

Form No. S16-III
表格第 S16-III 號

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

2025年2月2日

此文件在 收到。城市規劃委員會
只會在此文件正式確認收到
申請後才正式確認收到This document is received on **26 FEB 2025**
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-7K/833
	Date Received 收到日期	26 FEB 2025

- 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)

Cheung Kai Hong 張啟航

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)

Wong Ching Yi 黃靜兒

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Lot 715 RP (Part) & 715 S.B RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New
(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 43.8 sq.m 平方米 <input type="checkbox"/> About 約 <input type="checkbox"/> Gross floor area 總樓面面積 sq.m 平方米 <input type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有) 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 Ting Kok Outline Zoning Plan S/NE-TK/19
(e) Land use zone(s) involved 涉及的土地用途地帶	Village Type Development Zone
(f) Current use(s) 現時用途	Temporary Eating Place for a Period of 3 Years (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

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☒ year(s) 年 3☐ month(s) 個月**(c) Development Schedule 發展細節表**Proposed uncovered land area 擬議露天土地面積 43.8sq.m ☐ About 約Proposed covered land area 擬議有上蓋土地面積sq.m ☐ About 約

Proposed number of buildings/structures 擬議建築物/構築物數目

Proposed domestic floor area 擬議住用樓面面積sq.m ☐ About 約Proposed non-domestic floor area 擬議非住用樓面面積sq.m ☐ About 約Proposed gross floor area 擬議總樓面面積sq.m ☐ About 約

Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明)

.....

.....

.....

.....

Proposed number of car parking spaces by types 不同種類停車位的擬議數目

Private Car Parking Spaces 私家車車位 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)

Proposed number of loading/unloading spaces 上落客貨車位的擬議數目

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)

Proposed operating hours 擬議營運時間 12:00 pm - 10:00 pm (including Public Holidays)																																	
(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 No 否	<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)) Ting Kok Road <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 No 否	<input type="checkbox"/> Please provide details 請提供詳情 <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 No 否	<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 <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？	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">On environment 對環境</td> <td style="width: 10%;">Yes 會 <input type="checkbox"/></td> <td style="width: 10%;">No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table>			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"/>
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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>.....</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>(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>

7. Justifications 理由

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

The application falls within the Village Type Development Land Use Category I| coverage - Temporary Eating Place under the Outline Planning Plan S/NE-TK/19. The Town Planning Board approved the adjacent areas under this application for the same application use on January 10, 2025, TPB/A/NE-TK/829.

Tai Mei Tuk is one of the most popular places for outings in Hong Kong, so the applicant hopes to make better use of the land and add value. The cooking equipment with movable units and retractable, movable, and dismantling shelters, as well as seating requirements, do not affect the environment of the surrounding site. Thus, tourists can enjoy the restaurant's food and appreciate the surroundings. The addition of movable mobile shelters is anticipated to enable guests to eat in a more comfortable environment while avoiding the effects of hot weather or rainy seasons.

For more detail, please refer to Supporting Planning Statement.

Thanks.


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


.....
黃靜兒

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

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

Date 日期

4 - 2 - 2025

(DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

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

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

Statement on Personal Data 個人資料的聲明

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

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

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

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

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

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

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

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

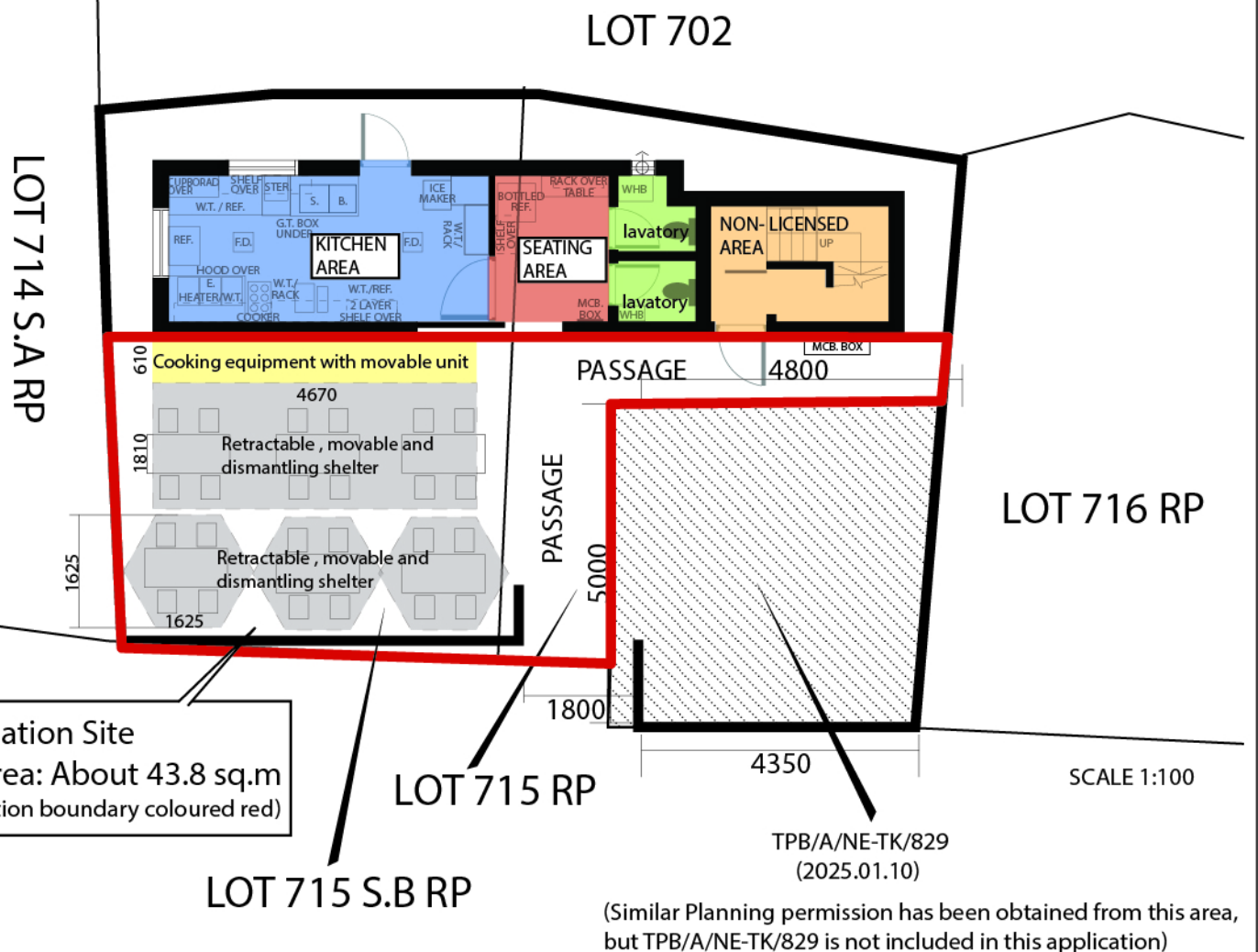
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)	
Location/address 位置/地址	Lot 715 RP (Part) & 715 S.B RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New	
Site area 地盤面積	43.8	sq. m 平方米 □ About 約
	(includes Government land of 包括政府土地	sq. m 平方米 □ About 約)
Plan 圖則	Approved Ting Kok Outline Zoning Plan S/NE-TK/19	
Zoning 地帶	Village Type Development Zone	
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 <u>3</u> <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	Temporary Eating Place for a Period of 3 Years	

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of blocks 幢數	Domestic 住用		
	Non-domestic 非住用		
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	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	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	% <input type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____		0
	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) _____ _____		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 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 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"/>
<hr/>		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

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

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



Summary

The application falls within the Village Type Development Land Use Category II coverage - Temporary Eating Place under the Outline Planning Plan S/NE-TK/19. The Town Planning Board approved the adjacent areas under this application for the same application use on January 10, 2025, TPB/A/NE-TK/829.

Tai Mei Tuk is one of the most popular places for outings in Hong Kong, so the applicant hopes to make better use of the land and add value. The cooking equipment with movable units and retractable, movable, and dismantling shelters, as well as seating requirements, do not affect the environment of the surrounding site. Thus, tourists can enjoy the restaurant's food and appreciate the surroundings.

The addition of movable mobile shelters is anticipated to enable guests to eat in a more comfortable environment while avoiding the effects of hot weather or rainy seasons.

The relevant facilities (movable mobile shelter) will only be on top of the seating and tables, and all are retractable, movable, and easy to dismantle. The Applicant only carries out simple cooking activities that do not generate much greasy fumes. It will not cause fire or affect the surrounding.

The application and the existing restaurant area have one sanitary facility with men's and women's toilets, which meets the FEHD requirements. The fire protection system will also have appropriate fire extinguishers to meet environmental needs.

Plan 2

Revised version

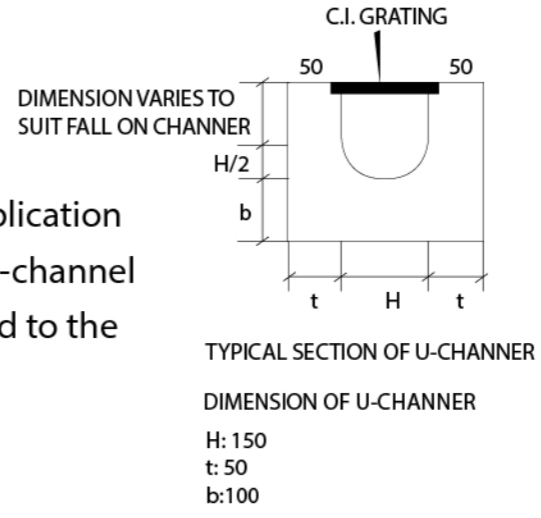
Location: Lot 715 RP (Part) & 715 S.B RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New Territories

Application: Temporary Eating Place for a Period of 3 Years

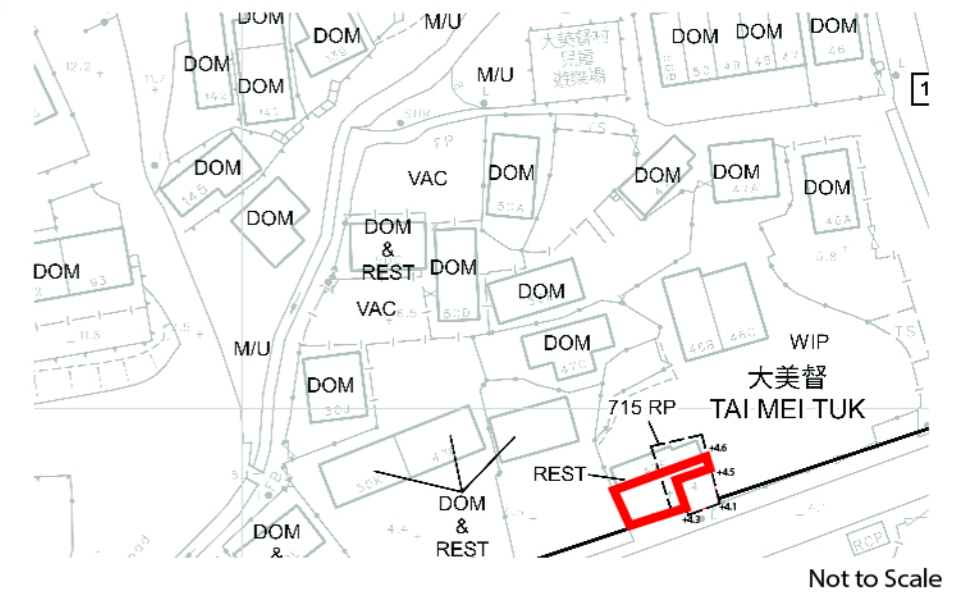
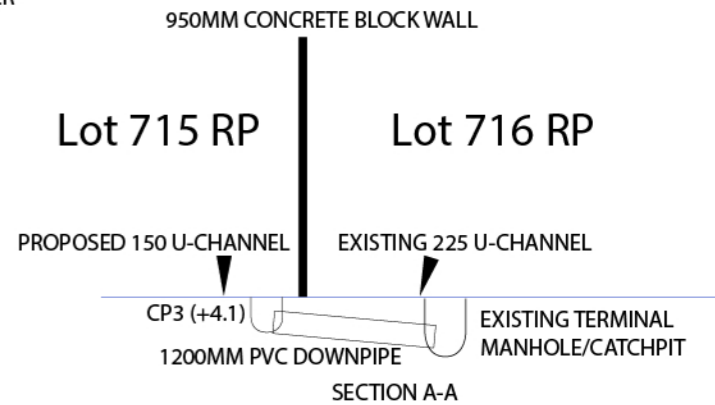
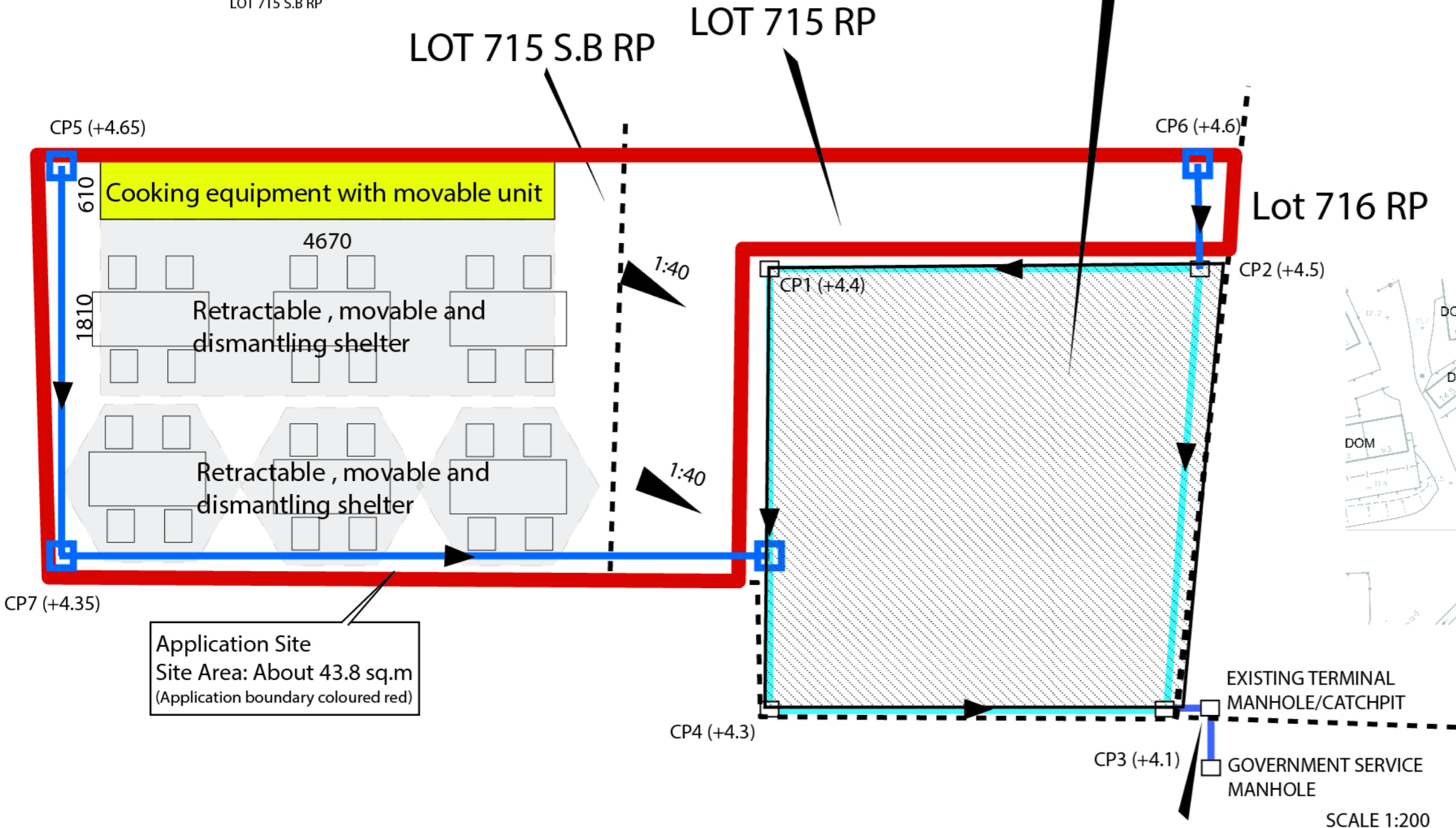
Ver.20250220



Conditions:
 The application site is very close to the adjacent planning-approved application A/NE-TK/829, so it has no existing access rights. The relevant drainage/u-channel will be directly through the A/NE-TK/829 drainage design and connected to the government canal to meet the stormwater drainage requirements.



Level of Catchpits		
CP NO.	CL (+MPD)	IL (+MPD)
CP1	4.4	4.1
CP2	4.5	4.2
CP3	4.1	3.8
CP4	4.3	4.0
CP5	4.65	4.35
CP6	4.6	4.3
CP7	4.35	4.05



THE 716RP LANDOWNER HAS BEEN APPROVED (WITH A CONSENT PERMIT)
 AND CAN USE EXISTING MANHOLES WITHIN THE RELEVANT AREA

SCALE 1:200

Plan 3

Location: Lot 715 RP (Part) & 715 S.B RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New Territories

Application: Temporary Eating Place for a Period of 3 Years

Revised version

Ver.20250220

Supporting Planning Statement

Planning Application under S16 of Town Planning Ordinance

For

Temporary Eating Place for a Period of 3 Years

At

Lot 715 RP (Part) & 715 S.B RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New Territories

Date: 26 October 2024

Executive Summary

This Supporting Planning Statement is to supplement the application for permission from Town Planning Board (the "TPB") under Section 16 of the Town Planning Ordinance for a **Temporary Eating Place for a Period of 3 Years** at Lot 715 RP (Part) & 715 S.B RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New Territories (the "Application Site"). The Application Site is located at the adjoining of village house at 47F Tai Mei Tuk Village of about 43.8sq.m and falls within an area zoned "Village Type Development" ("V") under the Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19.

According to the Notes of the OZP for "Village Type Development" ("V") zone, "Temporary Eating Place", except from being always permitted on the ground floor of a New Territories Exempted House, is a Column 2 use which requires planning permission from the Town Planning Board.

The major planning justification are summarized as follows: -

- Compatible with the Surroundings as a Local Visit Place
- Would not jeopardize the planning intention of the "V" zone in long run
- Would Not Result in Undesirable Precedent Case
- No Adverse Traffic Impact
- No Adverse Visual Impact
- Proper Control of Cooking Fume and Oduor
- Satisfactory the requirements of Town Planning Board Guideline 15A - Application for Eating Place within "Village Type Development" Zone in rural areas under Section 16 of The Town Planning Ordinance

Considering the planning justifications presented in this Planning Statement, we sincerely seek favorable consideration from the TPB to this planning application.

行政摘要

(內文如有差異，應以英文版本為準)

本規劃許可申請尋求城市規劃委員會（「城規會」）批准於向城市規劃委員會提出於新界汀角路第 28 約地段 715 號 B 分段餘段（部份）及 715 號餘段（部份）上（「申請地點」）申請臨時食肆為期 3 年。申請地點位於汀角路的東面，地盤面積約 43.8 平方米，並處於汀角分區計劃大綱核准圖編號 S/NE-TK/9 範圍內被劃作「鄉村式發展」的用途地帶；擬議的「食肆」，除了在位於新界豁免管制屋宇的地面一層為經常准許的用途之外，為大綱核准圖的第二欄用途，需獲得城市規劃委員會的規劃許可。

是次申請的主要規劃理據概括如下：

- 符合現有周邊環境用途
- 擬議用途屬臨時性質，將不會阻礙用地作為「鄉村式發展」用途的規劃意向
- 不會造成不良先例
- 不會對交通造成不良影響
- 不會對視覺造成不良影響
- 將妥善處理及控制食肆營運期間產生的煮食油煙及氣味
- 符合城市規劃委員會指引 15A 的規定 - 根據城市規劃條例第 16 條在鄉郊地區「鄉村式發展」地帶內設立食肆的申請

基於本規劃報告所闡述的理據，我們懇請城規會對本規劃申請作出正面積極的考慮。

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

Charlotte Tsz Wing WUN/PLAND

寄件者: [REDACTED]
寄件日期: 2025年03月25日星期二 10:57
收件者: Charlotte Tsz Wing WUN/PLAND
主旨: Re: A/NE-TK/833
附件: TK746_2 R3.pdf; TK746_3 R3.pdf; Page8 of Justifications R3.pdf

類別: Internet Email

Sorry once again, please find the attached files.

On Tue, 25 Mar 2025 at 10:40, [REDACTED] wrote:

Dear Ms Wun,

I've attached a file for you to take care of.

Thanks!

[REDACTED]

7. Justifications 理由

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

The application falls within the Village Type Development Land Use Category II coverage - Temporary Eating Place under the Outline Planning Plan S/NE-TK/19. The Town Planning Board approved the adjacent areas under this application for the same application use on January 10, 2025, TPB/A/NE-TK/829.

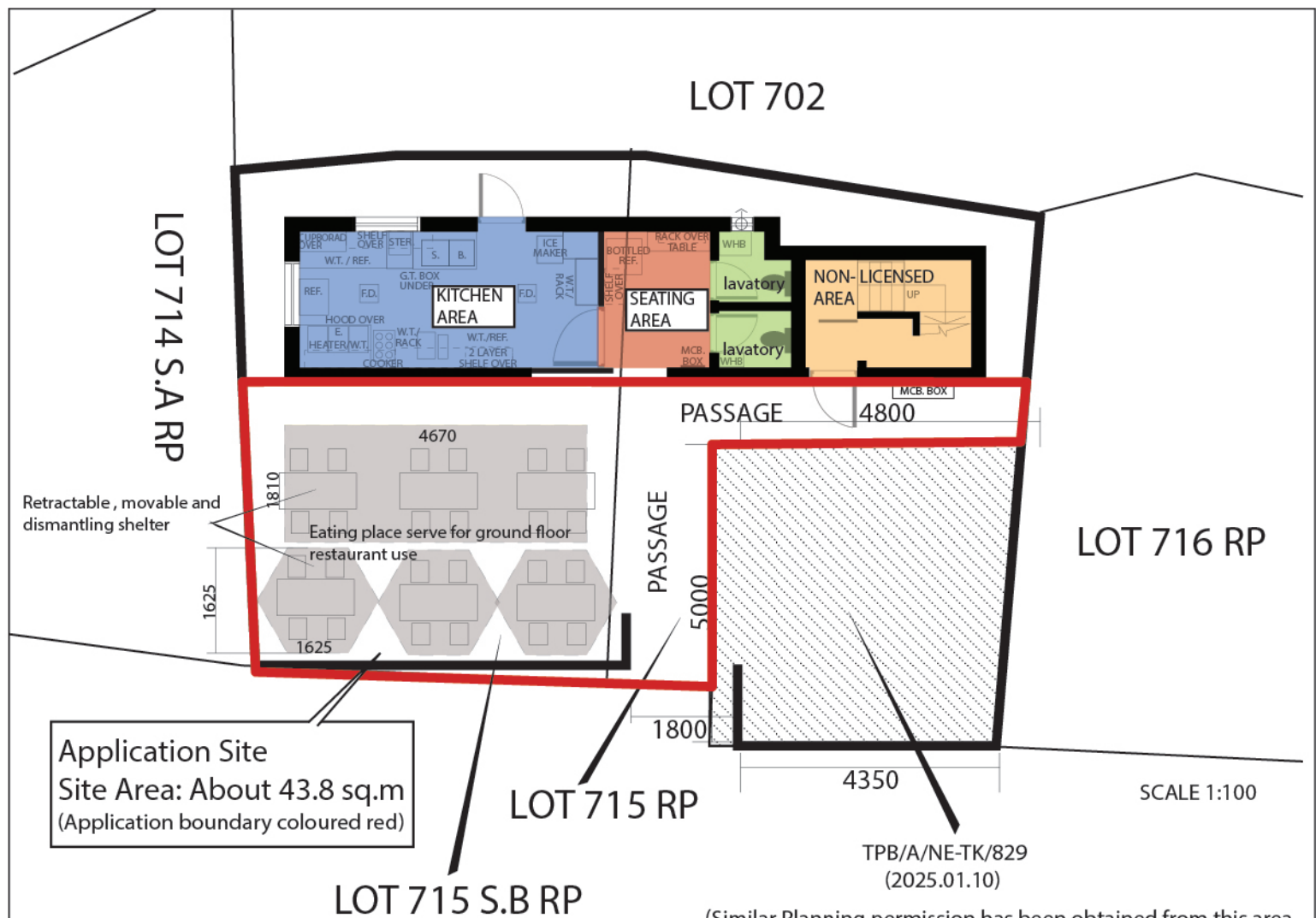
Tai Mei Tuk is one of the most popular places for outings in Hong Kong, so the applicant hopes to make better use of the land and add value. The portable shelters, as well as seating requirements, do not affect the environment of the surrounding site. Thus, tourists can enjoy the restaurant's food and appreciate the surroundings. The addition of portable shelters is anticipated to enable guests to eat in a more comfortable environment while avoiding the effects of hot weather or rainy seasons, which is part of the extension of the ground-floor of Tai Mei Tuk Village House No.47F.

For more detail, please refer to Supporting Planning Statement.

Thanks.

Part 7 第 7 部分

8



Summary

The application falls within the Village Type Development Land Use Category II coverage - Temporary Eating Place under the Outline Planning Plan S/NE-TK/19. The Town Planning Board approved the adjacent areas under this application for the same application use on January 10, 2025, TPB/A/NE-TK/829.

Tai Mei Tuk is one of the most popular places for outings in Hong Kong, so the applicant hopes to make better use of the land and add value. The retractable and dismantling shelters, as well as seating requirements, do not affect the environment of the surrounding site. Thus, tourists can enjoy the restaurant's food and appreciate the surroundings, which is part of the extension of the ground-floor of Tai Mei Tuk Village House No.47F.

The Portable Shelter will be installed to provide guests with a more comfortable dining experience while mitigating the effects of hot weather or rainy seasons.

The relevant facilities (Portable Shelter) will only be on top of the seating and tables, all retractable and easily dismantled. It will not cause fire or affect the surroundings.

The application and the existing restaurant area have one sanitary facility with men's and women's toilets, which meets the FEHD requirements. The fire protection system will also have appropriate fire extinguishers to meet environmental needs.

Plan 2

Revised version

Location: Lot 715 RP (Part) & 715 S.B RP (Part) in D.D. 28, Tai Mei Tuk, Tai Po, New Territories

Application: Temporary Eating Place for a Period of 3 Years

Ver.20250322

**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 New Territories Exempted House 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.

Similar Applications

Approved Applications

Application No.	Proposed Use(s)/Development(s)	Date of Consideration
A/NE-TK/695 ¹	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of Three Years	22.1.2021
A/NE-TK/746 ²	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of Three Years	18.3.2022 (revoked on 18.9.2023)
A/NE-TK/763 ³	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of Three Years	11.11.2022 (revoked on 11.5.2023)
A/NE-TK/784 ³	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of Three Years	13.10.2023
A/NE-TK/789	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of Three Years	26.1.2024
A/NE-TK/795 ¹	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of Three Years	5.4.2024
A/NE-TK/829 ²	Proposed Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of Three Years	10.1.2025

Remarks

¹: Applications No. A/NE-TK/695 and 795 cover the same site.

²: Applications No. A/NE-TK/746 and 829 cover the same site.

³: Applications No. A/NE-TK/763 and 784 cover the same site.

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- no objection to the application;
- the application site (the Site) comprises two Old Schedule Agricultural Lots in D.D. 28 which are covered by a Building Licence No. 132/2009 ("the B/L"). Under the B/L, the Site shall not be built upon and shall continue to be used for agricultural or garden purposes;
- there is no guarantee to the grant of a right of way to the Site or approval of the emergency vehicular access thereto;
- no Small House application on the Site has been received; and
- his advisory comments are at **Appendix V**.

2. Transport

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

- no adverse comment on the application; and
- his advisory comments are at **Appendix V**.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from the environmental planning perspective;
- no environmental complaint in relation to the Site was received in the past three years; and
- his advisory comments are at **Appendix V**.

4. Drainage

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

- 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; and

- her advisory comments are at **Appendix V**.

5. Fire Safety

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

- no in-principle objection to the application subject to fire service installations and water supplies for fire-fighting being provided to his satisfaction; and
- his advisory comments are at **Appendix V**.

6. Buildings Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no objection to the application; and
- his advisory comments are at **Appendix V**.

7. Food and Environmental Hygiene

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

- no adverse comment on the application;
- according to the record of the Food and Environmental Hygiene Department (FEHD), the Site is not covered by any valid licence issued by FEHD. Besides, there is no outdoor seating accommodation application received for the Site; and
- his advisory comments are at **Appendix V**.

8. Other Departments

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

- Commissioner for Transport (C for T);
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD);
- Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD); and
- District Officer (Tai Po), Home Affairs Department (DO(TP), HAD).

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
 - (i) the lot owner is required to submit an application for Short Term Waiver (STW) if he wishes to erect structures on the application site (the Site), for instance retractable canopies fixed on the ground. LandsD will consider the STW application in accordance with the established procedures and guidelines. However, there is no guarantee at this stage that the STW application would be approved. If the STW application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD including the payment of waiver fee and administrative fee as considered appropriate. Besides, given the proposed use is temporary in nature, only erection of temporary structures will be considered; and
 - (ii) there is no guarantee to the grant of a right of way to the Site or approval of the emergency vehicular access (EVA) thereto;
- (b) to note the comments 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;
- (c) to note the comments of the Director of Environmental Protection (DEP) that the applicant is reminded (i) to follow the relevant mitigation measures and requirements in “the Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”; (ii) to meet the statutory requirements under relevant pollution control ordinances; and (iii) to carry out pollution abatement measures in relevant guidelines, including “Control of Oily Fume and Cooking Odour from Restaurants and Food Business” and “General Environmental Guidelines for Outside Seating Accommodation”;
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) there is no existing DSD maintained public drain available for connection in the 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 the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;

- (ii) there are existing public sewers in the vicinity of the Site. The drainage record plan is at **Attachment 1** for ease of reference; and
 - (iii) the applicant shall resolve any conflict/disagreement with relevant lot owner(s) and seek LandsD's permission for laying new drains/channels and/or modifying/upgrading existing ones in other private lots or on Government land (where required) outside the Site;
- (e) to note the comments of the Director of Fire Services (D of FS):
- (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. the applicant should submit relevant layout plans incorporated with the proposed 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; and
 - (ii) the applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans or referral from the relevant licensing authority;
- (f) 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 Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - (ii) the Site does not abut 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) before any new building 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 Building Authority (BA) should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (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) 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;
 - (vi) the applicant's attention is also drawn to the provision under regulation 41 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations in respect of the disposal of surface water;

- (vii) if the proposed use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority; and
 - (viii) detailed checking under the BO will be carried about at building plan submission stage; and
- (g) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
- (i) proper licence/permit issued by Food and Environmental Hygiene Department (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:
 - (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 food business licence from the FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) shall be obtained. The application for licence, if acceptable by the FEHD, will be referred to relevant government departments such as the BD, Fire Services Department and Planning Department for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;
 - (2) when a restaurant licensee/licence applicant wishes to use any open area as outdoor seating accommodation (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;
 - (3) from the restaurant licensing point of view, no shelters other than movable sunshades and the like should be allowed in the OSA. Prior approval and consent must be obtained from the BA under the BO (Cap. 123) for the construction of awnings or other supporting structures. The main licensing criteria for OSA in respect of Hygiene Requirements are as following:
 - (I) an OSA should normally be annexed to restaurant premises, i.e. food and beverages need not be conveyed through an intervening public thoroughfare;
 - (II) additional food preparation space and scullery area equivalent to 1/10 of the OSA area should be provided inside the roofed-over restaurant premises;
 - (III) adequate sanitary and ablution facilities should be provided within the

roofed-over area of the premises for use by the customers;

- (IV) area in a backyard/open yard where there are no waste/soil pipes or manholes prejudicing the hygienic operation of the OSA will also be considered; and
 - (V) no heating activities for cooking/food warming, preparation (including self-service hot-pot or barbecue), display or storage of open food, or cleaning or storage of any equipment or utensils used in the preparation or service of food shall be allowed in the OSA;
- (4) the operation of the eating place must not cause any environmental nuisance to the surrounding. 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 PPE Licence (or Temporary PPE 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; and
- (iii) no FEHD's facilities will be affected.

