

Form No. S16-III
表格第 S16-III 號

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

2023年11月22日

此文件在 收到。城市規劃委員會
只會在收到所有必需的資料及文件後才正式收到
申請的日期。

22 NOV 2023

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

根據《城市規劃條例》

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-7K/789 |
| | Date Received 收到日期 | 22 NOV 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.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)

South Continental 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)

TANG K.F. ASSOCIATES 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) | 新界大埔汀角路龍尾村60號地下 新界汀角第28約地段 第210號(部份)、 第211號(部份) 及 第213號餘段(部份) |
| (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 147.50 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 88.5 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) | Nil 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 | 汀角分區計劃大綱核准圖 S/NE-TK/19 |
| (e) Land use zone(s) involved 涉及的土地用途地帶 | 鄉村式發展 |
| (f) Current use(s) 現時用途 | 臨時食肆 (餐廳戶外座位區) (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 (DD/MM/YYYY), this application involves a total of "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) of "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) |
| | | |
| | | |
| | | |

(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 | 臨時食肆 (餐廳戶外座位區) Temporary Eating Place (Outside Seating Accommodation of a Restaurant) (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年..... <input type="checkbox"/> month(s) 個月 | | | | | | | | | | | | | | | | | | | | | | | | |
| (c) Development Schedule 發展細節表 <table border="0"> <tr> <td>Proposed uncovered land area 擬議露天土地面積</td> <td>59.00</td> <td>sq.m</td> <td><input checked="" type="checkbox"/> About 約</td> </tr> <tr> <td>Proposed covered land area 擬議有上蓋土地面積</td> <td>88.50</td> <td>sq.m</td> <td><input checked="" type="checkbox"/> About 約</td> </tr> <tr> <td>Proposed number of buildings/structures 擬議建築物/構築物數目</td> <td>1</td> <td></td> <td></td> </tr> <tr> <td>Proposed domestic floor area 擬議住用樓面面積</td> <td>0</td> <td>sq.m</td> <td><input type="checkbox"/> About 約</td> </tr> <tr> <td>Proposed non-domestic floor area 擬議非住用樓面面積</td> <td>88.50</td> <td>sq.m</td> <td><input checked="" type="checkbox"/> About 約</td> </tr> <tr> <td>Proposed gross floor area 擬議總樓面面積</td> <td>88.50</td> <td>sq.m</td> <td><input checked="" type="checkbox"/> About 約</td> </tr> </table> | | Proposed uncovered land area 擬議露天土地面積 | 59.00 | sq.m | <input checked="" type="checkbox"/> About 約 | Proposed covered land area 擬議有上蓋土地面積 | 88.50 | 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 | 0 | sq.m | <input type="checkbox"/> About 約 | Proposed non-domestic floor area 擬議非住用樓面面積 | 88.50 | sq.m | <input checked="" type="checkbox"/> About 約 | Proposed gross floor area 擬議總樓面面積 | 88.50 | sq.m | <input checked="" type="checkbox"/> About 約 |
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| Proposed domestic floor area 擬議住用樓面面積 | 0 | sq.m | <input type="checkbox"/> About 約 | | | | | | | | | | | | | | | | | | | | | | |
| Proposed non-domestic floor area 擬議非住用樓面面積 | 88.50 | sq.m | <input checked="" type="checkbox"/> About 約 | | | | | | | | | | | | | | | | | | | | | | |
| Proposed gross floor area 擬議總樓面面積 | 88.50 | sq.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) 5.3米高..... 1層..... 餐廳戶外座位區..... | | | | | | | | | | | | | | | | | | | | | | | | | |
| Proposed number of car parking spaces by types 不同種類停車位的擬議數目 <table border="0"> <tr> <td>Private Car Parking Spaces 私家車車位</td> <td>0</td> </tr> <tr> <td>Motorcycle Parking Spaces 電單車車位</td> <td>0</td> </tr> <tr> <td>Light Goods Vehicle Parking Spaces 輕型貨車泊車位</td> <td>0</td> </tr> <tr> <td>Medium Goods Vehicle Parking Spaces 中型貨車泊車位</td> <td>0</td> </tr> <tr> <td>Heavy Goods Vehicle Parking Spaces 重型貨車泊車位</td> <td>0</td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>0</td> </tr> </table> | | Private Car Parking Spaces 私家車車位 | 0 | Motorcycle Parking Spaces 電單車車位 | 0 | Light Goods Vehicle Parking Spaces 輕型貨車泊車位 | 0 | Medium Goods Vehicle Parking Spaces 中型貨車泊車位 | 0 | Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 | 0 | Others (Please Specify) 其他 (請列明) | 0 | | | | | | | | | | | | |
| Private Car Parking Spaces 私家車車位 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Motorcycle Parking Spaces 電單車車位 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Light Goods Vehicle Parking Spaces 輕型貨車泊車位 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Medium Goods Vehicle Parking Spaces 中型貨車泊車位 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Others (Please Specify) 其他 (請列明) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Proposed number of loading/unloading spaces 上落客貨車位的擬議數目 <table border="0"> <tr> <td>Taxi Spaces 的士車位</td> <td>0</td> </tr> <tr> <td>Coach Spaces 旅遊巴車位</td> <td>0</td> </tr> <tr> <td>Light Goods Vehicle Spaces 輕型貨車車位</td> <td>0</td> </tr> <tr> <td>Medium Goods Vehicle Spaces 中型貨車車位</td> <td>0</td> </tr> <tr> <td>Heavy Goods Vehicle Spaces 重型貨車車位</td> <td>0</td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>0</td> </tr> </table> | | Taxi Spaces 的士車位 | 0 | Coach Spaces 旅遊巴車位 | 0 | Light Goods Vehicle Spaces 輕型貨車車位 | 0 | Medium Goods Vehicle Spaces 中型貨車車位 | 0 | Heavy Goods Vehicle Spaces 重型貨車車位 | 0 | Others (Please Specify) 其他 (請列明) | 0 | | | | | | | | | | | | |
| Taxi Spaces 的士車位 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Coach Spaces 旅遊巴車位 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Light Goods Vehicle Spaces 輕型貨車車位 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Medium Goods Vehicle Spaces 中型貨車車位 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Heavy Goods Vehicle Spaces 重型貨車車位 | 0 | | | | | | | | | | | | | | | | | | | | | | | | |
| Others (Please Specify) 其他 (請列明) | 0 | | | | | | | | | | | | | | | | | | | | | | | | |

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|--|---|---|---|
| Proposed operating hours 擬議營運時間 每天上午10時30分至下午10時30分，包括公眾假期 | | | |
| (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)) 大埔龍尾路 | |
| | 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 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 On traffic 對交通 On water supply 對供水 On drainage 對排水 On slopes 對斜坡 Affected by slopes 受斜坡影響 Landscape Impact 構成景觀影響 Tree Felling 砍伐樹木 Visual Impact 構成視覺影響 Others (Please Specify) 其他 (請列明) | | Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/> |
| | | | |

| | |
|-------|--|
| | Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可) |
| | |
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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 | <input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件 <input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件 <input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件： _____ _____ _____ Reason(s) for non-compliance: 仍未履行的原因： _____ _____ _____ (Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明) |
| (f) Renewal period sought 要求的續期期間 | <input type="checkbox"/> year(s) 年 <input type="checkbox"/> month(s) 個月 |

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

WONG WAI HO PHILIP

Director

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s)
專業資格

☐ Member 會員 / ☐ Fellow of 資深會員

☐ 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

TANG K.F. ASSOCIATES LIMITED

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

Date 日期

12/10/2023

(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打道 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 | 新界大埔汀角龍尾村60號地下 新界汀角第28約地段 第210號(部份), 第211號(部份), 第213號餘段(部份)。 |
| Site area 地盤面積 | 147.50 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 | 汀角分區計劃大綱核准圖 S/NE-TK/19 |
| Zoning 地帶 | 鄉村式發展 |
| 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 | 臨時食肆 (餐廳戶外座位區) Temporary Eating Place with Outside Seating Accomodation of a Restaurant |

| | | | |
|--|---|---|--|
| (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 | 88.50 <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 | 5.3 m 米 <input checked="" type="checkbox"/> (Not more than 不多於) | |
| | | 1 Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) | |
| (iv) Site coverage 上蓋面積 | 60 % <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) _____ _____ | | 0 |
| | Total no. of vehicle loading/unloading bays/lays 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) _____ _____ | | 0 |

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

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

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

根據 城市規劃條例 第 16 條提出的規劃申請

地點： 新界大埔龍尾丈量約份第 28 約地段第 210 號(部分)、第 211 號(部分)及第 213 號餘段(部分)

申請事項： 臨時食肆 (餐廳戶外座位區) 為期 3 年

申請建議 及 背景、理據

1. 申請建議

1.1 申請人申請規劃許可，以把申請地點用作臨時食肆 (餐廳戶外座位區)，為期 3 年。在汀角分區計劃大綱核准圖編號 S/NE-TK/19 上，申請地點位於劃為「鄉村式發展」地帶的地方。根據分區計劃大綱圖的〈註釋〉，即使分區計劃大綱圖的〈註釋〉沒有作出規定，於「鄉村式發展」地帶內任何土地或建築物進行臨時用途或發展，如為期不超過三年，須向城市規劃委員會(下稱城規會) 申請規劃許可。申請地點現時用途是得到食物環境衛生署發出牌照作食肆 (餐廳戶外座位區)。

1.2 這項臨時發展的申請地點的地盤面積為 147.5 平方米，擬議 1 所單層臨時構築物，總樓面面積約為 88.5 平方米，全為非住用面積，臨時構築物最高點為地面以上計 5.3 米高，為遮擋太陽帆布連支架的臨時構築物。

1.3 申請地點可由汀角路經一條區內路徑前往。

1.4 臨時食肆 (餐廳戶外座位區)營業時間為每天，包括所有公眾假期，上午十點半至下午十點半。

2 申請背景

2.1 申請地點現時用途是得到食物環境衛生署發出牌照作食肆 (餐廳戶外座位區)。

2.2 申請地點作為食肆 (餐廳戶外座位區) 總面積為 147.5 平方米，包含在申請地盤內擬議 1 所單層臨時構築物，總樓面面積約為 88.5 平方米。露天面積約為 59 平方米。

2.3 該所臨時構築物為遮擋太陽帆布連支架構築物，以太陽帆布及鋁金屬組件合成，構築物支柱底支撐於石屎地台上，沒有建造任何基底於地底下。該構築物為非住用途，用來遮擋太陽及雨水。

2.4 申請地點位於劃為「鄉村式發展」地帶的地方，此地帶的規劃意向，要鄉村式發展集中在地帶內，使發展模式較具條理，而在土地運用及基礎設施和服務的提供方面，較具經濟效益。在新界豁免管制屋宇的地面一層，有多項配合村民需要和鄉村發展的商業和社區用途列為經常准許的用途。其他商業、社區和康樂用途，如向城市規劃委員會申請許可，或會獲得批准。

2.5 申請地點用作臨時食肆 (餐廳戶外座位區)，符合大綱核准圖編號 S/NE-TK/19 上劃為「鄉村式發展」地帶的意向。

根據 城市規劃條例 第 16 條提出的規劃申請

地點： 新界大埔龍尾丈量約份第 28 約地段第 210 號(部分)、第 211 號(部分)及
第 213 號餘段(部分)

申請事項： 臨時食肆（餐廳戶外座位區）為期 3 年

申請建議 及 背景、理據

3. 申請理據

3.1 本申請擬議用途不會對附近地區的排水、交通、視覺、景觀和環境造成負面影響：

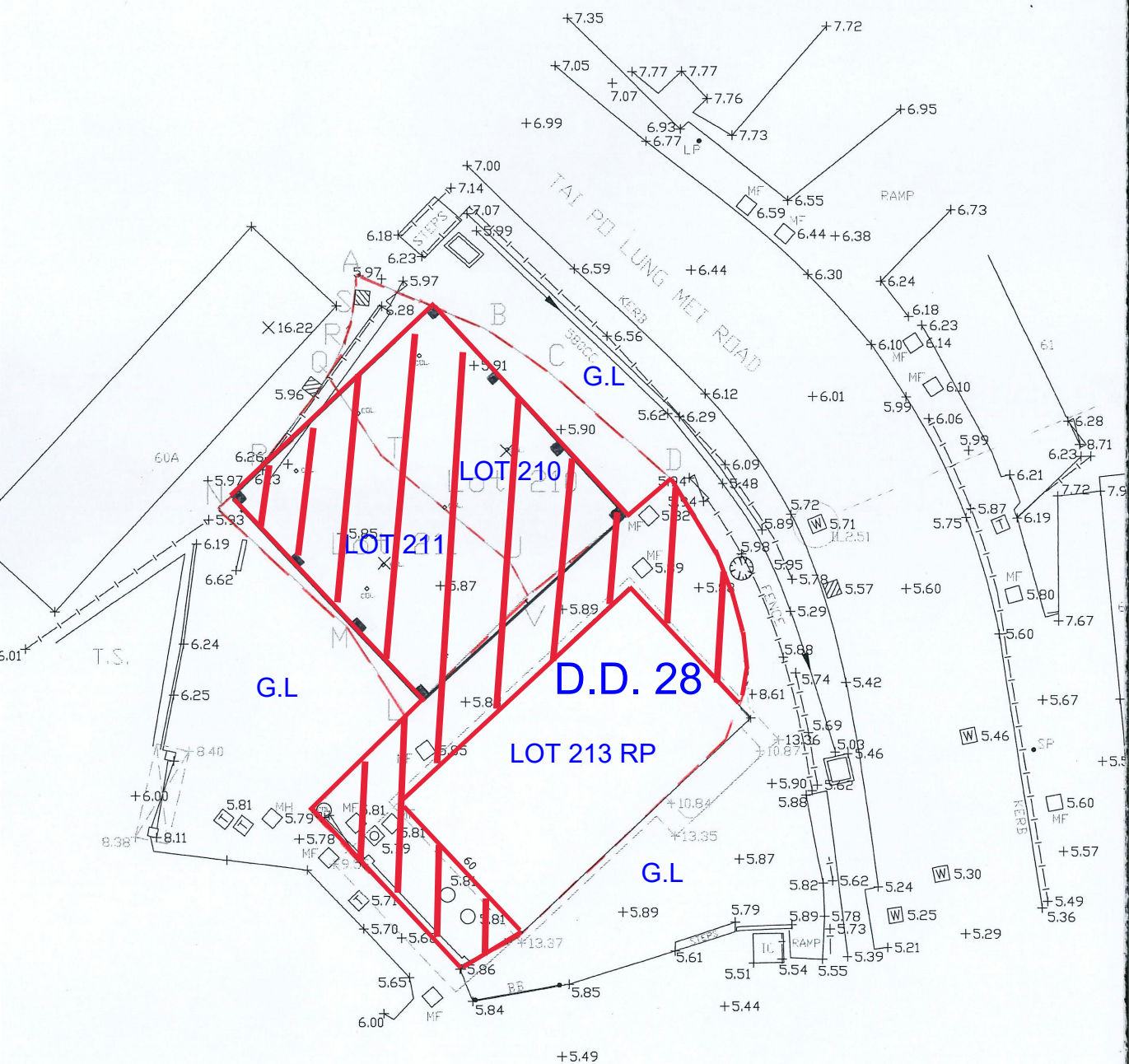
- 3.1.1 申請符合大綱核准圖編號 S/NE-TK/19 上劃為「鄉村式發展」地帶的意向。
- 3.1.2 申請地點不會有任何掘挖及填土，不會對天然排水道和地面泛流造成阻礙。
- 3.1.4 申請地點不設任何道路及停車位。公眾人士由汀角路經一條區內路徑前往申請地點，不會對附近地區的交通造成負面影響。
- 3.1.5 申請地點的擬議 I 所單層臨時構築物不會對視覺、景觀造成負面影響。
- 3.1.6 臨時食肆（餐廳戶外座位區）營業時間為每天，包括所有公眾假期，上午十點半至下午十點半。在合理服務時間內營業，申請地點在過去並無接獲有關環境投訴(如噪音)及檢控。

3.2 申請地點在以上情況下，政府部門及區內人士所其他關注的問題可透過加入規劃許可附帶條件來處理，容許本宗申請得到規劃許可。

-完

Location: Lot 210 (Part) , Lot 211 (Part), Lot 213 RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New Territories

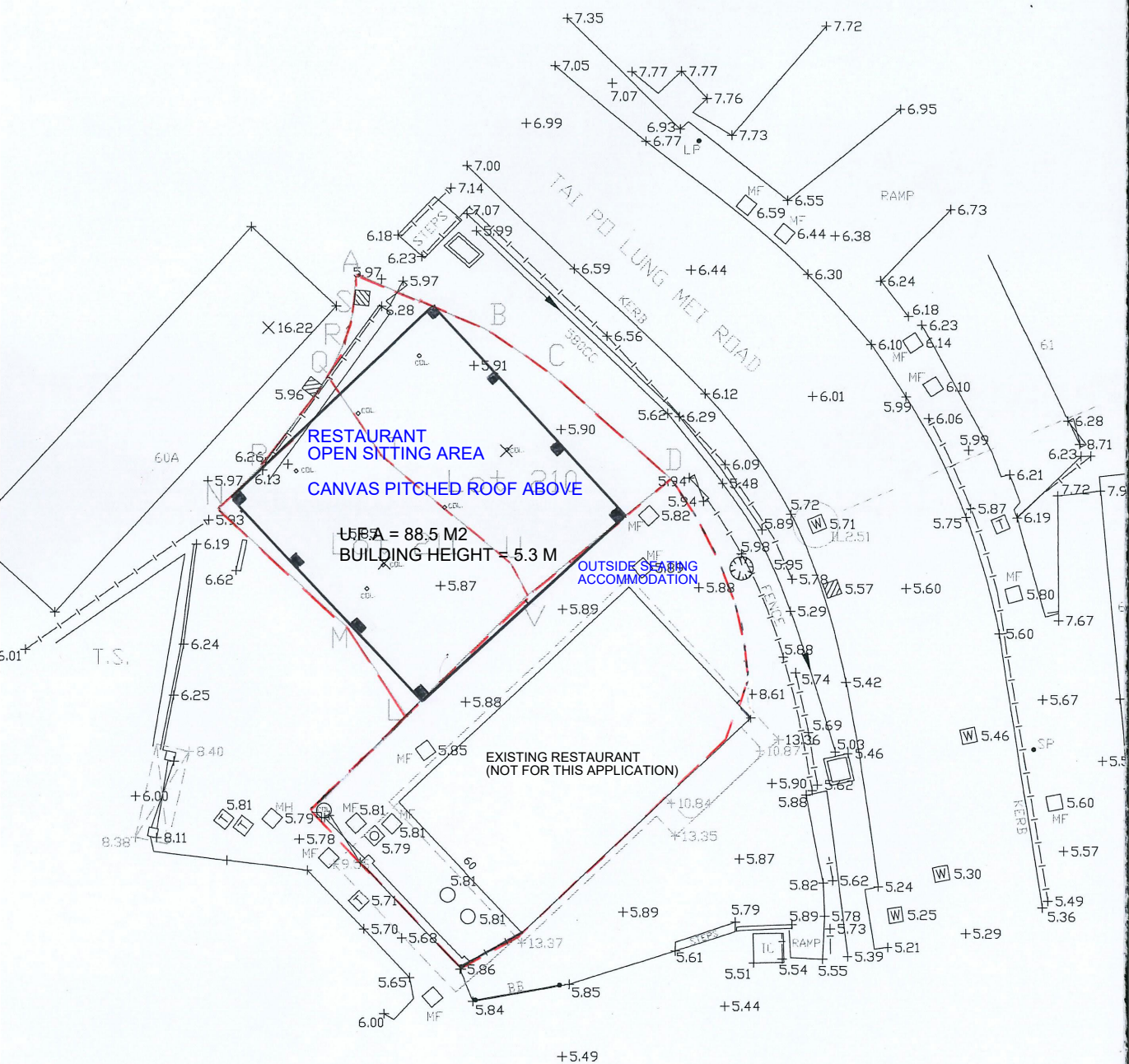
Proposed development: Temporary Eating Place (Outside Seating Accommodation of a Restaurant)



SITE LAYOUT PLAN

Location: Lot 210 (Part) , Lot 211 (Part), Lot 213 RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New Territories

Proposed development: Temporary Eating Place (Outside Seating Accommodation of a Restaurant)



GROUND FLOOR PLAN

APPLICATION SITE (APPROX. 147.5 SQ. M)

LEGEND

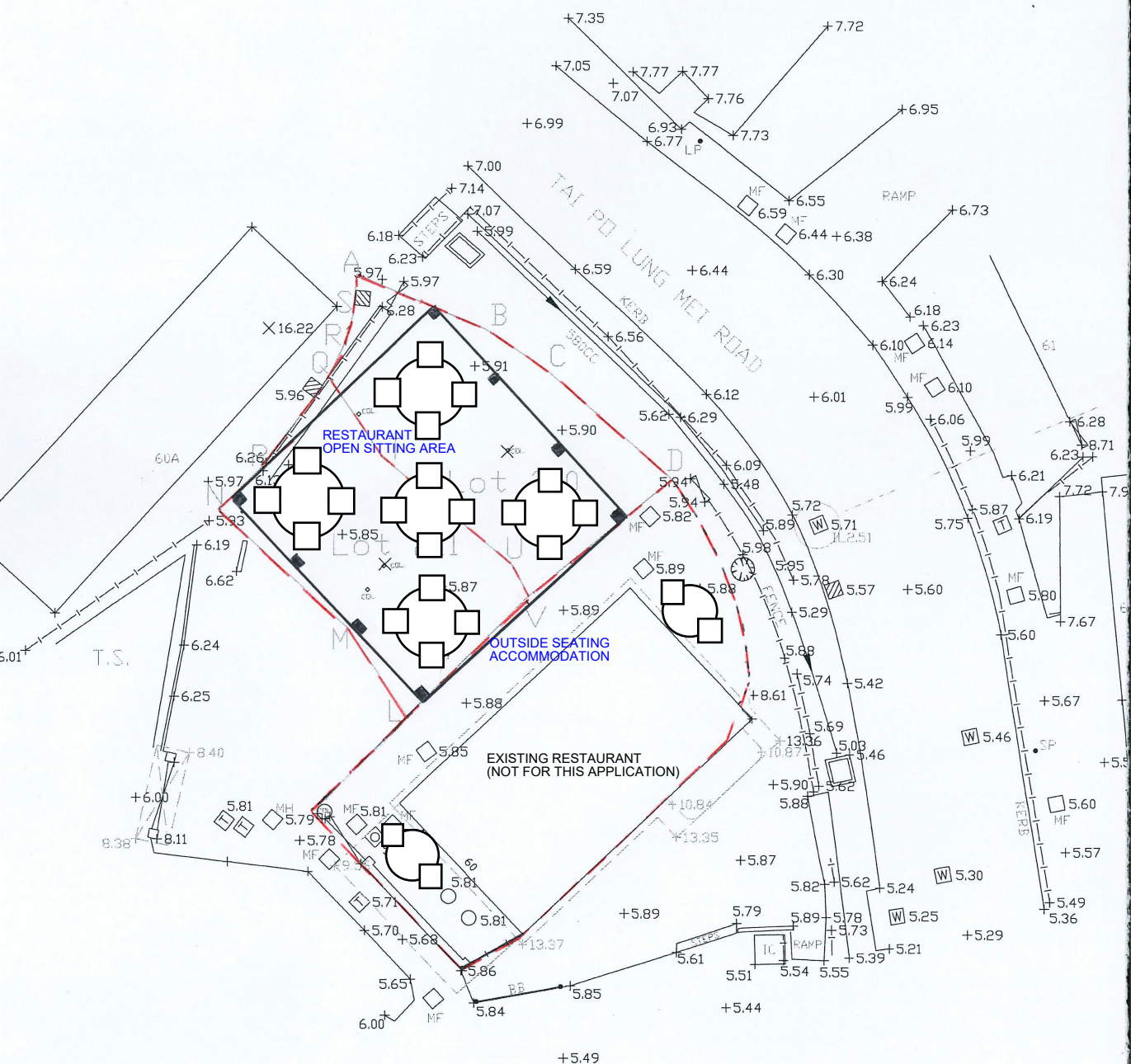
— LOT BOUNDARY

SITE INFORMATION:

APPLICATION SITE AREA = 147.5 M²
GROSS FLOOR AREA = 88.5 M²
SITE COVERAGE = 60%

Location: Lot 210 (Part) , Lot 211 (Part), Lot 213 RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New Territories

Proposed development: Temporary Eating Place (Outside Seating Accommodation of a Restaurant)



GROUND FLOOR SEATING LAYOUT PLAN
(FOR INFORMATION ONLY)

LEGEND

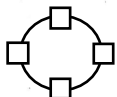


TABLE & SEAT

SITE INFORMATION:

APPLICATION SITE AREA = 147.5 M2
GROSS FLOOR AREA = 88.5 M2
SITE COVERAGE = 60%



第16條規劃申請編號 A/NE-TK/78911/23/2023 04:11 PM

From: "Tang K.F. Associates Limited" <tangkf_ass_ltd@yahoo.com.hk>

To: "akycheng@pland.gov.hk" <akycheng@pland.gov.hk>

Please respond to "Tang K.F. Associates Limited" <tangkf_ass_ltd@yahoo.com.hk>

鄭小姐：

有關上述的規劃申請，本公司有以下資料補充：-

1. 上述的規劃申請的臨時食肆 (餐廳戶外座位區) 是附帶於申請地盤相連在第213號餘段內現有食肆的運作。
2. 臨時食肆 (餐廳戶外座位區) 擬議總共24個餐廳戶外座位。

For and on Behalf of

TANG K. F. Associates Limited
Philip Wong

Phone: +852 2368 3326

Fax: +852 2724 3820

Email: tangkf_ass_ltd@yahoo.com.hk

Address: Room 7B1, 7/F, Continental Electric Building, 17 Wang Chiu Road, Kowloon Bay, Kowloon, Hong Kong SAR

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups



To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Cc:
Bcc:
Subject: Fw: Planning Application No.A/NE-TK/789
From: Aileen Ka Yan CHENG/PLAND/HKSARG - Thursday 12/14/2023 09:00 AM

Dear TPB Secretariat,

Please find further information submitted for the subject application below.
Thank you.

Best Regards,
Aileen CHENG
TP/TP5, STN DPO
Tel: 2158 6018

----- Forwarded by Aileen Ka Yan CHENG/PLAND/HKSARG on 12/14/2023 09:00 AM -----

From: "Tang K.F. Associates Limited" <tangkf_ass_ltd@yahoo.com.hk>
To: "akycheng@pland.gov.hk" <akycheng@pland.gov.hk>
Date: 12/13/2023 03:54 PM
Subject: Re: Planning Application No.A/NE-TK/789

Dear Miss Cheng,

As discussed with the applicant, we submit herewith a revised site layout plan which enlarge the site area at north-east only.

Besides, we hereby write to confirm you that there are only outside seating accommodation of a restaurant at application site and all temporary store for kitchen tools and equipment should be removed at application site. And then, the applicant should relocated the existing canvas pitched roof according to new site layout plan within the application site after the planning permission is granted by Town Planning Board.

Should you have any queries, please do not hesitate to contact us at 23683326. Thank you for your kind attention.

For and on Behalf of
TANG K. F. Associates Limited
Philip Wong

Phone: +852 2368 3326

Fax: +852 2724 3820

Email: tangkf_ass_ltd@yahoo.com.hk

Address: Room 7B1, 7/F, Continental Electric Building, 17 Wang Chiu Road, Kowloon Bay, Kowloon, Hong Kong SAR



20231213-Site layout plan.pdf

Proposed development: Temporary Eating Place (Outside Seating Accommodation of a Restaurant)



APPLICATION SITE BOUNDARY

APPLICATION SITE (Site Area: approx. 160.40 sq.m)

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy ☐Confidential

Aileen Ka Yan CHENG/PLAND

寄件者: Tang K.F. Associates Limited <tangkf_ass_ltd@yahoo.com.hk>
寄件日期: Wednesday, January 17, 2024 11:37 AM
收件者: Aileen Ka Yan CHENG/PLAND
主旨: Re: Planning Application No.A/NE-TK/789
附件: 20240117-Ground floor plan with seating layout.pdf

Dear Miss Cheng,

Please find the revised seating layout plan for your kind attention.

Should you have any queries, please do not hesitate to contact us at 23683326. Thanks.

For and on Behalf of
TANG K. F. Associates Limited
Philip Wong

Phone: +852 2368 3326

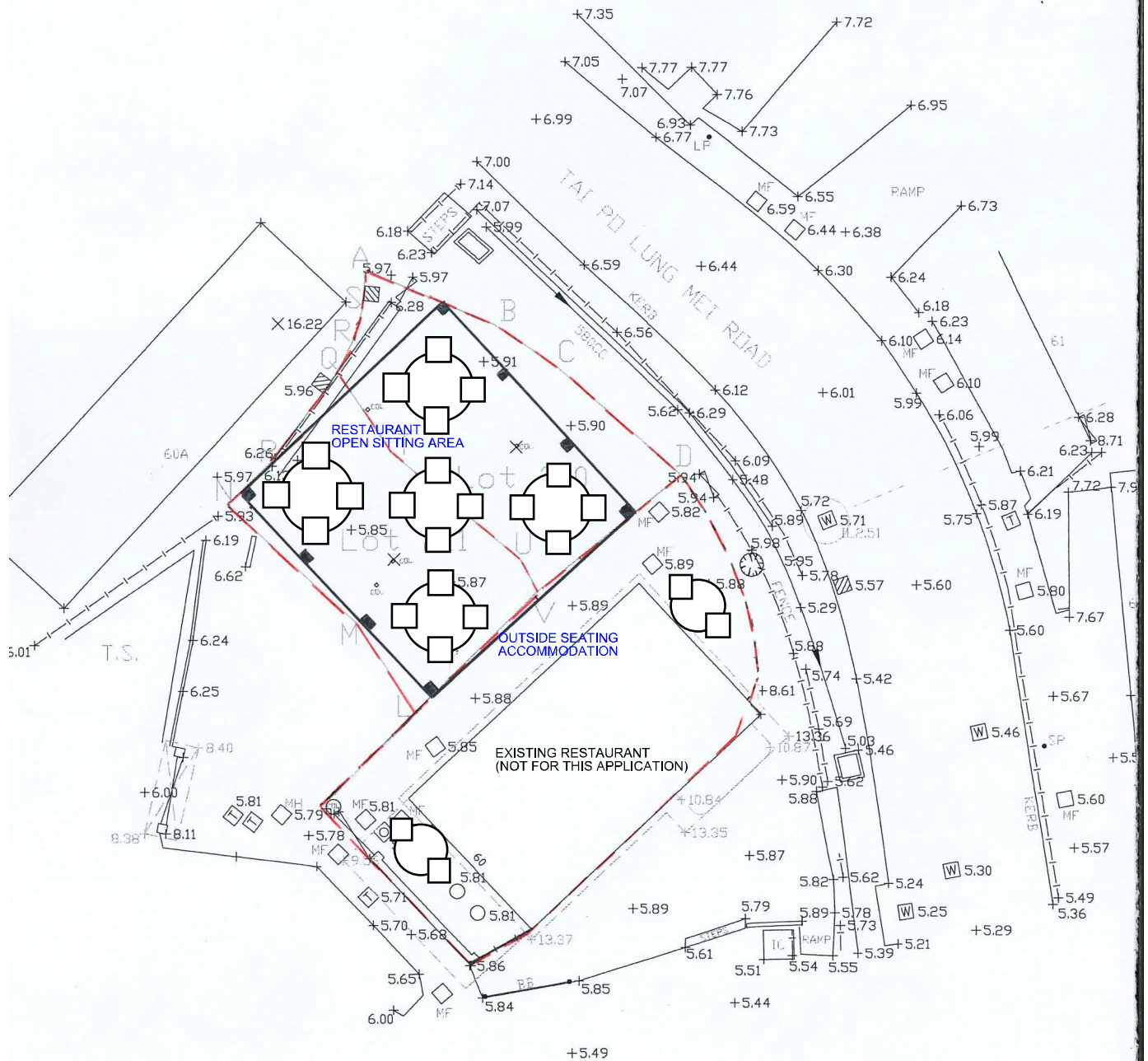
Fax: +852 2724 3820

Email: tangkf_ass_ltd@yahoo.com.hk

Address: Room 7B1, 7/F, Continental Electric Building, 17 Wang Chiu Road, Kowloon Bay, Kowloon, Hong Kong SAR

Location: Lot 210 (Part) , Lot 211 (Part), Lot 213 RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New Territories

Proposed development: Temporary Eating Place (Outside Seating Accommodation of a Restaurant)



GROUND FLOOR SEATING LAYOUT PLAN
(FOR INFORMATION ONLY)

LEGEND

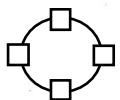


TABLE & SEAT

SITE INFORMATION:

APPLICATION SITE AREA = 160.4 M2
GROSS FLOOR AREA = 88.5 M2
SITE COVERAGE = 55%

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

The relevant planning criteria for assessing applications include:

- (a) the eating place use should not create environmental nuisance or cause inconvenience to the residents nearby. Such use should preferably be located at the fringe of a village area, e.g. area abutting the main road. For any eating place use that is situated amidst the existing village houses, sympathetic consideration may only be given if there are no objections from local residents;
- (b) the eating place use should not have any adverse traffic impact on its surrounding areas nor should it affect any pedestrian circulation in the area;
- (c) sympathetic consideration may be given if the eating place use would not have adverse impacts on drainage, sewage disposal facilities or fire safety aspects;
- (d) for any application on open ground as an extension to ground floor eating place in a NTEH or as a free-standing development, the eating place use should not adversely affect the land availability for village type development. Application sites with configuration/dimensions which are not suitable to be delineated separately for village type development or which are considered not suitable for village type development (e.g. within 20m of public roads constructed/ maintained by the Highways Department or 15m of other local public roads), sympathetic consideration may be given by the Board on individual merits;
- (e) for a village located adjacent to recreational uses or tourist attraction spots, favourable consideration may be given to eating place use which will provide catering facilities to serve the visitors and tourists. In such circumstances, adequate car-parking spaces should be provided to serve the eating place use as required by the Transport Department. If it is impossible to provide car parking spaces at the application site, the applicant should demonstrate that there are adequate car-parking facilities conveniently located in the vicinity to serve the eating place use; and
- (f) all other statutory or non-statutory requirements of relevant government departments should be met.

Previous Application

Approved Application

| Application No. | Use/Development | Date of Consideration |
|----------------------------|------------------------|------------------------------|
| A/NE-TK/107 | Restaurant (Café) | 23.4.1999 (on review) |

**Similar Applications in the Vicinity of the Site
within the same “V” Zone in the Past Five Years**

Approved Applications

| Application No. | Use/Development | Date of Consideration |
|--------------------------|---|---|
| A/NE-TK/672 ¹ | Renewal of Planning Approval for Temporary Eating Place (OSA of a Restaurant) for a Period of 3 Years | 2.8.2019 |
| A/NE-TK/695 | Temporary Eating Place (OSA of a Restaurant) for a Period of 3 Years | 22.1.2021 |
| A/NE-TK/746 | Temporary Eating Place (OSA of a Restaurant) for a Period of 3 Years | 18.3.2022 |
| A/NE-TK/763 ¹ | Temporary Eating Place (OSA of a Restaurant) | 11.11.2022 (approved for 3 years until 11.11.2025) (revoked on 11.5.2023) |
| A/NE-TK/784 ¹ | Temporary Eating Place (OSA of a Restaurant) for a Period of 3 Years | 13.10.2023 |

¹ Applications No. A/NE-TK/672, 763 and 784 cover the same site.

Government Departments' General Comments

1. Environment

Comments of the Director of Environmental Protection (DEP):

- no adverse comment on the application from environmental planning perspective; and
- no substantiated environmental complaint in relation to the Site has been received in the past three years.

2. Drainage

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

- should the application be approved, an approval condition on submission and implementation of drainage proposal for the Site is recommended to ensure that it will not cause adverse drainage impact to the adjacent areas.

3. Fire Safety

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

- no in-principle objection to the application subject to fire service installations being provided to his satisfaction.

4. Food and Environmental Hygiene

Comment of the Director of Food and Environmental Hygiene (DFEH):

- there is currently no OSA application at the Site. The Site is covered by a valid General Restaurant Licence (without OSA licence) since October 1999. The address of the location under the aforementioned General Restaurant is G/F and open space at rear of 60 Lung Mei Village, Ting Kok Road, Tai Po, N.T.

5. Other Departments

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

- Commissioner for Transport (C for T);
- Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);

- Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD); and
- District Officer (Tai Po), Home Affairs Department (DO(TP), HAD).

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) the applicant should follow up with District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) on their concerns as detailed under item (c);
- (c) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
 - (i) the applicant is required to cease any breach of the conditions stipulated in the said Building Licence, clear any unauthorized structures on the private land and to cease illegal occupation of Government land immediately. Otherwise, appropriate lease enforcement action and land control action will be taken according to case priority. In fact, warning letters issued on 11.11.2015 against Lots 210 and 211 both in D.D. 28 were registered in the Land Registry as the breaches persisted after the grace period given;
 - (ii) should the Town Planning Board (the Board) approve the application, the lot owner of the lots without Short Term Waiver (STW) will need to apply to his office to permit the structures to be erected or regularize any irregularities on the private land, if any. Besides, given the applied use is temporary in nature, only application for regularization or erection of temporary structures will be considered; and
 - (iii) application(s) for any of the above will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD;
- (d) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) the applicant should follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimize any potential environmental nuisance;
 - (ii) the applicant should carry out pollution abatement measures in relevant guidelines, including “General Environmental Guidelines for Outside Seating Accommodation (OSA)” and “Control of Oily Fume and Cooking Odour from Restaurants and Food Business”; and
 - (iii) it is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances;

- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) while there are DSD's public stormwater drains in this area, the applicant should have his own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from the surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The applicant should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify/modify the nearby existing/original drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the development on the Site. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the modified drainage systems caused by their works; and
 - (ii) for works to be undertaken outside the lot boundary, prior consent and agreement from LandsD and/or relevant private lot owners should be sought;
- (f) to note the comments of the Director of Fire Services (D of FS):
 - (i) the applicant should submit relevant layout plans incorporated with the proposed fire service installations (FSIs) for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of the proposed FSIs to be installed should be clearly marked. Licensing requirement would be formulated upon receipt of formal application via the relevant licensing authority; and
 - (ii) the applicant is reminded that if the structure(s) is required to comply with the BO (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (g) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
 - (i) 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:
 - (1) under the Food Business Regulation, Cap. 132X, a food business licence is required for operation of the relevant type of food business listed in the Regulation. For any premises intended to be used for food business (e.g. a restaurant, a food factory, a fresh provision shop), a food business licence from the FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) shall be obtained. The application for licence, if acceptable by the FEHD, will be referred to relevant government departments such as the Buildings Department, Fire Services Department and Planning Department for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of

all the requirements;

- (2) when a restaurant licensee/licence applicant wishes to use any OSA outside the restaurant premises for alfresco dining, he/she should take notice of the main licensing criteria for OSA, covering matters such as legal right to use the land concerned, planning, building safety, fire safety and traffic requirements etc. as well as to obtain approval from the DFEH before commencement. Restaurateurs operating OSA business without approval may be subject to prosecution pursuant to the Food Business Regulation (Cap. 132X). Repeated convictions may lead to suspension or cancellation of their licences; and
 - (3) the operators of the eating place must not cause any environmental nuisance to the surrounding areas. The refuse generated by the eating place are regarded as trade refuse. The management or owner of the Site is responsible for its removal and disposal at their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity; and
- (ii) proper licence/permit issued by FEHD is required if related place of entertainment is involved:
- (1) 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
 - (2) 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 comment of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains; 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 and EVA in accordance with Regulation 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - (ii) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the

B(P)R at building plan submission stage;

- (iii) if the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of the Buildings Authority (BA), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the planning application;
- (iv) for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing buildings works or UBW on the Site under the BO;
- (v) before any new buildings works (including containers/open sheds as temporary buildings, demolition and land filling etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW under the BO. An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
- (vi) if the proposed use under application is subject to 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;
- (vii) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings subject to the control of Part VII of the B(P)R; and
- (viii) detailed checking under the BO will be carried about at building plan submission stage.