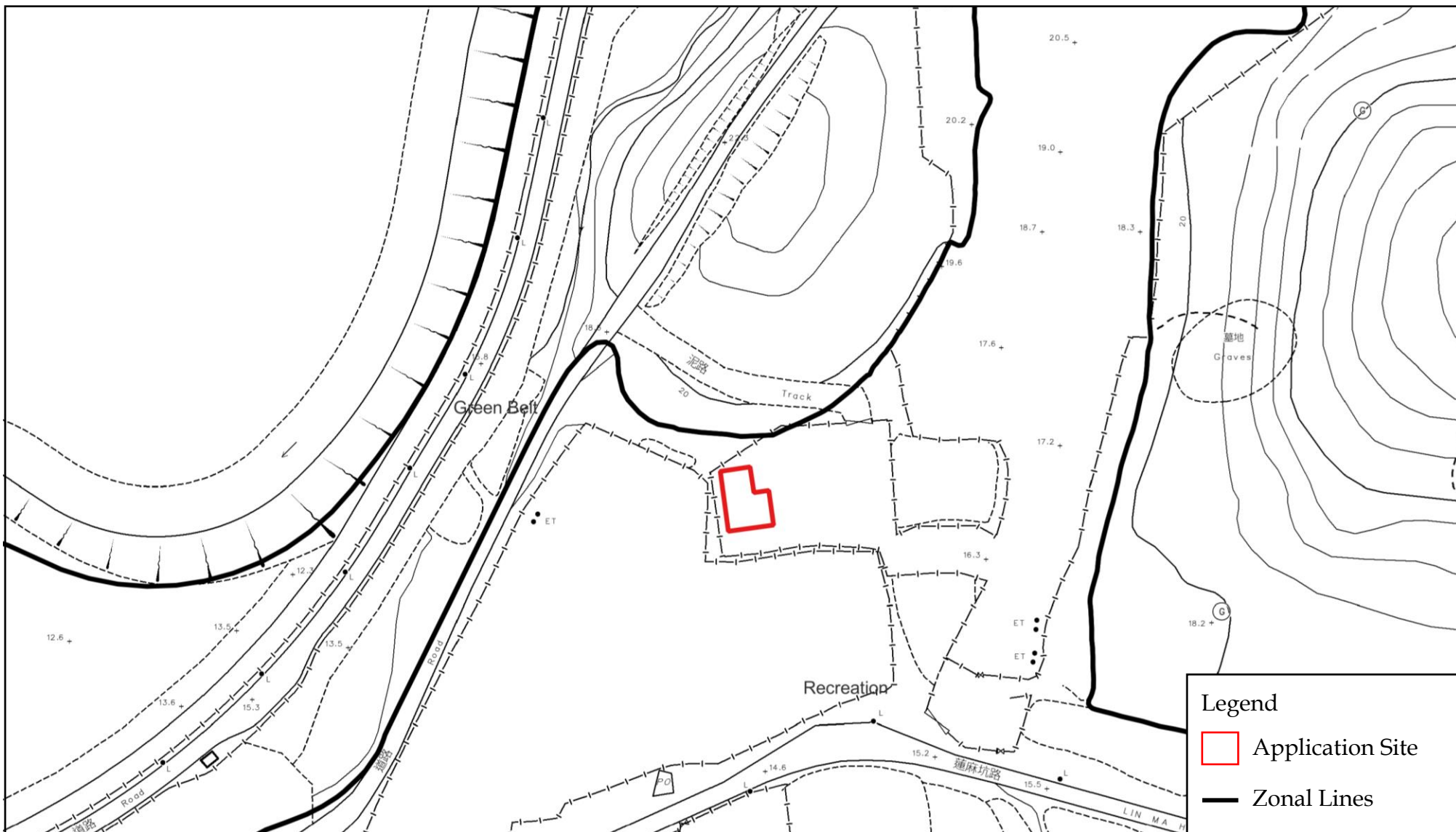
**LCH Planning and Development
Consultants Limited**

Figure 3 : Land Status

(For reference only. Not to scale.)

Section 16 Application for Proposed Temporary Eating Place at
Demarcation District No. 80 Lot No. 37 (Part) for a period of 3 Years

(Source: HK GEODATA STORE, HKSAR Government)



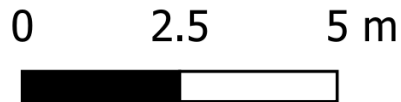
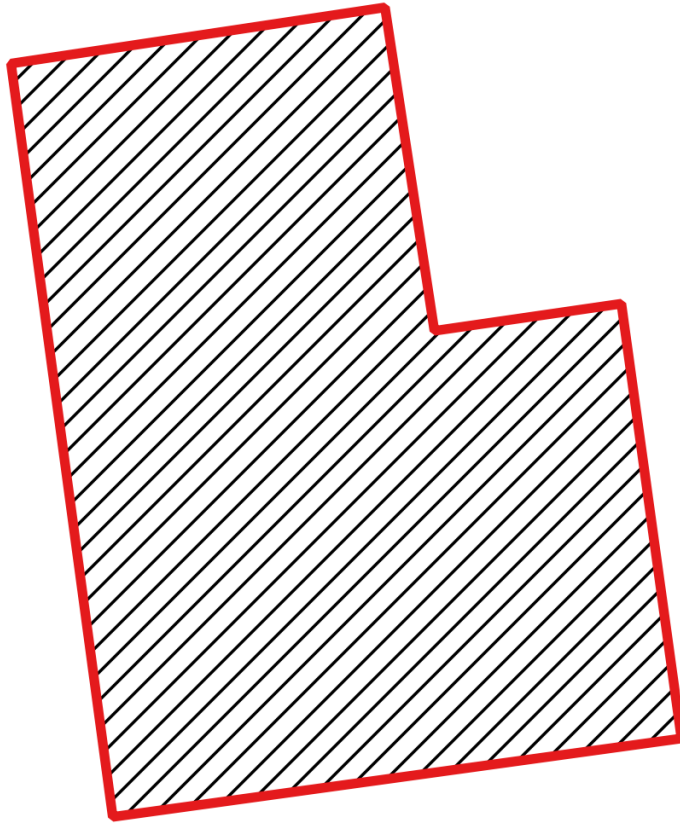
**LCH Planning and Development
Consultants Limited**

Figure 4 : Extract of OZP

(For reference only. Not to scale.)

**Section 16 Application for Proposed Temporary Eating Place at
Demarcation District No. 80 Lot No. 37 (Part) for a period of 3 Years**

(Source: HK GEODATA STORE & Town Planning Board, HKSAR Government)



<u>Storey</u>	<u>Area (sq.m.)</u>	<u>Proposed Usage</u>
1	93	Eating Place

Note: Structure with a height of about 3.5 m

Total Site Area: About 93 sq.m.
Covered Area: About 93 sq.m.

Legend

 Application Site

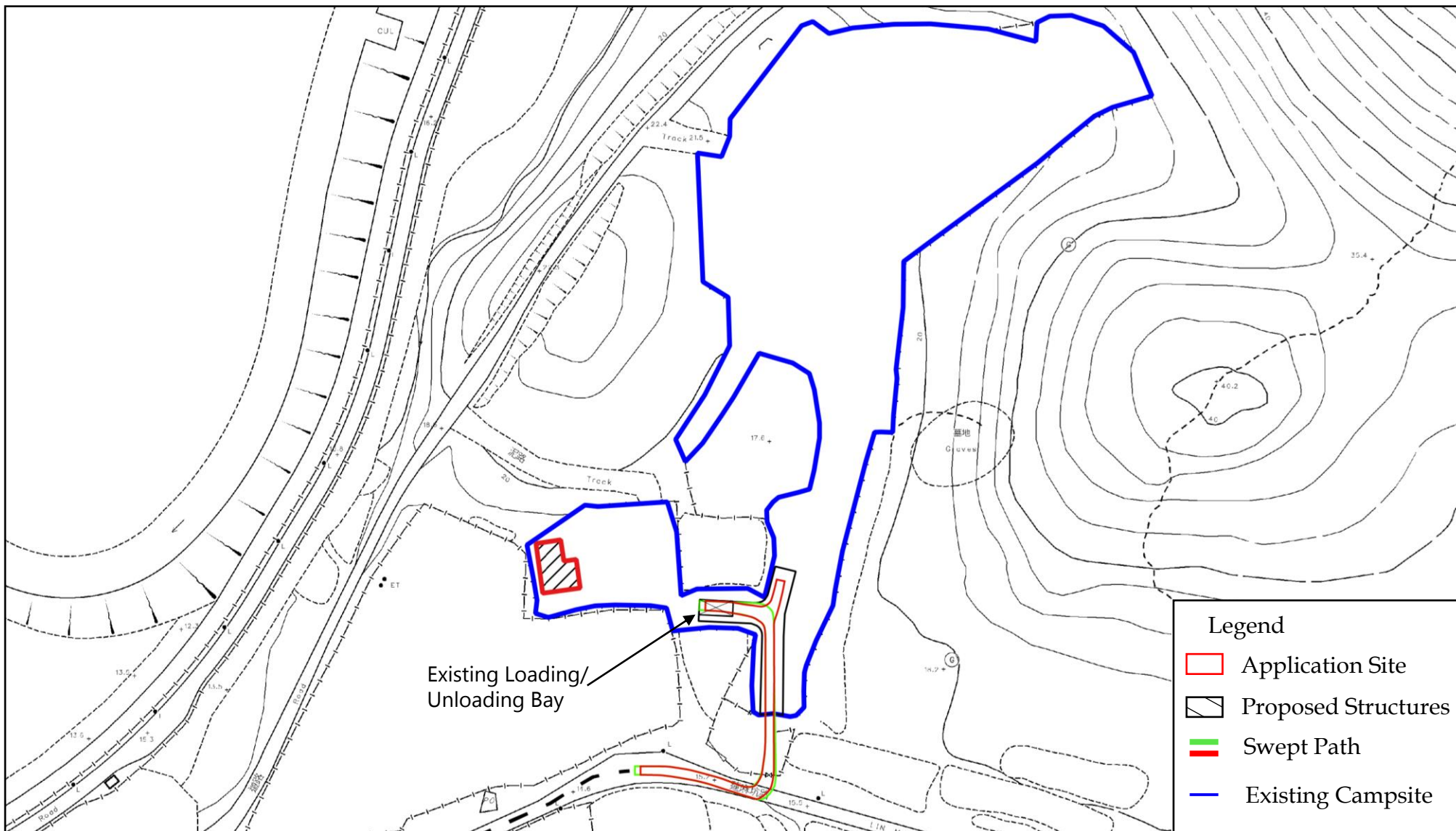


LCH Planning and Development
Consultants Limited

Figure 5 : Indicative Layout Plan

(For reference only. Not to scale.)

Section 16 Application for Proposed Temporary Eating Place at
Demarcation District No. 80 Lot No. 37 (Part) for a period of 3 Years



**LCH Planning and Development
Consultants Limited**

Figure 6 : Swept Path Analysis

(For reference only. Not to scale.)

Section 16 Application for Proposed Temporary Eating Place at
Demarcation District No. 80 Lot No. 37 (Part) for a period of 3 Years

(Source: HK GEODATA STORE, HKSAR Government)



Our Ref.: PD2402001/05
Your Ref.: TPB/A/NE-TKLN/84

18 June 2024

By Email

Town Planning Board Secretariat
15/F, North Point Government Offices,
333 Java Road,
North Point,
Hong Kong

Dear Sir/Madam,

S.16 PLANNING APPLICATION NO. A/NE-TKLN/84

We refer to the email received on 13 June 2024 of the captioned.

Please find attached our reply to the departmental comment for your consideration. Since this Further Information only involves responses to comments without changing the scheme, and there is no major change in the assumption and methodologies, findings and proposed mitigation measures, according to TPB PG-No. 32B, this Further Information should be accepted and exempted from publication requirements.

Should you require further information or have any query, please feel free to contact the undersigned or Emily Hui at .

Yours faithfully,
For and on behalf of
LCH Planning & Development Consultants Limited

Junior Ho *RPS RPP*
Director

Encl.
c.c. the Applicant



Section 16 Planning Application No. A/NE-TKLN/84

Annex 1 - Response to Departmental Comments Table

No.	Comments Received	Our Responses
1. <i>Comments from Environmental Protection Department dated 13 June 2024</i>		
	Please advise the proposed sewerage treatment/ disposal facilities for the proposed eating place for their consideration.	<p>There are proposed underground septic tank and grease trap located inside the existing campsite and near to the proposed eating place, but not within the Planning Application Boundary.</p> <p>The septic tank and grease trap are also serving the campsite operation as well as the proposed eating place, and hence, they are not located within the Planning Application Boundary.</p>

**Similar S.16 Applications for Temporary Eating Place
within the “Recreation” zone in the vicinity of the Application Site
in the Ta Kwu Ling North Area**

Approved Application

Application No.	Uses/ Development	Date of Consideration
A/NE-TKLN/23	Proposed Temporary Place of Recreation, Sports or Culture (Parent-Child Play Area), Eating Place, Shop and Services for a Period of 5 Years	5.2.2021
A/NE-TKLN/39	Temporary Retail Shop, Eating Place and Ancillary Office for a Period of 3 Years	28.5.2021

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- no objection to the application;
- the application site (the Site) comprises Old Schedule Agricultural Lot held under the Block Government Lease. The private lot and other adjoining lots are covered by Short Term Waiver (STW) No. 1638 for the purpose of holiday camp with associated facilities. The proposed use of an existing structure for temporary eating place is permitted under the STW. However, his office reserves the rights to take enforcement action against the STW in case irregularities are detected; and
- subject to the planning application is approved and if the proposed use involve any variation of the restriction under the STW, including the permissible build-over area (BOA), the STW holder will need to apply to his office for modification of the STW conditions. The application for modification will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The modification, if approved, will be subject to such terms and conditions including adjustment of the waiver fee and payment of administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure will be considered.

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; and
- with reference to the aerial photo of 2023, the Site is located in an area of rural inland plains landscape character comprises car parks, vegetated areas and village houses. The proposed use is not incompatible with the planned use in the proximity of the Site. Based on aerial photo taken in February 2023, the Site is hard paved with no sensitive landscape resources within the Site. Significant adverse impact on the landscape character and existing landscape resources within the site is not anticipated.

3. Drainage

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

- no objection to the application from the public drainage view point;
- should the application be approved, approval conditions should be imposed to request the applicant to submit and implement a drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent area. In the submission, the applicant is required to assess and identify the proposed use's potential drainage impacts, and demonstrate in his submission that, with the implementation of necessary mitigation measures, the proposed use will not cause an unacceptable increase in flooding risk in areas

upstream of, adjacent to or downstream of the propose use; and

- there is no public sewerage near the Site.

4. Environment

Comments of the Director of Environmental Protection (DEP):

- since the applicant has confirmed that there are underground septic tank with grease trap (located within the holiday camp) serving the proposed eating place, he has no adverse comment on the application from the environmental planning perspective; and
- no substantiated environmental complaint has been received for the Site over the past three years.

5. Nature Conservation

- based on the aerial photo, the Site is paved. He has no comment on the application from the nature conservation perspective.

6. Project Interface

Comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD):

- it is noted that the proposed temporary eating place on a three-year basis (the subject development) is located within the proposed New Territories North (NTN) New Town under the Planning and Engineering (P&E) Study for NTN New Town and Man Kam To. The P&E Study already commenced on 29.10.2021. While the implementation programme of NTN New Town is being formulated under the P&E Study, the site formation works could possibly commence in a short period of time with the area for advanced development being reviewed under the study; and
- subject to the land use planning in the P&E Study, the subject development, if approved, would need to be vacated for the site formation works. The applicant is advised to take account of the above if the subject development is pursued.

7. Fire Safety

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

- no objection in principal to the proposal subject to fire service installations and water supplies for firefighting being provided to his satisfaction.

8. District Officer's Comments

District Officer (North), Home Affairs Department (DO(N), HAD) has relayed the following local views/comments on the application:

- a member of the North District Council (NDC) supports the application;

- six members of NDC indicate no comment; and
- Ta Kwu Ling District Rural Committee, the Chairlady of Fung Shui Area Committee, 17 NDC members, the Indigenous Inhabitant Representative (IIR) and the Resident Representative (RR) of Tsung Yuen Ha do not reply.

9. Other Departments

The following government departments have no comments on the application:

- (a) Commissioner for Transport (C for T);
- (b) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (c) Director of Food and Environmental Hygiene (DEFH);
- (d) Commissioner for Police (C for P);
- (e) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (f) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (g) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD).

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that subject to the planning application is approved and if the proposed use involve any variation of the restriction under the Short Term Waiver (STW), including the permissible build-over area (BOA), the STW holder will need to apply to his office for modification of the STW conditions. The application for modification will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The modification, if approved, will be subject to such terms and conditions including adjustment of the waiver fee and payment of administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure will be considered;
- (b) to note the comment of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) in the submission of drainage proposal, the applicant is required to assess and identify the proposed use's potential drainage impacts, and demonstrate in his submission that, with the implementation of necessary mitigation measures, the proposed use will not cause an unacceptable increase in flooding risk in areas upstream of, adjacent to or downstream of the proposed use; and
 - (ii) there is no public sewerage near the Site;
- (c) to note the comments of the Director of Environmental Protection (DEP) that the applicant should follow 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 Environmental Protection Department (EPD) to minimize any potential environmental nuisance, as well as ProPECC PN 1/23 on "Drainage Plans subject to Comment by the EPD - Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations";
- (d) to note the comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that the Site is located within the proposed New Territories North (NTN) New Town under the Planning and Engineering (P&E) Study for NTN New Town and Man Kam To. The P&E Study already commenced on 29.10.2021. While the implementation programme of NTN New Town is being formulated under the P&E Study, the site formation works could possibly commence in a short period of time with the area for advanced development being reviewed under the study. Hence, subject to the land use planning in the P&E Study, the proposed use, if approved, would need to be vacated for the site formation works. The applicant is advised to take account of the above if the proposed use is pursued;
- (e) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. The applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should also be advised on the following points:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
 - the location of where the proposed FSIs to be installed should be clearly marked on the layout plans;

- (ii) the applicant is reminded that if the proposed structure(s) are 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. Detailed fire services requirement will be formulated upon receipt of formal submission of formal application of licence;
- (f) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that the access road adjacent to the Site is not maintained by HyD;
- (g) to note the comments of the Director of Food and Environmental Hygiene (DEFH) that:
 - (i) no Food and Environmental Hygiene Department's (FEHD) facilities should be affected;
 - (ii) proper licence/ permit issued by FEHD 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. 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 (e.g. a restaurant, a refreshment kiosk etc.). The application for licence, if acceptable by the FEHD, will be referred to relevant government departments such as the Buildings Department (BD), Fire Services Department (FSD) and Planning Department (PlanD) for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;
 - (iii) 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
 - (iv) 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;
- (h) to note the comments of the Commissioner of Police (C of P) that the applicant is advised to seek consult Transport Department (TD), Hong Kong Police Force's Road Management Office (New Territories North) and District Traffic Team for comments, including the comments on technical traffic arrangement; and
- (i) 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 under the Regulation 5 of the Building (Planning) Regulation (B(P)R) and emergency vehicular access shall be provided under the Regulation 41D of the B(P)R;

- (ii) the Site is not abutting a specified street having a width not less than 4.5m, the development intensity shall be determined by the Building Authority (BA) under Regulation 19(3) of the B(P)R at building plan submission stage;
- (iii) it is noted that one new structure had been proposed in the application. Before any new building works are to be carried out on the Site, prior approval and consent of the BA should be obtained unless they are exempted building works, designated exempted works or minor works commenced under the simplified requirements under the BO. 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;
- (iv) for UBW erected on lease land, enforcement action may be taken by the 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 Site under the BO;
- (v) if the proposed use the application is subject to the issue of a licence, 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;
- (vi) any temporary shelters or converted containers for storage or office, canteen or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R;
- (vii) the applicant's attention is drawn to the provision under regulations 40 and 41 of the Building (standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulation in respect of disposal of foul water and surface water respectively; and
- (viii) formal submission under the BO is required for any proposed new works, including any temporary structures, site formation works like filling of ponds and land and site formation drainage works. Detailed comments under BO on individual sites for private developments such as permissible plot ratio, site coverage, emergency vehicular access, private streets and/or access roads, barrier free access and facilities, compliance with the sustainable building design guideline (SBD), etc. will be formulated at the formal building plan submission stage.

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

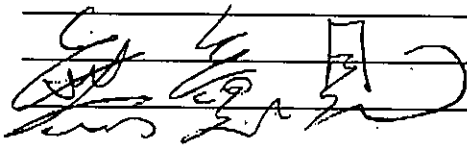
By Fax : 2877 0245 or 2522 8426

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/NE-TKLN/84

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 2024-5-17

2

From:
Sent: 2024-05-31 星期五 03:25:02
To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: A/NE-TKLN/84 DD 80 Lin Ma Hang Road Park Nature Hillside HC

A/NE-TKLN/84

Lot 37 (Part) in D.D. 80, Lin Ma Hang Road, Ta Kwu Ling North

Site area: About 93sq.m

Zoning: "Recreation"

Applied use: Eating Place

Dear TPB Members,

Objections. Catering facilities at locations with no sewerage connection and direct road link re access for fire engines should not be considered.

The holiday camp is in fact already providing catering services as can be seen on its website:

https://parknaturehillside.com/hk?checkIn=&checkOut=&br_category=all&numberOfGuest=1&orderBy=best&searchQuery=

Members should question if this is allowed.

Applicant quotes a similar arrangement at "A/NE-TKLN/23 is situated at the immediate west of the Application Site, serving only the users within the parent-child play area."

Are members aware that conditions have not been fulfilled – TEN extensions of time recorded. This at a location where young children gather is a cause for alarm.

Fire, drainage and hygiene are unfortunately being sidelined at many of these operations and lax standards encouraged via the failure of government depts to implement their own regulations.

Mary Mulvihill