

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

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

Previous Applications

Approved Applications

Application No.	Proposed Use	Date of Consideration	Approval Conditions
A/TP/619	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	17.2.2017	A1 – A4 (Revoked on 17.02.2018)
A/TP/649	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	16.11.2018	A1 – A2 & A4
A/TP/679	Temporary Eating Place (Extension of a Restaurant) for a Period of 3 Years	24.12.2021	A2 & A4

Approval Conditions

- A1. No operation between the specified times, as proposed by the applicant, was allowed on the application site during the planning approval period.
- A2. The submission and implementation of proposal for fire service installations (FSIs) and water supplies for firefighting within specified period from the date of planning approval.
- A3. Upon the expiry of the planning permission, the reinstatement of the application site to an amenity area.
- A4. Revocation of planning approval for non-compliance with conditions by a specified date/during the planning approval period.

Government Departments' General Comments

1. Land Administration

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

- (a) no objection to the application;
- (b) the Site is currently situated on unallocated and unleased government land not covered by any valid Short Term Tenancy (STT);
- (c) the Site adjoining Lot No. 2060 in D.D. 6 has been illegally occupied with an unauthorized enclosed structure without permission. A fee in respect of the occupation of the Site has been periodically demanded and paid by the applicant. The applicant has submitted a regularization application by way of STT to LandsD. Should the Board approve the application, LandsD will continue to proceed with the regularization application which extent shall not exceed the planning approval;
- (d) there is no guarantee to the grant of a right of way to the Site or approval of the emergency vehicular access thereto;
- (e) there is at present no Small House application received for the Site; and
- (f) his advisory comments are set out at **Appendix V**.

2. Food and Environmental Hygiene

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

- (a) no adverse comment on the application;
- (b) the applied use is not covered by any valid food licence. The adjoining general restaurant at G/F of No. 105 Kam Shek New Village, Tai Po was covered by a valid General Restaurant Licence (Licence No. 2295000561) with validity up to 20.3.2025. The General Restaurant licence was firstly issued on 21.3.2003. This general restaurant at G/F of No. 105 Kam Shek New Village is now under alteration application; and
- (c) his advisory comments are set out at **Appendix V**.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- (a) no objection to the application in view that this application is to reflect the latest development parameters of the existing structure at the Site (i.e. the building height and built-over area) and to rectify the gutter erected around the top edge of the existing structure; the present scheme has no change in the nature of use and operation of the restaurant extension as compared with the previous application No. A/TP/679; the operation hour of the restaurant is from 7:00 a.m. to 9:30 p.m.; sewage from the restaurant will be discharged to the existing public sewers; no parking space or loading/ unloading space will be provided on site; and no cooking facilities will be provided within the seating area;

- (b) in the past three years, one substantiated complaint was reported in 2022 about the effluent from dish washing discharged to storm drains related to the use at the Site. Actions had been subsequently taken by the subject operator to rectify wastewater discharge. Since then, no substantiated environmental complaints related to the use at the Site have been received; and
- (c) his advisory comments are set out at **Appendix V**.

4. Drainage

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

- (a) No comment on the application from public drainage viewpoint;
- (b) The operation condition of the restaurant remains unchanged from previous approved planning application No. A/TP/679, which has no appreciable change and presume there is no substantial additional impact to the existing stormwater and sewerage system to receive runoff and sewage to be collected/ generated from the premises; and
- (c) his advisory comments are set out at **Appendix V**.

5. Fire Safety

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

- (a) No specific comment on the application subject to fire service installations and water supplies for fire-fighting being provided to his satisfaction; and
- (b) his advisory comments are set out at **Appendix V**.

6. Other Departments

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

- Commissioner for Transport (C for T); 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 application site (the Site);
- (b) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that LandsD will continue to proceed with the regularization application which extent shall not exceed the planning approval. The application for Short Term Tenancy (STT) will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STT, if approved, will be subject to such terms and conditions including the payment of rent and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure will be considered;
- (c) to note the comments of the Director of Food and Environmental Hygiene (DEFH) 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 for the public. Under the Food Business Regulation, Cap. 132X, a food business licence is required for the operation of the relevant type of food business listed in the Regulation. 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 for comments. 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;
 - (ii) the operation of the eating place must not cause any environmental nuisance to the surrounding. The refuse generated by the proposed eating place are regarded as trade refuse. The management or owner of the 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
 - (iii) no FEHD's facilities should be affected;
- (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 (COP)" 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 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) the operation of the restaurant extension shall not cause additional drainage and sewerage impact to the public stormwater and sewerage systems;
 - (ii) the operator of the restaurant shall obtain relevant licence for the extension of restaurant and seek agreement from FEHD for continuous operation of the restaurant; and
 - (iii) EPD's consent shall be obtained for the proper sewage collection, treatment and discharge process pertaining to the restaurant operation;
- (f) to note the comments of the Director of Fire Services (D of FS) that detailed fire services requirements will be formulated upon receipt of a formal submission of STT, general building plans or referral of application via relevant licensing authority. Furthermore, the emergency vehicular access (EVA) provision in the captioned work shall comply with the requirements as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the Building Authority (BA);
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Building Department (CBS/NTW, BD) that:
 - (i) the granting of the STT for the Site should not be construed as an acceptance of any existing building works or unauthorized building works (UBW) on site under the Buildings Ordinance (BO);
 - (ii) before any new building works, including alterations and additions works, are carried out on land held under STT, prior approval and consent from the BA should be obtained, otherwise they are UBW. AP must be appointed to coordinate all new building works in accordance with the BO;
 - (iii) for UBW erected on land held under STT, enforcement action may be taken by the BA to effect the removal of the UBW in accordance with the policy for control of UBW in the future. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO, and any licence applications for which comments from BD is necessary; and
 - (iv) the BA cannot give retrospective approval to the existing structure pursuant to section 14(1) of the BO. As such, prior approval and consent from the BA should be obtained for any new building works, including alterations and additions works, are carried out on land held under STT, otherwise they are UBW.

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

Form No. S16-I
表格第 S16-I 號

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to proposals not involving or not only involving:
適用於建議不涉及或不祇涉及:**

- (i) Construction of “New Territories Exempted House(s)”;
興建「新界豁免管制屋宇」;**
- (ii) Temporary use/development of land and/or building not exceeding 3 years in
rural areas or Regulated Areas; and
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;及**
- (iii) 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的臨時用途或發展的許可續期**

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/TP/701
	Date Received 收到日期	2024年11月1日

- 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)

Timothy Wong Yik 黃翊

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)

Toco Planning Consultants Limited

達材都市規劃顧問有限公司

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)	Government Land adjoining Lot 2060 in D.D. 6, No. 105 Kam Shek New Village, Tai Po
(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 38.5 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 38.5 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) 38.5 sq.m 平方米 <input checked="" type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Tai Po Outline Zoning Plan No. S/TP/30
(e) Land use zone(s) involved 涉及的土地用途地帶	Village Type Development
(f) Current use(s) 現時用途	Temporary Eating Place (Extension of a Restaurant) (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

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

The applicant 申請人 –

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

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

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (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

- ☐ Type (i) Change of use within existing building or part thereof
第(i)類 更改現有建築物或其部分內的用途
- ☐ Type (ii) Diversion of stream / excavation of land / filling of land / filling of pond as required under Notes of Statutory Plan(s)
第(ii)類 根據法定圖則《註釋》內所要求的河道改道／挖土／填土／填塘工程
- ☐ Type (iii) Public utility installation / Utility installation for private project
第(iii)類 公用事業設施裝置/私人發展計劃的公用設施裝置
- ☐ Type (iv) Minor relaxation of stated development restriction(s) as provided under Notes of Statutory Plan(s)
第(iv)類 略為放寬於法定圖則《註釋》內列明的發展限制
- ☒ Type (v) Use / development other than (i) to (iii) above
第(v)類 上述的(i)至(iii)項以外的用途／發展

Note 1: May insert more than one 「✓」.

註 1：可在多於一個方格內加上「✓」號

Note 2: For Development involving columbarium use, please complete the table in the Appendix.

註 2：如發展涉及靈灰安置用途，請填妥於附件的表格。

(i) For Type (i) application 供第(i)類申請

(a) Total floor area involved 涉及的總樓面面積	sq.m 平方米		
(b) Proposed use(s)/development 擬議用途/發展	(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)		
(c) Number of storeys involved 涉及層數	Number of units involved 涉及單位數目		
(d) Proposed floor area 擬議樓面面積	Domestic part 住用部分		sq.m 平方米 <input type="checkbox"/> About 約
	Non-domestic part 非住用部分		sq.m 平方米 <input type="checkbox"/> About 約
	Total 總計		sq.m 平方米 <input type="checkbox"/> About 約
(e) Proposed uses of different floors (if applicable) 不同樓層的擬議用途(如適用) (Please use separate sheets if the space provided is insufficient) (如所提供的空間不足，請另頁說明)	Floor(s) 樓層	Current use(s) 現時用途	Proposed use(s) 擬議用途

(ii) For Type (ii) application 供第(ii)類申請

(a) Operation involved 涉及工程	<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
(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) (請用圖則顯示有關土地/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))			
(b) Intended use/development 有意進行的用途/發展			

(iii) For Type (iii) application 供第(iii)類申請

(a) Nature and scale 性質及規模	<input type="checkbox"/> Public utility installation 公用事業設施裝置													
	<input type="checkbox"/> Utility installation for private project 私人發展計劃的公用設施裝置													
	Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量, 包括每座建築物/構築物(倘有)的長度、高度和闊度													
	<table border="1"> <thead> <tr> <th>Name/type of installation 裝置名稱/種類</th> <th>Number of provision 數量</th> <th>Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)										
	Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)											
(Please illustrate on plan the layout of the installation 請用圖則顯示裝置的布局)														

(iv) For Type (iv) application 供第(iv)類申請

- (a) Please specify the proposed minor relaxation of stated development restriction(s) and **also fill in the proposed use/development and development particulars in part (v) below** –

請列明擬議略為放寬的發展限制並填妥於第(v)部分的擬議用途/發展及發展細節 –

- ☐ Plot ratio restriction 地積比率限制 From 由 to 至
☐ Gross floor area restriction 總樓面面積限制 From 由sq. m 平方米 to 至sq. m 平方米
☐ Site coverage restriction 上蓋面積限制 From 由% to 至%
☐ Building height restriction 建築物高度限制
 From 由m 米 to 至 m 米
 From 由 mPD 米 (主水平基準上) to 至mPD 米 (主水平基準上)
 From 由 storeys 層 to 至 storeys 層
☐ Non-building area restriction 非建築用地限制 From 由m to 至 m
☐ Others (please specify) 其他 (請註明)

(v) For Type (v) application 供第(v)類申請

- (a) Proposed use(s)/development
擬議用途/發展

Proposed Temporary Eating Place (Extension of a Restaurant)
for a Period of 3 years

(Please illustrate the details of the proposal on a layout plan 請用平面圖說明建議詳情)

(b) Development Schedule 發展細節表

- Proposed gross floor area (GFA) 擬議總樓面面積 38.5 sq.m 平方米 ☒ About 約
 Proposed plot ratio 擬議地積比率 -- ☐ About 約
 Proposed site coverage 擬議上蓋面積 100 % ☐ About 約
 Proposed no. of blocks 擬議座數 1
 Proposed no. of storeys of each block 每座建築物的擬議層數 1 storeys 層
☐ include 包括 storeys of basements 層地庫
☐ exclude 不包括 storeys of basements 層地庫
 Proposed building height of each block 每座建築物的擬議高度 mPD 米(主水平基準上) ☐ About 約
 2.9 m 米 ☒ About 約

☐ Domestic part 住用部分

GFA 總樓面面積 sq. m 平方米 ☐ About 約
 number of Units 單位數目
 average unit size 單位平均面積sq. m 平方米 ☐ About 約
 estimated number of residents 估計住客數目

☐ Non-domestic part 非住用部分GFA 總樓面面積☐ eating place 食肆 sq. m 平方米 ☐ About 約☐ hotel 酒店 sq. m 平方米 ☐ About 約

(please specify the number of rooms

請註明房間數目)

☐ office 辦公室 sq. m 平方米 ☐ About 約☐ shop and services 商店及服務行業 sq. m 平方米 ☐ About 約

☐ Government, institution or community facilities (please specify the use(s) and concerned land
 政府、機構或社區設施 area(s)/GFA(s) 請註明用途及有關的地面面積／總
 樓面面積)

.....

.....

.....

☒ other(s) 其他

(please specify the use(s) and concerned land
 area(s)/GFA(s) 請註明用途及有關的地面面積／總
 樓面面積)

Restaurant Extension 38.5sqm

.....

.....

☐ Open space 休憩用地

(please specify land area(s) 請註明地面面積)

☐ private open space 私人休憩用地 sq. m 平方米 ☐ Not less than 不少於☐ public open space 公眾休憩用地 sq. m 平方米 ☐ Not less than 不少於

(c) Use(s) of different floors (if applicable) 各樓層的用途 (如適用)

[Block number] [座數]	[Floor(s)] [層數]	[Proposed use(s)] [擬議用途]
.....
.....
.....
.....
.....

(d) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途

.....

.....

.....

.....

.....

7. Anticipated Completion Time of the Development Proposal**擬議發展計劃的預計完成時間**

Anticipated completion time (in month and year) of the development proposal (by phase (if any)) (e.g. June 2023)

擬議發展計劃預期完成的年份及月份 (分期 (倘有)) (例: 2023 年 6 月)

(Separate anticipated completion times (in month and year) should be provided for the proposed public open space and Government, institution or community facilities (if any))

(申請人須就擬議的公眾休憩用地及政府、機構或社區設施 (倘有) 提供個別擬議完成的年份及月份)

.....

.....

.....

.....

.....

8. Vehicular Access Arrangement of the Development Proposal**擬議發展計劃的行車通道安排**

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 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)) <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 checked="" type="checkbox"/>
Any provision of parking space for the proposed use(s)? 是否有為擬議用途提供停車位？	Yes 是 No 否	<input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示 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) _____ _____ _____
Any provision of loading/unloading space for the proposed use(s)? 是否有為擬議用途提供上落客貨車位？	Yes 是 No 否	<input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示 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) _____ _____ _____

9. 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。

<p>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?</p>	<p>Yes 是 No 否</p>	<p><input type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p><input checked="" type="checkbox"/></p>																													
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程? (Note: where Type (ii) application is the subject of application, please skip this section. 註：如申請涉及第(ii)類申請，請跳至下一條問題。)</p>	<p>Yes 是 No 否</p>	<p><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)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><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</p> <p><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</p> <p><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</p> <p><input checked="" type="checkbox"/></p>																													
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>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> <p>.....</p> <p>.....</p> <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) 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>Please see attached Planning Statement.</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	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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10. Justifications 理由

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

Please see attached Planning Statement.



11. 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



CHAN TAT CHOI

Name in Block Letters
姓名（請以正楷填寫）

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

Managing Director

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 MPIA

on behalf of
代表

Toco Planning Consultants Limited

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



Date 日期

1.11.2024

(DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

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

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

Statement on Personal Data 個人資料的聲明

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

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

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

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

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

方便申請人與委員會秘書及政府部門之間進行聯絡。

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

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

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

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

For Developments involving Columbarium Use, please also complete the following:
如發展涉及靈灰安置所用途，請另外填妥以下資料：

Ash interment capacity 骨灰安放容量[@]

Maximum number of sets of ashes that may be interred in the niches

在龕位內最多可安放骨灰的數量

Maximum number of sets of ashes that may be interred other than in niches

在非龕位的範圍內最多可安放骨灰的數量

Total number of niches 龕位總數

Total number of single niches

單人龕位總數

Number of single niches (sold and occupied)

單人龕位數目 (已售並佔用)

Number of single niches (sold but unoccupied)

單人龕位數目 (已售但未佔用)

Number of single niches (residual for sale)

單人龕位數目 (待售)

Total number of double niches

雙人龕位總數

Number of double niches (sold and fully occupied)

雙人龕位數目 (已售並全部佔用)

Number of double niches (sold and partially occupied)

雙人龕位數目 (已售並部分佔用)

Number of double niches (sold but unoccupied)

雙人龕位數目 (已售但未佔用)

Number of double niches (residual for sale)

雙人龕位數目 (待售)

Total no. of niches other than single or double niches (please specify type)

除單人及雙人龕位外的其他龕位總數 (請列明類別)

Number of niches (sold and fully occupied)

龕位數目 (已售並全部佔用)

Number of niches (sold and partially occupied)

龕位數目 (已售並部分佔用)

Number of niches (sold but unoccupied)

龕位數目 (已售但未佔用)

Number of niches (residual for sale)

龕位數目 (待售)

Proposed operating hours 擬議營運時間

[@] Ash interment capacity in relation to a columbarium means –

就靈灰安置所而言，骨灰安放容量指：

- the maximum number of containers of ashes that may be interred in each niche in the columbarium;
每個龕位內可安放的骨灰容器的最高數目；
- the maximum number of sets of ashes that may be interred other than in niches in any area in the columbarium; and
在該靈灰安置所並非龕位的範圍內，總共最多可安放多少份骨灰；以及
- the total number of sets of ashes that may be interred in the columbarium.
在該骨灰安置所內，總共最多可安放多少份骨灰。

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	Government Land adjoining Lot 2060 in D.D. 6, No. 105 Kam Shek New Village, Tai Po 大埔錦石新村105號丈量約份第6約地段第2060號之毗連政府土地		
Site area 地盤面積	38.5 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 38.5 sq. m 平方米 <input checked="" type="checkbox"/> About 約)		
Plan 圖則	Approved Tai Po Outline Zoning Plan No. S/TP/30 大埔分區計劃大綱核准圖編號S/TP/30		
Zoning 地帶	Village Type Development 鄉村式發展		
Applied use/ development 申請用途/發展	Proposed Temporary Eating Place (Extension of a Restaurant) for a Period of 3 years 擬議臨時食肆 (食肆擴建部分) (為期3年)		
(i) Gross floor area and/or plot ratio 總樓面面積及/或 地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	-- <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	38.5 <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	
	Composite 綜合用途	--	

(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)
		--	mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
		--	Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Non-domestic 非住用	2.9	m 米 <input checked="" type="checkbox"/> (Not more than 不多於)
		--	mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
		1	Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Composite 綜合用途	--	m 米 <input type="checkbox"/> (Not more than 不多於)
		--	mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
		--	Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
(iv) Site coverage 上蓋面積	100 % <input type="checkbox"/> About 約		
(v) No. of units 單位數目	--		
(vi) Open space 休憩用地	Private 私人	--	sq.m 平方米 <input type="checkbox"/> Not less than 不少於
	Public 公眾	--	sq.m 平方米 <input type="checkbox"/> Not less than 不少於

(vii) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____	--
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____	--

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

	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input 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"/>
<u>土地用途地帶及位置圖 Zoning and Location Plan, 平面及土地類別圖 Site and Land Status Plan,</u> <u>現場照片 Site Photos, 行人通道圖 Pedestrian Circulation Plan</u>		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
_____ _____		

Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號

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

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

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**Section 16 Planning Application for Proposed Temporary Eating Place
(Extension of a Restaurant) for a Period of 3 Years,
Government Land adjoining Lot 2060 in D.D. 6,
No. 105 Kam Shek New Village, Tai Po**

PLANNING STATEMENT



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Executive Summary

This section 16 (s.16) planning application is submitted by Toco Planning Consultants Ltd. on behalf of Mr. Timothy Wong Yik (the Applicant), the operator of 105 Diner (the subject restaurant) located on ground floor of a village house at No. 105 Kam Shek New Village, Tai Po. The Applicant seeks planning permission from the Town Planning Board (TPB) for proposed temporary eating place (extension of the subject restaurant) for a period of 3 years covering a piece of Government land adjoining Lot 2060 in D.D. 6 (the application site). The application site is about 38.5m² in area and falls within “Village Type Development” (“V”) zone on the Approved Tai Po Outline Zoning Plan No. S/TP/30. It is currently occupied by the applied use covering a single-storey structure (the existing structure) with temporary planning permission.

The application site is the subject of two previously approved s.16 planning applications (Nos. A/TP/619 and A/TP/649) for a temporary outside seating accommodation covered by canopy for the subject restaurant, and also the subject of a previously approved s.16 planning application (No. A/TP/679) for the temporary extension of the subject restaurant within the existing structure. As the latest temporary planning permission will be expired on 24.12.2024, the Applicant intends to renew the planning approval in order to allow the continual operation within the existing structure. However, the Applicant has been recently informed by Lands Department that, after detailed checking, the building height and building-over area of the existing structure should be 2.9m and about 38.5m² respectively, which slightly exceeds the development parameters proposed under the latest previous planning application. Thus, this s.16 planning application is submitted in order to reflect the more accurate development parameters of the existing structure at the site. It is also intended to rectify the gutter erected around the top edge of the existing structure.

Planning assessment has indicated that the present application is well justified because it has complied with the assessment criteria for s.16 planning application for eating place within “V” zone in rural areas as stated in the TPB Guidelines No. 15A. The application site located at the northern fringe of Kam Shek New Village, and the restaurant extension mainly serves for convenient sitting area for the local residents without affecting the pedestrian circulation of the area. Compared with the latest previously approved scheme, the present scheme has no change in the nature of use, “actual scale” of the existing structure and operation of the restaurant extension area. The operating hours of the restaurant will be the same from 7:00 a.m. and 9:30 p.m. There is no significant change in planning circumstances such as planning policy and land use zoning in the area. The subject development is small scale in nature and will not result in any significant adverse impact on the traffic, environmental, drainage, sewerage, visual and fire safety aspects. Being temporary in nature, the approval of the present application will not set an undesirable precedent for other similar applications and jeopardize land use in the village.

行政摘要

(內容如有差異，應以英文版本為準)

黃翊先生 (申請人) 是 105 冰室 (冰室) 之經營者，該冰室位於大埔錦石新村第 105 號屋的地下。申請人現透過達材都市規劃顧問有限公司，根據城市規劃 (城規) 條例第 16 條向城市規劃委員會遞交規劃許可申請，以准許在毗連於丈量約份第 6 約地段第 2060 號的政府土地上 (申請地點) 提供臨時食肆 (冰室之擴建)，為期三年。申請地點面積約有 38.5 平方米，現時在大埔分區計劃大綱核准圖編號 S/TP/30 上被訂為「鄉村式發展」用途區，而申請地點現時是一座單層構築物 (現有建築物) 並根據臨時規劃許可用作申請用途。

申請地點過去曾涉及兩宗有關擁有上蓋的冰室臨時戶外座位區之已獲批規劃申請 (編號 A/TP/619 及 A/TP/649)，以及一宗有關被現有建築物覆蓋的冰室之擴建的已獲批規劃申請 (編號 A/TP/679)。鑒於最新的規劃許可將於 2024 年 12 月 24 日屆滿，申請人希望透過申請續期令現有建築物的運動能夠繼續，但申請人最近獲地政處通知有關現有建築物在詳細測量後的高度及上蓋面積應分別為 2.9 米及 38.5 平方米，因此發展參數是略高於最新規劃申請時的情況。有見及此，提交是次規劃申請是為了反映申請地點內現有建築物的發展參數能夠更加精確，同時修正現有建築物頂部外側邊沿處的排水溝。

規劃評估指出是次申請理據充分，因為符合了規劃指引編號 15A 有關擬在鄉郊地區的「鄉村式發展」地帶內開設食肆臨而按照城規條例第 16 條提出的規劃申請之準則。申請地點位於錦石新村以北的邊陲，而冰室之擴建主要是提供戶外座位區為附近居民提供一個方便的地方作聚會點，但同時不會影響附近的行人流通。是次申請與上次最新已獲批的計劃比較，本申請在用途、現有建築物的 "真正" 規模和冰室之擴建的運作上不變，運作時間亦將會一樣為上午 7 時至晚上 9 時半，而該區的規劃情況 (例如規劃政策和土地利用方面) 亦沒有重大改變。是次發展規模細小，故不會在交通、環境、排水、排污、視覺景觀及防火安全上造成任何嚴重的不良影響。由於擬議用途屬臨時性，因此不會窒礙村內的土地利用，從而立下不良先例。

1. INTRODUCTION

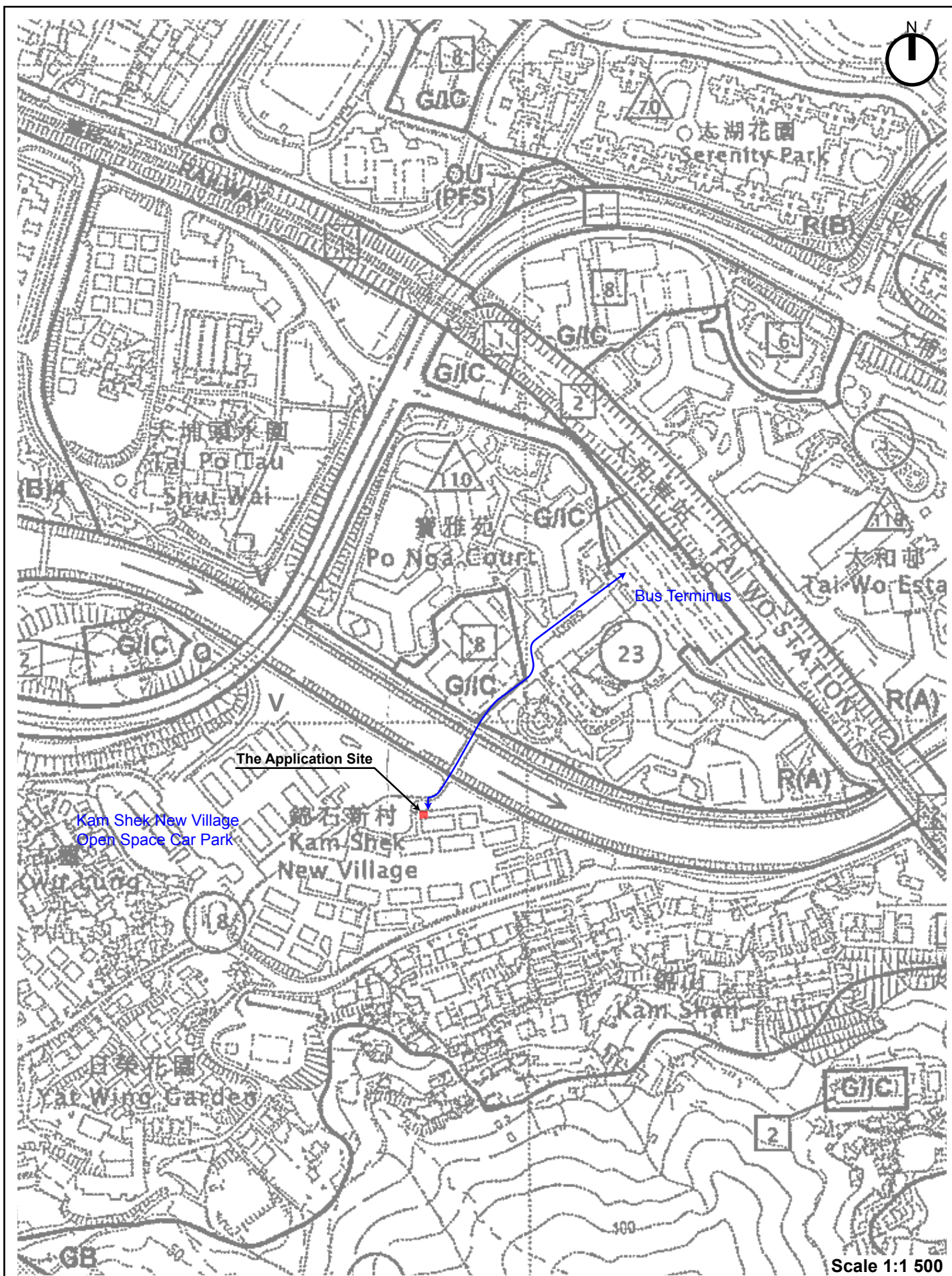
This section 16 (s.16) planning application is submitted by Toco Planning Consultants Ltd. on behalf of Mr. Timothy Wong Yik (the Applicant), the operator of 105 Diner (the subject restaurant) located on ground floor (G/F) of a village house at No. 105 Kam Shek New Village, Tai Po. The Applicant seeks planning permission from the Town Planning Board (the Board / TPB) for proposed temporary eating place (extension of the subject restaurant) for a period of 3 years covering a piece of Government land adjoining Lot 2060 in D.D. 6 (the application site). The application site is about 38.5m² in area and falls within “Village Type Development” (“V”) zone on the Approved Tai Po Outline Zoning Plan (OZP) No. S/TP/30 (see **Plan A**). It is currently occupied by the applied use covering a single-storey structure (the existing structure) with temporary planning permission until 24.12.2024.

The application site is the subject of two previously approved s.16 planning applications (Nos. A/TP/619 and A/TP/649) for a temporary outside seating accommodation (OSA) covered by canopy for the subject restaurant, and also the subject of a previously approved s.16 planning application (No. A/TP/679) for temporary extension of the subject restaurant within the existing structure (see **Appendix I**). As the latest temporary planning permission will be expired on 24.12.2024, the Applicant intends to renew the planning approval in order to allow the continual operation within the existing structure. However, the Applicant has been recently informed by Lands Department (LandsD) that, after detailed checking, the building height (BH) and building-over area (BOA) of the existing structure should be 2.9m and about 38.5m² respectively, which slightly exceeds the development parameters proposed under the latest previous planning application. Thus, this s.16 planning application is submitted in order to reflect the more accurate development parameters of the existing structure at the site. It is also intended to rectify the gutter erected around the top edge of the existing structure.

Compared with the latest previously approved scheme, the present scheme has no change in the nature of use, “actual scale” of the existing structure and operation of the restaurant extension area. There is no significant change in planning circumstances such as planning policy and land use zoning in the area. Planning assessment has indicated that the present application is well justified for the following reasons:

- (a) it can facilitate continuity of the restaurant extension area to support the adjoining permitted eating place, which is a popular diner and gathering place in Kam Shek New Village to serve the local residents;
- (b) it is in line with the relevant TPB Guidelines for eating place within “V” zone;
- (c) it will not adversely affect the land availability for village type development and any pedestrian circulation in the area;
- (d) the small scale development will not result in any significant traffic, environmental, drainage, sewerage, visual and fire safety impacts on the locality; and
- (e) it will not set a bad precedent for similar applications.

The above planning justifications will be explained in detail in the following sections.



Plan A: Zoning and Location Plan

Approved Tai Po Outline Zoning Plan S/TP/30

2. PLANNING BACKGROUND

2.1 Site Location and Accessibility (Plan A)

The application site is located at the northern fringe of Kam Shek New Village, Tai Po (**Photo 1**). It is bounded by a footpath to the north; internal circulation area of Kam Shek New Village to the east; the subject restaurant on G/F of village house at No. 105 Kam Shek New Village to the south; and planter to the west. The site is accessible via internal circulation area of Kam Shek New Village and a footpath leading from Wilson Trail. Major public transport and vehicular facilities such as Tai Wo MTR Station, bus terminus and car parks are located within about 6 minutes walking distance from the site.

2.2 Site and Adjacent Land Uses (Plan B)

The application site has a total area of about 38.5m². It is covered by a single-storey rectangular structure with a height of about 2.8m serving as an extension area of the subject restaurant (**Photos 3 - 5**). The subject restaurant is a typical “cha chaan teng” (茶餐廳) with several tables and seats that flexibly placed (**Photo 5**). The restaurant extension area has an operating area of about 32.3m² and it mainly serves as seating accommodation of the restaurant with no cooking facilities. Fire Service Installation (FSI) facilities are already provided within the existing structure (**Photo 6**).

The surrounding area has a suburban character which is mainly comprised of village houses and landscape areas. A playground is located to the immediate west of the site whilst Lam Tsuen River to the north.

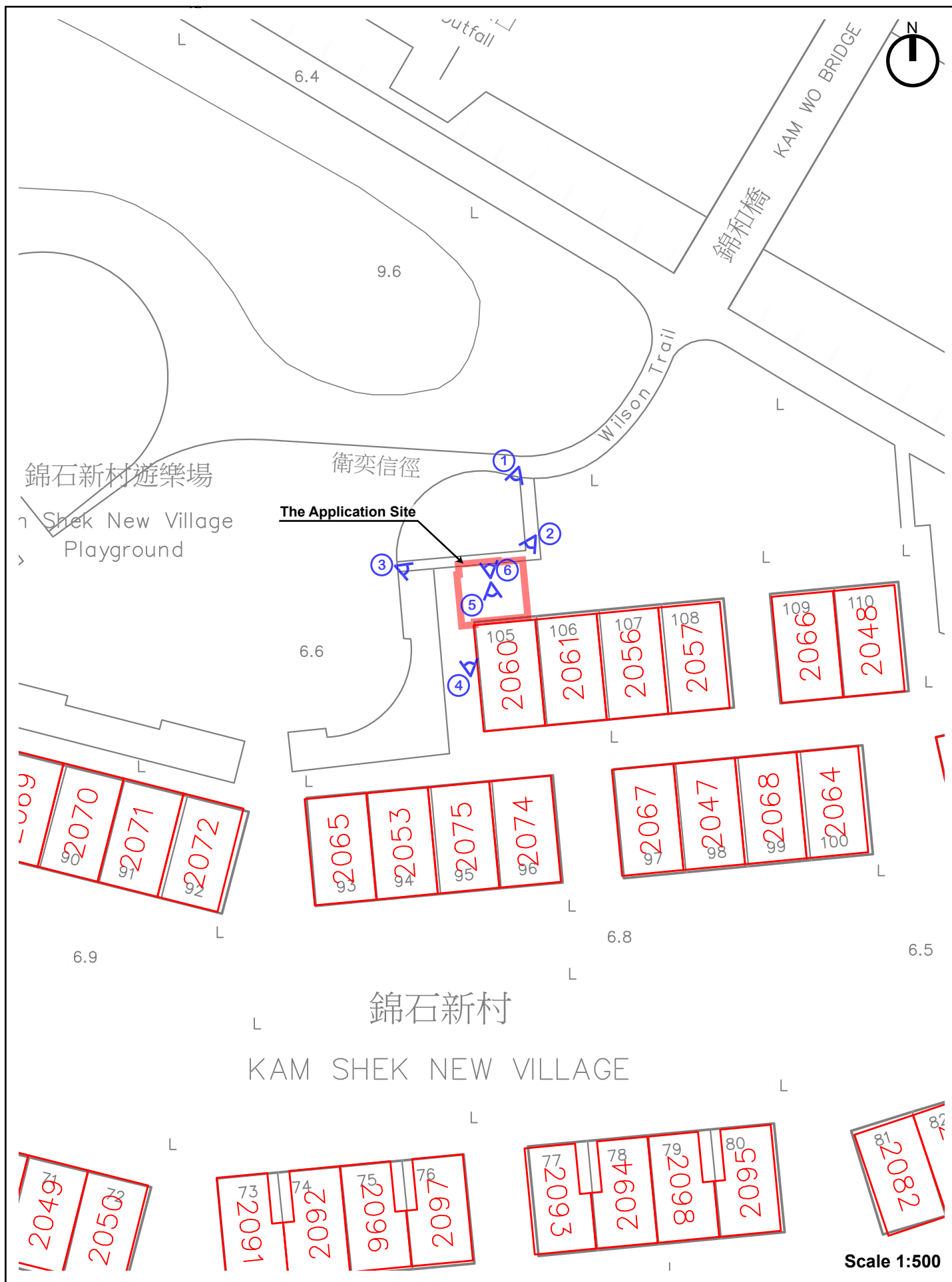
2.3 Planning Context

The application site falls within “V” zone on the Approved Tai Po OZP No. S/TP/30. According to the Notes of the OZP, the planning intention of this zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion. Other commercial, community and recreational uses may be permitted on application to the Board.

The application site is the subject of three previous s.16 planning applications. The first two planning applications (Nos. A/TP/619 and A/TP/649) for temporary OSA with canopy were approved by the Board on 17.2.2017 and 16.11.2018 respectively. The last planning application (No. A/TP/679) for temporary extension of the subject restaurant within the existing structure was approved by the Board on 24.12.2021, and all approval conditions have been complied. The last temporary planning permission will be expired on 24.12.2024.

2.4 Land Status

The application site is a piece of Government land adjoining Lot 2060 in D.D. 6. An application for a short term tenancy (STT) covering the subject Government land is under processing by LandsD.



Plan B: Site and Land Status Plan



Photo 1: 105 Diner.



Photo 2: The entrances of 105 Diner.



Photo 3: Sufficient space in front of 105 Diner.



Photo 4: Rear side of 105 Diner.



Photo 5: The restaurant extension area.



Photo 6: FSI facilities.



Site Photos

(See Plan B for Visual Points)

3. DEVELOPMENT PROPOSAL

3.1 Floor Plan, Development Schedule and Operation of the Restaurant

A Layout Plan indicating the details of the restaurant extension area with dimensions based on LandsD's detailed measurement is attached in **Plan C**. This s.16 planning application is intended to reflect more accurate development parameters of the existing structure, as well as to rectify the gutter erected around the top edge of the existing structure at the application site. As compared with the latest previously approved scheme, the present scheme has no change in the nature of use, "actual scale" of the existing structure and operation of the restaurant extension area, i.e.:

- the restaurant mainly provides typical "cha chaan teng" style of foods and drinks;
- the operating hours will be from 7:00 a.m. and 9:30 p.m. daily;
- the number of permanent staff will be about 5 ;
- the restaurant extension area will accommodate a maximum of 20 persons; and
- no cooking facility will be provided within this area.

The indicative planning parameters of the proposal scheme are shown in **Table 3.1**.

Table 3.1: Planning Parameters of the Development Proposal

	Application Site
Site Area (m ²)	About 38.5m ²
Non-domestic GFA (m ²)	Not exceeding 38.5m ²
Operation Area (m ²)	About 32.3m ²
Maximum Building Height	About 2.9m

3.2 Access, Drainage, Sewerage and Fire Safety Arrangements

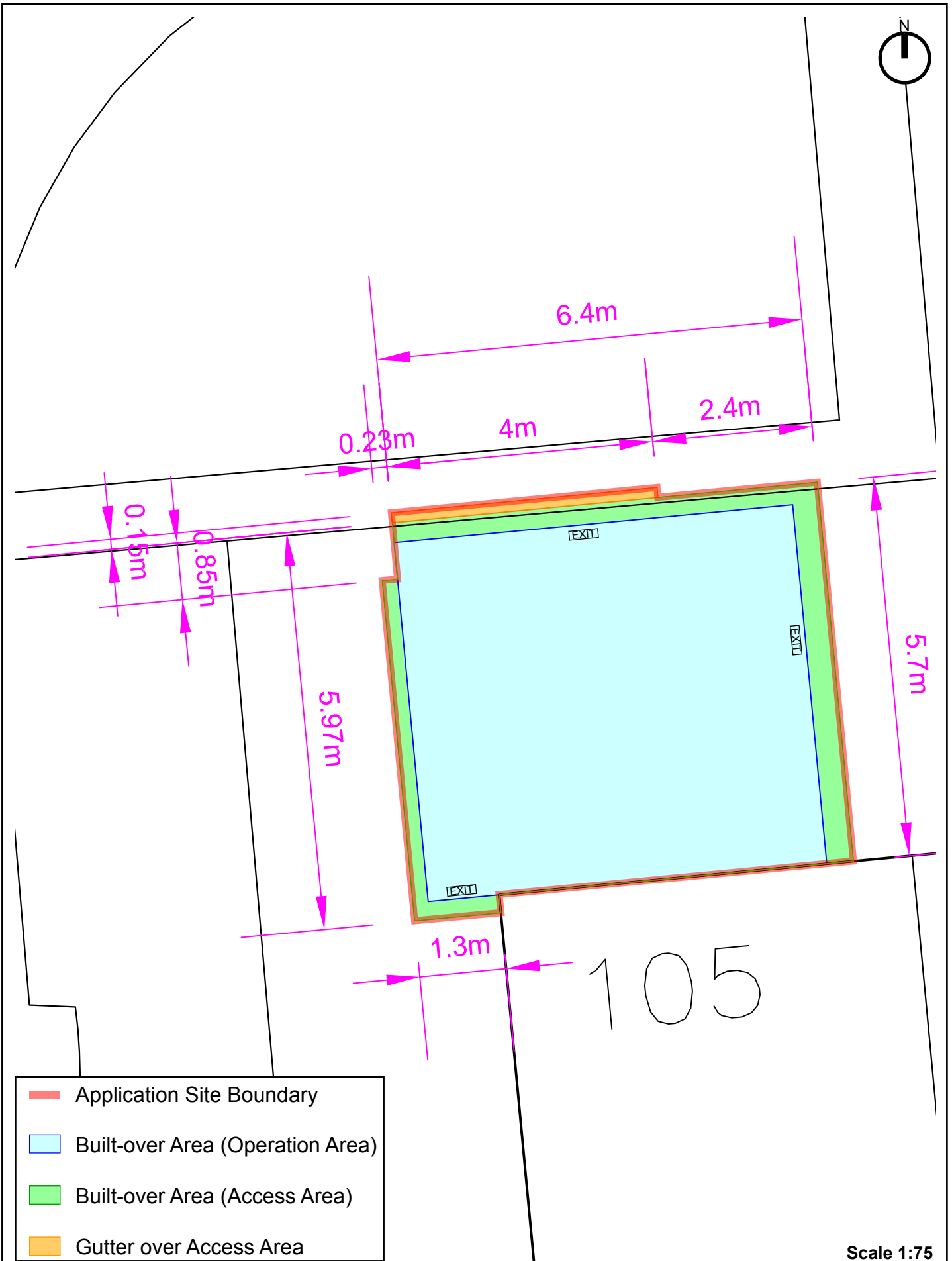
The application site is accessible via internal circulation area of Kam Shek New Village and a footpath leading from Wilson Trail. It is conveniently served by various modes of public transport including railway, buses, public light buses and taxis. The site is approximately 160m east of Kam Shek New Village Open Space Car Park and about 200m southwest of Tai Wo Plaza Car Park.

A storm water drain exists along the front part of the site. Sewage from the restaurant will be discharged to the existing public sewers.

FSI facilities such as fire extinguisher and directional signs have already been provided at the site Furthermore, the restaurant extension connects to pedestrian footpath directly.

3.3 Implementation

Subsequent to the approval of this application, the Applicant will notify the relevant Government departments to continuously process the STT application and the application for General Restaurant Licence.



Plan C: Layout Plan

4. PLANNING JUSTIFICATION

4.1 Genuine Intention to Facilitate Continuity of the Restaurant Extension Area

The application site has long been covered by a canopy / single-storey structure serving as seating accommodation of a restaurant named 105 Diner (previously called Memorable Dream Restaurant & Café) on G/F of No. 105 Kam Shek New Village. In view of its convenient location and close proximity to residential and communal developments, the subject restaurant has been a popular eating place in Kam Shek New Village area to serve the local residents.

Over the past few years, both operators of 105 Diner and Memorable Dream Restaurant & Café have spent genuine effort to comply with the relevant Government requirements for the subject restaurant. A s.16 planning application (No. A/TP/619) for the temporary OSA was submitted by the previous operator, and it was approved by the Board on 17.2.2017. However, the planning permission of No. A/TP/619 was revoked on 17.2.2018 due to non-compliance with approval condition regarding the provision of FSI facilities. The second planning application (No. A/TP/649) for the same temporary use was approved by the Board on 16.11.2018 and all the approval conditions have been complied with. Subsequently, the previous operator has been replaced by the current operator – the Applicant to run the subject restaurant.

The Applicant had submitted both the STT application to LandsD and the OSA License application to Food and Environmental Hygiene Department (FEHD) for the restaurant extension area. As the temporary planning approval of No. A/TP/649 was due to expire on 16.11.2021, the Applicant intended to renew the planning approval for three more years. However, on the other hand, FEHD informed the Applicant that they could not approve the OSA License application because the OSA at the application site is occupied by an enclosed structure. In this regard, the Applicant had submitted an application for General Restaurant Licence, which covers both the main restaurant area within G/F of No. 105 Kam Shek New Village and the restaurant extension area, to FEHD. A s.16 planning application for proposed temporary eating place (extension of the subject restaurant) was submitted partly to comply with the licensing requirements and partly to satisfy the town planning requirements. It was approved by the Board on 24.12.2021 (see **Appendix I**), and all approval conditions have been satisfactorily fulfilled.

As the latest temporary planning permission will be expired on 24.12.2024, the Applicant intends to renew the planning approval in order to allow the continual operation within the existing structure. However, the Applicant has been recently informed by LandsD that the BH and BOA of the existing structure at the application site exceeds the development parameters proposed under the previous application. After detailed checking, LandsD has confirmed that the BH and BOA of the existing structure should be 2.9m and 38.5m² respectively. Thus, this s.16 planning application is submitted in order to rectify the development parameters of the existing structure at the site. It is also intended to rectify the gutter erected around the top edge of the existing structure.



Photo 7: Design of the built-over structure previously that was under refurbishment



Photo 8: Current design of the built-over structure

4.2 Supporting the Restaurant as a Popular Eating Place in Tai Po Area

Subsequent to the replacement of the previous operator in 2018, the Applicant had built an enclosed structure (formed by glass panels and sliding doors) on top of the restaurant extension area in order to comply with the following operational and consumer needs of the subject restaurant:

- the customers reflected there is mosquito problem and faecal droppings of birds in the area;
- there is a keen competition for eating place in the area but the OSA covered by canopy cannot properly serve the restaurant during bad weather;
- the enclosed structure could minimise the noise impact generated from the restaurant;
- the provision of a small covered waiting area outside the operation area but within the BOA will facilitate better management of the restaurant (i.e. queuing without affecting pedestrian circulation near the site);
- the customers and local residents are more aware of the hygiene issue after the outbreak of COVID-19, this OSA with enclosed structure have met the current trend.

Compared with the first and second previous s.16 planning applications (Nos. A/TP/619 and A/TP/649), this s.16 planning application is for extension of the subject restaurant within a single storey structure instead of an OSA covered by canopy (see **Photo 7** and **Photo 8 in Plan D**). The existing structure at the application site will support the restaurant as a popular local eating place in the area, in particular to serve the local people in Kam Shek New Village. It will function as a shelter to protect the restaurant and its customers when eating or waiting for tables from bad weather. The customers have reflected that the provision of the existing structure has improved the environmental and hygiene aspect of the restaurant. Village representatives in the area have expressed their support to the subject restaurant have also supported the improvement (**Appendix II**).

Besides, the provision of gutter around the top edge of the existing structure will protect the roof of the existing structure from water damage.

4.3 Temporary Application Without Affecting the “V” Zone

Although the application site falls within “V” zone on the Approved Tai Po OZP, it is located at the northern fringe of Kam Shek New Village rather than in the midst of the village. According to the Notes of the OZP, the general planning intention of this zone is to demarcate both existing recognised villages and areas of land considered suitable for village expansion. Other commercial, community and recreational uses may be permitted on application to the TPB. The subject restaurant extension area for seating accommodation ancillary to the permitted eating place is generally in line with the planning intention of “V” zone to serve the needs of villagers (dining and gathering facility) and to help bring vitality to the Kam Shek New Village without adversely affecting the character of the village. Besides, there is at present no Small House application received by LandsD for the site.

The current temporary use for a period of 3 years is considered a short period in land development. Its temporary nature will not jeopardise nor pre-empt the planning intention of “V” zone. Furthermore, the current use would not adversely affect the land availability for village type development since the size of the site (about 38.5m²) is too small to build a standard village house (65.03m²). The size of the site cannot be further increased due to the constraint of the adjacent land uses such as footpath, planters, lamp post and circulation space of the adjoining village houses. The façade of the enclosed structure are formed by glass panels and sliding doors which could be removed easily.

4.4 In Line with the Relevant TPB Guidelines

This s.16 planning application for proposed temporary eating place (extension of the subject restaurant) is in line with the TPB Guideline No. 15A for application for eating place within “V” zone in rural areas under s.16 of the Town Planning Ordinance for the following reasons:

- The subject restaurant extension will not create any environmental nuisance to the residents nearby because it is occupied by an enclosed structure and no catering facility will be provided. The site is located at the fringe of Kam Shek New Village abutting a footpath. No major complaints were received from local residents during its operation. (Para. 4.1 of TPB PG-No. 15A refers)
- The small scale development will not have any adverse traffic impact on its surrounding area because it is well served by footpath and is located in close proximity to a number of public transport facilities. Besides, it would not affect the pedestrian circulation in the area since the seating area does not encroach on the existing footpath. (Para. 4.2 of TPB PG-No. 15A refers)
- Stormwater will be diverted to the local drain in front of the site. Sewage from the subject restaurant will be discharged to the existing public sewers. FSI facilities such as fire extinguisher and directional signs have been provided at the restaurant. Thus, adverse impacts on drainage, sewage disposal facilities or fire safety aspects are not anticipated. (Para. 4.3 of TPB PG-No. 15A refers)
- As detailed in **Section 4.3**, the site is not suitable for village type development because of its small size and the presence of footpath, planters, lamp post and circulation space adjoining the site. (Para. 4.4 of TPB PG-No. 15A refers)
- The application site is located adjacent to recreational use (i.e. Kam Shek Playground) and the eating place will provide catering facilities to serve the visitors. There are adequate car parking facilities conveniently located in the vicinity of the site. (Para. 4.5 of TPB PG-No. 15A refers)
- The Applicant has strong intention to rectify the land status of the site by fulfilling all the statutory or non-statutory requirements of relevant Government departments. (Para. 4.6 of TPB PG-No. 15A refers)

4.5 No Impact on the Pedestrian Circulation of the Area

A study on the pedestrian circulation near the application site has been carried out and concluded that the restaurant extension area will not affect the pedestrian circulation of the area based on the following reasons:-

- The existing structure at the site does not encroach on the existing footpath. A pedestrian circulation space of about 1.5m – 2m (**Photo 1** and **Photo 3**) has been reserved between the frontage of restaurant extension area and the planter.
- A recent site inspection has been conducted and noticed that the footpath in front of the site is mainly used by the visitors to the adjoining playground or the customers of the subject restaurant.
- In view of the site is situated in close proximity to Tai Wo Centre where Tai Wo MTR Station, bus terminus and public car parks are found, it is expected that the pedestrian traffic pattern of the area is mainly from Kam Shek New Village to Tai Wo Centre when villagers go to work or school. The Pedestrian Circulation Plan in **Plan E** shows that majority of the villagers in Kam Shek New Village do not need to pass through the site or footpath north of the site because there are other footpaths in closer distance to their houses (**Photo 9** and **Photo 10**). Therefore, the restaurant extension area would not affect the pedestrian circulation of the area.
- The subject restaurant has been operating at the site for a long time. No major complaints have been received from local residents during its operation, in particular after the provision of the existing structure in mid-2020.

4.6 No Adverse Impacts

The development scheme in the current application for restaurant extension has no change as compared with the latest previous permission approved for OSA. The current small scale temporary use will not induce any significant visual, traffic, environmental, drainage and sewerage impacts based on the following assessments:-

(a) Minimum Traffic Impact

The temporary use is small scale in nature will not result in significant traffic impact because the customers normally visit the restaurant on foot. It is located in close proximity to public transport facilities and car parks.

(b) Minimum Environmental, Drainage and Sewerage Impacts

The operation of the small scale eating place will not result in significant noise impact as the site is located at the fringe of the village and the business hours will be restricted from 7:00 a.m. and 9:30 p.m..

In view of the concerns received by the previous operator (i.e. Memorable Dream Restaurant & Café) on environmental and hygiene aspects such as; the lack of air conditioning during the summer heat and no proper shelter to protect them during



Photo 9

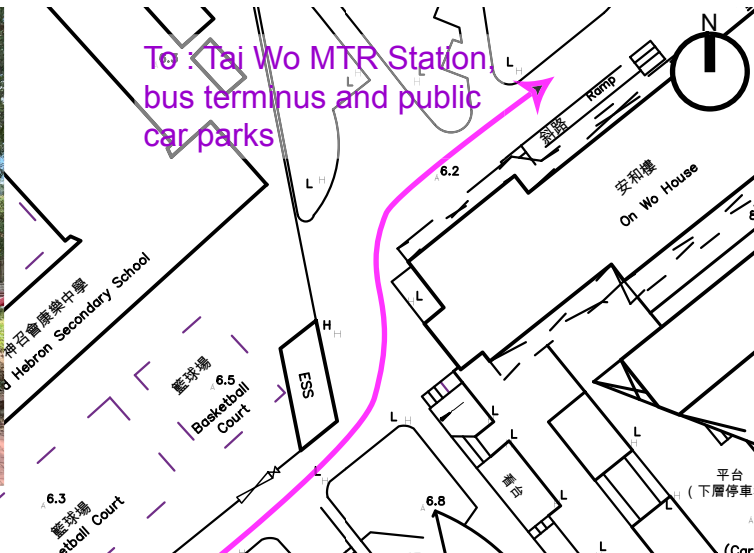


Photo 10



Plan E: Pedestrian Circulation Plan

bad weather, the current operator had built an enclosed structure to meet the customers' needs. The restaurant extension area covered by the existing structure will help reduce any potential environmental impact generated from the restaurant.

The temporary use will not result in significant impact on the local drainage and sewerage networks because a storm water drain exists along the front part of the site. Sewage from the restaurant will be discharged to the existing public sewers.

(c) Minimum Visual Impact

The current seating area within the restaurant extension area is small in size (about 38.5m²). It only involves a single-storey structure with a maximum building height of only 2.9m. The current use reflects a low-rise and low-density scheme which is compatible with the surrounding environment.

4.7 Unlikely to Set an Undesirable Precedent

It is noticed that, even though there are not many temporary planning applications for restaurant extension in Tai Po area, the nature of restaurant extension in fact is relatively similar to an OSA. The only difference is that the restaurant extension is covered by a permanent cover, and the operation of it is basically the same as an OSA (i.e. provide seating area for the restaurant and no cooking facilities will be provided).

In fact, OSA use is not uncommon to be founded in the villages in New Territories. Regarding the similar cases of the proposed uses within "V" zone, there are a number of approved s.16 applications in the vicinity of the site over the past 10 years, i.e. Applications No. A/NE-TK/412, A/NE-TK/413, A/NE-TK/437, A/NE-TK/438, A/NE-TK/447, A/NE-TK/532, A/NE-TK/534, A/NE-TK/566, A/NE-TK/568, A/NE-TK/569, A/NE-TK/574, A/NE-TK/575, A/NE-TK/584, A/NE-TK/630, A/NE-TK/656, A/NE-TK/672, A/NE-TK/695 and A/NE-TK/746.

The application site has been operating like an OSA ancillary to a restaurant for some period of time. It is the subject of two previously approved s.16 planning applications (Nos. A/TP/619 and A/TP/649) for a temporary OSA covered by canopy for the subject restaurant, and also the subject of a previously approved s.16 planning application (No. A/TP/679) for temporary extension of the subject restaurant within the existing structure. These applications were approved mainly on the considerations that it would not frustrate the long-term planning intention of "V" zone; not affect the land availability for village type development; and not result in adverse traffic, drainage, sewerage and fire safety impacts on the surrounding areas. For the last planning application (No. A/TP/679), planning considerations and assessments in the RNTPC Paper states that the planning circumstances of the last planning application are similar to the first two previously approved s.16 planning applications.

Being temporary in nature, the subject restaurant extension would not jeopardise the future use of the site in the long term. Therefore, it would not set as an undesirable precedent case for other similar applications.

5. CONCLUSION

The Applicant seeks planning permission from the Board for proposed temporary eating place (extension of the subject restaurant) for a period of 3 years covering a piece of Government land adjoining Lot 2060 in D.D. 6. The application site is the subject of two previous planning applications for a temporary OSA covered by canopy for the subject restaurant and also the subject of a previous planning application for the temporary extension of the subject restaurant within a single-storey structure.

As the latest temporary planning permission will be expired on 24.12.2024, the Applicant intends to renew the planning approval in order to allow the continual operation of the subject restaurant. However, the Applicant has been recently informed by LandsD that the BH and BOA of the existing structure slightly exceeds the development parameters proposed under the previous planning application. Thus, this s.16 planning application is submitted in order to reflect the more accurate development parameters of the existing structure at the site. It is also intended to rectify the gutter erected around the top edge of the existing structure.

As compared with the previous application, the present scheme has no change in the nature of use, “actual size” and operation of the restaurant extension area. There is no significant change in planning circumstances such as planning policy and land use zoning in the area. Planning and technical assessments have indicated that the present application is well justified for the following reasons:

- (a) it can facilitate continuity of the restaurant extension area to support the adjoining permitted eating place, which is a popular diner and gathering place in Kam Shek New Village to serve the local residents;
- (b) it is in line with the relevant TPB Guidelines for eating place within “V” zone;
- (c) it will not adversely affect the land availability for village type development and any pedestrian circulation in the area;
- (d) the small scale development will not result in any significant traffic, environmental, drainage, sewerage, visual and fire safety impacts on the locality; and
- (e) it will not set a bad precedent for similar applications.

In view of the small scale nature of the temporary use and planning justifications presented in this Planning Statement, honourable members of the TPB are requested to approve this planning application.

Approval Letter from the Town Planning Board
TOWN PLANNING BOARD

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

By Post & Fax (2577 2862)

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/TP/679

14 January 2022

Toco Planning Consultants Ltd.
Unit 5, 13/F, Technology Plaza
651 King's Road
North Point, Hong Kong
(Attn.: Ted Chan)

Dear Sir/Madam,

**Temporary Eating Place (Extension of a Restaurant) for a Period of 3 Years
in "Village Type Development" Zone, Government Land adjoining
Lot 2060 in D.D. 6, No. 105 Kam Shek New Village, Tai Po**

I refer to my letter to you dated 15.12.2021.

After giving consideration to the application, the Town Planning Board (TPB) approved the application for permission under section 16 of the Town Planning Ordinance on the terms of the application as submitted to the TPB. The permission shall be valid on a temporary basis for a period of 3 years until 24.12.2024 and is subject to the following conditions :

- (a) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.6.2022;
- (b) in relation to (a) above, the implementation of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.9.2022; and
- (c) if any of the above planning condition (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

The TPB also agreed to advise you to note the advisory clauses as set out at Appendix IV of the TPB Paper.

This temporary permission will lapse on 25.12.2024. You may submit an application to the TPB for renewal of the temporary permission no less than two months and normally no more than four months before its expiry by completing an application form (Form No. S16-I). Application submitted more than four months before expiry of the temporary approval may only be considered based on the individual merits and exceptional circumstances of each case. For details, please refer to TPB Guidelines No. 34D. However, the TPB is under no obligation to renew the temporary permission.

For amendments to the approved development that may be permitted with or without application under section 16A, please refer to TPB Guidelines No. 36B for details.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 24.12.2021 are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 4.2.2022). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

This permission by the TPB under section 16 of the Town Planning Ordinance should not be taken to indicate that any other government approval which may be needed in connection with the development, will be given. You should approach the appropriate government departments on any such matter.

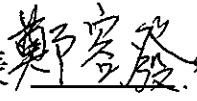
If you have any queries regarding this planning permission, please contact Ms. Kathy Chan of Sha Tin, Tai Po & North District Planning Office at 2158 6242. In case you wish to consult the relevant Government departments on matters relating to the above approval conditions, a list of the concerned Government officer is attached herewith for your reference.

Yours faithfully,

(Raymond KAN)
for Secretary, Town Planning Board

致規劃署署長：

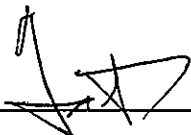
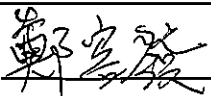
支持錦石新村 105 冰室向城規會提交規劃申請

署長先生，本人為大埔錦山村村代表 ，知悉鄰近本村的 105 冰室正向貴署申請規劃許可，為符合相關部門要求，故上函表達支持。

冰室多年來廣受村民歡迎，與附近街坊建立良好關係；再者，冰室鄰近地鐵站，位置方便，不少村民都會在上班前後光顧。由於食客眾多，實有延伸餐室的需要。

冰室是少數位於本村附近的餐廳，不但提供相宜的膳食選擇，更成為村民交流聯繫的聚腳點，其延伸餐室不但可容納更多客人，應付實際需要，更配合半開合式結構設計，帶有美觀效果之餘，同時避免影響附近居民。

敬希貴署，署長准予 105 冰室通過規劃是荷。


大埔錦山村村代表  (姓名)

致規劃署署長：

署長先生，本人為大埔錦山村村代表丘錦全，知悉鄰近本村的105 冰室正向 貴署申請規劃許可，故上函表達支持。冰室是少數位於本村附近的餐廳，不但提供相宜的餐飲服務，更成為村民交流聯繫的聚腳點，其延伸座位區不但可容納更多客人，應付實際需要，更配合半開合式結構設計，帶有美觀效果之餘，同時避免影響附近居民。敬希貴署，署長准予 105 冰室通過規劃是荷。



大埔錦山村村代表 丘錦全

規劃署長台鑒：

本人乃大埔錦山村村代表丘錦明，近日聽聞 105 冰室向城規會申請規劃許可一事，故特上函，以表支持。冰室多年來廣受村民歡迎，與附近街坊建立良好關係；再者，冰室鄰近地鐵站，位置方便，為村民提供相宜的膳食選擇。由於食客眾多，實有延伸座位區的需要。故此，本人同意此規劃申請，並望署長通過有關申請。

A handwritten signature in blue ink, appearing to read '丘錦明' (Au Kam Ming), is positioned above a horizontal line.

大埔錦山村村代表

丘錦明

規劃署長台鑒：

本人為大埔錦山村村委會主席，得悉錦石新村 105 冰室正向 貴署提交規劃申請，本會現對此表示支持。本會認為冰室地理位置方便，延伸座位區環境舒適，並沒有對周邊行人路構成負面影響。而且冰室為村民服務多年，不但為村民提供餐廳選擇，更是休閒和茶敘的地方，有利於促進村民之間的聯繫。因此，本會對此申請十分支持，並希望 貴署批准此項規劃申請。



錦山村村委會主席

丘觀有

申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
擬議臨時食肆（食肆擴建部分）（為期 3 年）之規劃申請

本人得知大埔錦石新村 105 冰室之經營者就餐室擴建部分向貴會提交規劃申請，因此特意寫信支持，原因如下：

1. 冰室運作多年，深受區內人士歡迎，與街坊關係良好；
2. 冰室位置方便，是區內休息及交流聯繫的好地方；
3. 冰室延伸部份的設計是應付實際需要，外表美觀，可容納更多客人；
4. 冰室延伸部份的設計與現時的情況沒有改變；
5. 冰室規模細小，沒有不良影響，亦不影響行人流通；
6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: 陳廣傑
簽署: 陳廣傑
日期: 20-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: 羅庭生

簽署: LE

日期: 20-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: 郭皓銘

簽署: Wib

日期: 20-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: 林有鳳

簽署: L.

日期: 20-11-24



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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4. 冰室延伸部份的設計與現時的情況沒有改變；
5. 冰室規模細小，沒有不良影響，亦不影響行人流通；
6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名：_____ 鄧偉強 _____

簽署：_____ 強 _____

日期：_____ 2024.11.20 _____



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
擬議臨時食肆（食肆擴建部分）（為期 3 年）之規劃申請

本人得知大埔錦石新村 105 冰室之經營者就餐室擴建部分向貴會提交規劃申請，因此特意寫信支持，原因如下：

1. 冰室運作多年，深受區內人士歡迎，與街坊關係良好；
2. 冰室位置方便，是區內休息及交流聯繫的好地方；
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6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: 郭偉新

簽署: 郭

日期: 20. 11. 24.



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: Chow Ning Yi

簽署: De

日期: 20/11/2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: 麥展永

簽署: 麥

日期: 20, 11, 2024.



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: Yim Han Yin
簽署: [Signature]
日期: 22/11/2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: 練偉光
簽署: 偉光
日期: 2024.11.20



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 黃啟超

簽署: 超

日期: 20-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 伍紹昌

簽署: 昌

日期: 20-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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因此，本人懇請城規會盡快批准上述申請。

姓名: LEE TING CHIT

簽署: 李庭捷

日期: 20-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓


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因此，本人懇請城規會盡快批准上述申請。

姓名: CHOI TANG KAO

簽署: 

日期: 20.11.2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 吳孔佳

簽署: 吳孔佳

日期: 19-11-24



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

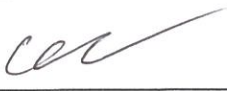
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因此，本人懇請城規會盡快批准上述申請。

姓名: 梁小玲

簽署: 

日期: 19-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 陳智成
簽署: 陳智成
日期: 19-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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因此，本人懇請城規會盡快批准上述申請。

姓名: CHUNG FONG CNE
簽署: [Signature]
日期: 19/11/24



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 周如雯
簽署: [Signature]
日期: 19.11.24



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 李維星
簽署: 李維星
日期: 19-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
擬議臨時食肆（食肆擴建部分）（為期 3 年）之規劃申請

本人得知大埔錦石新村 105 冰室之經營者就餐室擴建部分向貴會提交規劃申請，因此特意寫信支持，原因如下：

1. 冰室運作多年，深受區內人士歡迎，與街坊關係良好；
2. 冰室位置方便，是區內休息及交流聯繫的好地方；
3. 冰室延伸部份的設計是應付實際需要，外表美觀，可容納更多客人；
4. 冰室延伸部份的設計與現時的情況沒有改變；
5. 冰室規模細小，沒有不良影響，亦不影響行人流通；
6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: 鍾煥

簽署: 

日期: 11/19/2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 李健賢

簽署: 李健賢

日期: 20/11/24



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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6. 申請用途屬臨時性，不會立下不良先例。

因此，本人懇請城規會盡快批准上述申請。

姓名: 胡嘉輝

簽署: [Signature]

日期: 20 Nov 2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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因此，本人懇請城規會盡快批准上述申請。

姓名: 陳承文

簽署: [Signature]

日期: 20-11-24



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: HO Wank Lam

簽署: 

日期: 20 Nov. 2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 李偉玲

簽署: 李偉玲

日期: 20/11/2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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因此，本人懇請城規會盡快批准上述申請。

姓名: 陳新榮

簽署: 陳新榮

日期: 20-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: Vincent C How
簽署: [Signature]
日期: 20/11/2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: CHRIS TONG

簽署: [Signature]

日期: 20-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 張志強
簽署: 張志強
日期: 20-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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姓名: 張氏
簽署: 張氏
日期: 20-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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因此，本人懇請城規會盡快批准上述申請。

姓名: 周啟明
簽署: 周啟明
日期: 20.11.24



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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因此，本人懇請城規會盡快批准上述申請。

姓名：



簽署：



日期：

24-11-22



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 崔達明常行

簽署: 常行

日期: 22-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 高強

簽署: 高強

日期: 24-11-22



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 陳耀基

簽署: 基

日期: 22-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
擬議臨時食肆（食肆擴建部分）（為期 3 年）之規劃申請

本人得知大埔錦石新村 105 冰室之經營者就餐室擴建部分向貴會提交規劃申請，因此特意寫信支持，原因如下：

1. 冰室運作多年，深受區內人士歡迎，與街坊關係良好；
2. 冰室位置方便，是區內休息及交流聯繫的好地方；
3. 冰室延伸部份的設計是應付實際需要，外表美觀，可容納更多客人；
4. 冰室延伸部份的設計與現時的情況沒有改變；
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因此，本人懇請城規會盡快批准上述申請。

姓名: 張漢榮
簽署: 張漢榮
日期: 22-11-2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: Lo Wai Hung

簽署: 

日期: 2024. 11. 22.



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

政府土地毗連大埔錦石新村 105 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: Chan Kwun Yi

簽署: 

日期: 22. 11. 2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 馮朗香
簽署: CP
日期: 22/11



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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因此，本人懇請城規會盡快批准上述申請。

姓名: Ping Chan Ming

簽署: [Signature]

日期: 22/11



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: Ho Kappo Susan

簽署: [Signature]

日期: 25/11/2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: Ng Ka Wai

簽署: [Signature]

日期: 25/11/24



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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因此，本人懇請城規會盡快批准上述申請。

姓名: 李錦石

簽署: [Signature]

日期: 26/11/2024



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
北角政府合署 15 樓

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因此，本人懇請城規會盡快批准上述申請。

姓名: 李澤堃
簽署: Gary
日期: 20/11/24



申請編號：A/TP/701

致：城市規劃委員會
香港北角渣華道 333 號
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姓名:

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