

Form No. S16-III
表格第 S16-III 號

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

2022年 10月 3 1日

此文件在_____收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

This document is received on 31 OCT 2022
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31章

第16條遞交的許可申請

**Applicable to Proposal Only Involving Temporary Use/Development of
Land and/or Building Not Exceeding 3 Years in Rural Areas or Renewal
of Permission for such Temporary Use or Development***

**適用於祇涉及位於鄉郊地區土地上及/或建築物內進行為期不超過三年
的臨時用途/發展或該等臨時用途/發展的許可續期的建議***

*Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.

*其他土地上及/或建築物內的臨時用途/發展 (例如位於市區內的臨時用途或發展) 及有關該等臨時用途/發展的許可續期，應使用表格第 S16-I 號。

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

"Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made

「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/YC-KTN/865
	Date Received 收到日期	31 OCT 2022

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輋路 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)

陳陽暉 Chan Yeung Fai

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)

全堅土地行政師行(香港)有限公司 ALLGAIN LAND ADMINISTRATORS(HONG KONG) LIMITED

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	新界元朗錦田丈量約份第109約地段第244號G分段 Lot 244 S.G in D.D. 109, Kam Tin, Yuen Long, New Territories
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 165 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 200 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)	N/A 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 Kam Tin North Outline Zoning Plan No. S/YL-KTN/9 錦田北分區計劃大綱核准圖編號 S/YL-KTN/9
(e) Land use zone(s) involved 涉及的土地用途地帶	鄉村式發展 Village Type Development
(f) Current use(s) 現時用途	現時是空置的 (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 18/10/2022 (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 21/10/2022 (日/月/年)把通知寄往相關的業主立案法團／業主委員會／互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別**(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas**

位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展

(For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B))

(如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)

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

擬議臨時食肆，商店及服務行業

Proposed Temporary Eating Place, Shop and Services

(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	65	sq.m	<input checked="" type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	100	sq.m	<input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	1		
Proposed domestic floor area 擬議住用樓面面積	0	sq.m	<input type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	200	sq.m	<input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	200	sq.m	<input checked="" type="checkbox"/> About 約

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

構築物1：臨時食肆，商店及服務行業，每層面積約100平方米，2層高，高度不多於7米，總面積約200平方米。

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)	0

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)	0

Proposed operating hours 擬議營運時間 <hr/> 星期一至日上午9時至下午8時（包括公眾假期） <hr/>																																	
(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)) 從錦田市街前往 <hr/> <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) <hr/> <input type="checkbox"/>																															
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。)																																	
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動？	Yes 是 <input type="checkbox"/> Please provide details 請提供詳情 No 否 <input checked="" type="checkbox"/>																																
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程？	Yes 是 No 否 <input checked="" type="checkbox"/>	<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																															
(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) 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>不會砍伐樹木</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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(B) Renewal of Permission for Temporary Use or Development in Rural Areas 位於鄉郊地區臨時用途/發展的許可續期	
(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<p><input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件</p> <p><input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件</p> <p><input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
(f) Renewal period sought 要求的續期期間	<p><input type="checkbox"/> year(s) 年</p> <p><input type="checkbox"/> month(s) 個月</p>

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。

請參考附件的申請摘要

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將本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

Ms Hermose Chong

Manager

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s)
專業資格

☐ Member 會員 / ☐ Fellow of 資深會員

☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

on behalf of
代表

ALLGAIN LAND ADMINISTRATORS (HONG KONG) LIMITED

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

Date 日期

18/10/2022

..... (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	新界元朗錦田丈量約份第109約地段第244號G分段 Lot 244 S.G in D.D. 109, Kam Tin, Yuen Long, New Territories
Site area 地盤面積	165 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 sq. m 平方米 <input type="checkbox"/> About 約)
Plan 圖則	Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9 錦田北分區計劃大綱核准圖編號 S/YL-KTN/9
Zoning 地帶	鄉村式發展 Village Type Development
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 <input 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 for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____
Applied use/ development 申請用途/發展	擬議臨時食肆，商店及服務行業 Proposed Temporary Eating Place, Shop and Services

(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	0 <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	0 <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	200 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	1.21 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	0	
	Non-domestic 非住用	1	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	0 m 米 <input type="checkbox"/> (Not more than 不多於)	
		0 Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	7 m 米 <input checked="" type="checkbox"/> (Not more than 不多於)	
		2 Storeys(s) 層 <input checked="" type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	60.6 % <input checked="" type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數		0
	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 0 0 0 0 0
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數		0
	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 0 0 0 0 0

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input 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/>		
位置圖 Location Plan, 地盤平面圖 Site Plan		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<hr/>		
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

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

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

根據《城市規劃條例》(第 131 章)

第 16 條遞交的許可申請

新界元朗錦田丈量約份第 109 約地段第 244 號 G 分段

擬議臨時食肆，商店及服務行業 (為期 3 年)

申請報告書及擬議發展的計劃細節

目 錄

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擬議發展細節

1. 申請人現根據《城市規劃條例》(第 131 章)第 16 條，提交有關新界元朗錦田丈量約份第 109 約地段第 244 號 G 分段的規劃申請，擬在上述地段申請為期三年的臨時食肆，商店及服務行業。
2. 申請地點位於錦田市中心附近，在《錦田北分區計劃大綱核准圖編號 S/YL-KTN/9》上劃為鄉村式發展。
3. 申請地盤面積為約 165 平方米，上蓋面積約 100 平方米，露天地方面積為 65 平方米，上蓋覆蓋率為 60.6%。
4. 申請地點將設有 1 個臨時構築物，用途如下：
構築物 1：臨時食肆，商店及服務行業，每層面積不多於 100 平方米，2 層高，高度不多於 7 米，總面積不多於 200 平方米。
5. 擬議發展的臨時食肆，商店及服務行業，主要包括：關愛餐廳或咖啡室、便利店及日用品零售、寵物美容、雜貨飲品零售、補習社等等，主要為附近的居民提供服務。
6. 申請地點不涉及任何訪客或職員停車位。
7. 擬議發展的營運時間為星期一至日上午 9 時至下午 8 時 (包括公眾假期)。

申請原因

1. 申請地點的面積約為 165 平方米，根據錦田北分區計劃大綱核准圖編號 S/YL-KTN/9，申請地點現時被規劃為「鄉村式發展」。
2. 擬議申請用途為擬議臨時食肆，商店及服務行業，屬於第二欄的准許用途，須先向城規會申請。
3. 擬議發展並非貨倉或露天存放用途，屬社區小規模運作，與規劃意向「鄉村式發展」並無衝突，與周遭的土地用途並非不協調。
4. 擬議發展是在申請地點上設 1 個簡單臨時上蓋構築物，不涉及大型基建工程，只是臨時食肆、商店及服務行業，出售一些與民生相關的日用品、提供美容或醫療服務。
5. 申請用途屬臨時性質，不會有任何損害周邊環境設施，不會安裝霓虹燈光招牌；夜間不會有音響播放及商業推銷活動，也不會產生光害滋擾，不會有過大的噪音聲浪問題，不會影響附近環境及民居。
6. 申請人會採取環境保護署發出的《處理臨時用途及露天貯存用地的環境問題作業指引》所列載的緩解環境影響措施，以盡量舒緩擬議發展對環境造成的滋擾。
7. 申請地點的工作人員約 5-8 人，不會有人在留宿，他們只在營業時間內上班。除了補及貨品，沒有其他運輸工作，也不會提供職員/訪客泊車位。
8. 擬議發展有充分的理由支持，當中包括以下規劃考量因素：
 - * 附近有大量民居，擬議申請的臨時商店能提供服務給他們，提供方便；
 - * 符合「鄉村式發展」地帶的規劃意向；
 - * 擬議發展屬臨時三年的性質，不會影響土地規劃用途的長遠規劃發展；
 - * 附近亦有大量商店，與附近的環境協調；
 - * 申請人能為特殊人士（她的兒子及朋友）創造就業機會，推廣關愛共融；
 - * 擬議發展並不會造成任何不良的交通、園藝及景觀影響；及
 - * 符合有關環境考慮的相關條例 / 指引。

根據以上各點，申請人誠意懇求城市規劃委員會寬大批准新界元朗錦田丈量約份第 109 約地段第 244 號 G 分段作為期三年的臨時食肆，商店及服務行業。

申請人的申述

大家好，本人的兒子 自兩歲開始起，便被屯門醫院的醫生確診患上輕度至中度的自閉症、智障及過度活躍症，現時就讀於特殊學校「楊日霖紀念學校」。因為兒子屬於輕度至中度智障，所以學習能力比較正常人低，本人在學校亦有參與家教會的職務，才知道部份智力較弱的學生如本人的兒子，很難有工作的機會，就算是在庇護工場工作，也要輪候多年。唉！本人真的很希望兒子有一份安定而簡單的工作，否則畢業等同失業，整天坐在家中無所事事，事實上本人也懷疑他的爸爸也有此病(屬遺傳)，脾氣非常較暴躁，如果兩人長期在家相處，可能會引發更多衝突，家無寧日。

所以本人想在這土地申請一間關愛餐廳，原因和好處如下：

1. 為特殊人士創造就業機會

兒子長大後需要有一份長期穩定的工作，而工作內容必須要簡單、環境又要比較熟悉和穩定，才能容納他，讓他慢慢適應，與社會有多些互動，他們的生活才更有意思和開心。

事實上除了為兒子外，開設一間關愛餐廳，還可以讓其他特殊人士如有自閉症的、智障的、創造更多的就業機會。本人作為他們的媽媽，充分感受到特殊人士找工作的困難，能夠找到工作簡直是奇蹟，通常只是一個多月多的實習機會，然後便會完結。在現今科技先進的社會，如摺傳單的簡單工作已經非常罕見。還有，開辦關愛共融的餐廳，除了特殊人士在餐廳的工作外，也要正常有經驗的員工才可以維持餐廳正常運作。一間傷健共融的關愛餐廳也能為社區人士提供就業機會。

2. 社區共用土地

關愛餐廳以簡單運作為主，會提供蛋糕及一些飲品，營運模式像連鎖咖啡廳，令到錦田區內的市民有多一個寧靜和舒適的環境作選擇，市民可享受一下生活和沉澱一下自己的思想。

3. 拉上補下

理所當然，餐廳會予員工薪酬，無論是正常的或特殊的，還有各種開支如食材費、宣傳費、電費、水費等支出方面有一定壓力。所以希望申請建兩層的商店，上層的商店可出租作寵物美容店或零售商店等，正常運作，收取一定的租金來補貼下面的關愛餐廳。此外上層不同類型的商店亦能夠吸引多些市民到這裡，滿足各人

的需要，能帶旺本地方，這才是最重要的，長做長有。

因為本地方不是位於大路邊，是在蒙養小學再向後行三分鐘，也不算太差，所以要比較多的時間作宣傳和花費才可好好利用這土地。這亦可令錦田有更多的不同發展和選擇，令到整體香港展現更多的不同性，而不是千篇一律的商場和一模一樣的連鎖商店。

希望城規會委員會審議小組能考慮以上各點的原因，接納本人的申請。創造各方多贏的局面！

擬議發展計劃的各方面影響

1. 土地行政

申請地點涉及 1 個私家地段，擬議發展涉及 1 個上蓋構築物。如獲批准，申請人會向元朗地政處申請短期豁免書。

2. 擬議發展的入口

申請地點可以經錦田市街前往。

3. 擬議發展的交通安排

申請用途不涉及任何停車位。除了補給貨品及物資，不會有其他運輸工作，也不會提供職員或訪客泊車位。

4. 環境方面

申請人會按照環保署對臨時商店的指引，將對周邊環境的影響減到最低。

5. 空氣方面

申請地點是臨時食肆、商店及服務行業，不會對空氣造成污染。

6. 噪音方面

申請地點是臨時食肆、商店及服務行業，只是顧客來購物時會產生說話交談的聲音，不會帶來重大的噪音影響。

7. 排污方面

申請用途如涉及洗手間，將會按相關部門指引建造化糞池。

8. 渠務方面

申請人已按照渠務處的指引和要求建造排水渠，不會影響周邊環境。

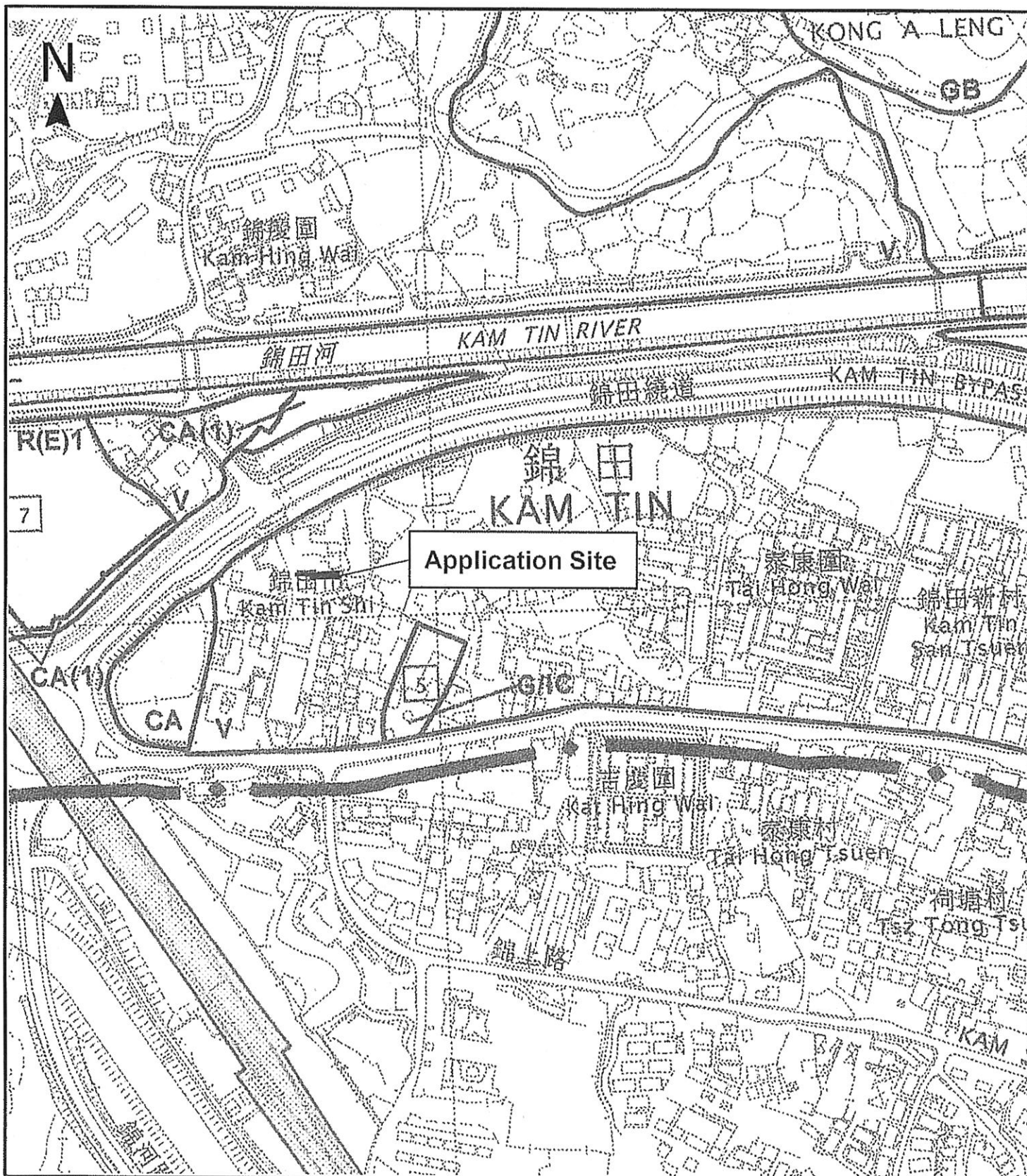
9. 消防方面

申請人會將按照消防處的指引和要求放置消防裝置。

10. 綠化園景方面

申請人會盡量保留現存的樹木，在擺放臨時構築物的位置時也會盡量避開現有樹木，並會好好打理保養它們。

申請人承諾如獲城規會批准擬議用途，將會盡力減少對周邊環境影響，
並承諾在規劃許可到期後，還原申請地點，懇請城市規劃委員會寬大批准
新界元朗錦田丈量約份第 109 約地段第 244 號 G 分段作為期不超過三年
的臨時食肆、商店及服務行業。



Project 項目名稱:

Proposed Temporary Eating Place, Shop and Services for a period of 3 Years at Lot 244 S.G in D.D. 109, Kam Tin, Yuen Long, New Territories

Drawing Title 圖紙標題:

Location Plan

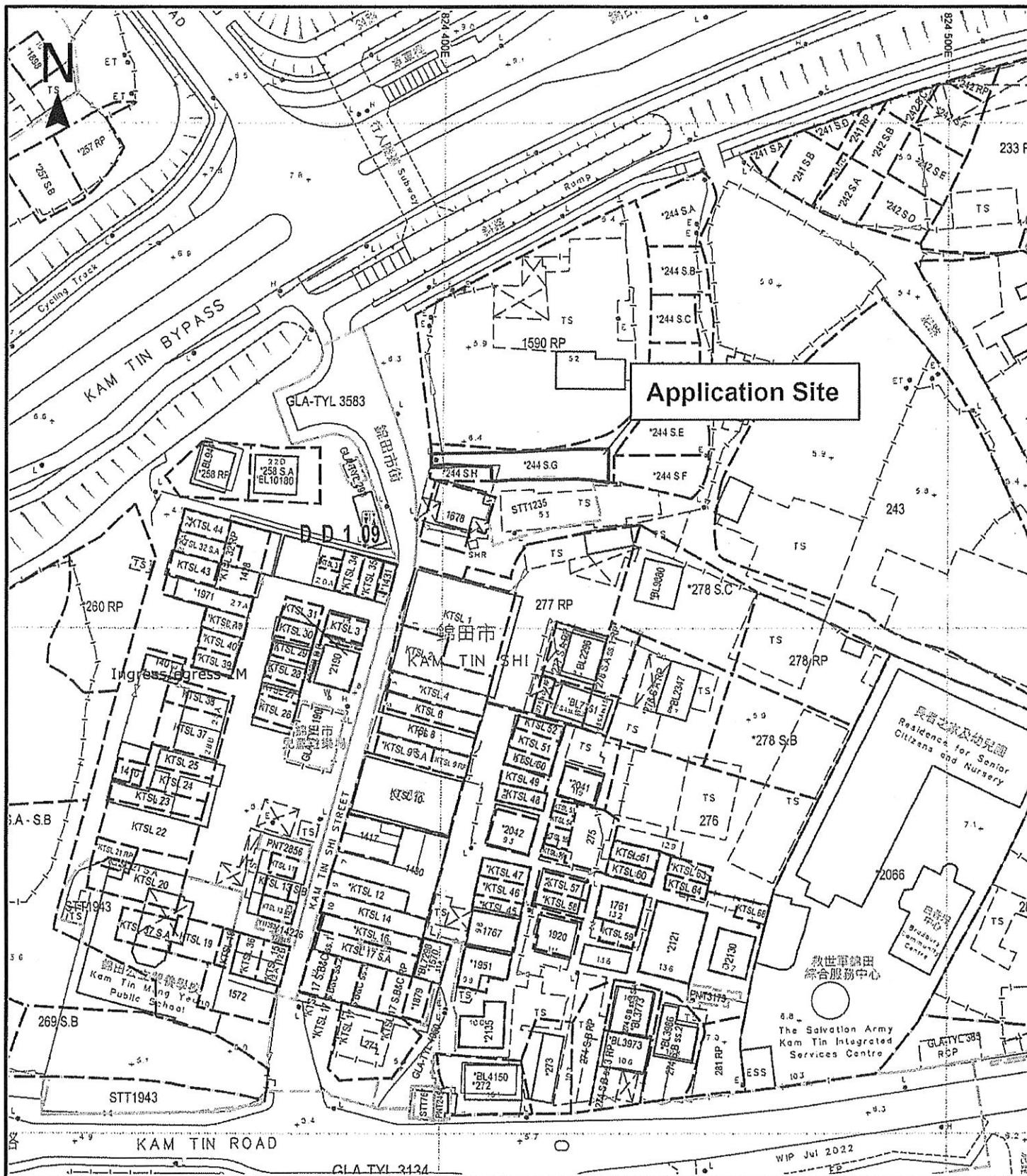


Drawing No. 圖號:

20220918

Remarks 備註:

Scale 比例:



Project 項目名稱:

Proposed Temporary Eating Place, Shop
and Services for a period of 3 Years
at Lot 244 S.G in D.D. 109, Kam Tin,
Yuen Long, New Territories

Drawing Title 圖紙標題:

Site Plan

Drawing No. 圖號:

20220918



Remarks 備註:

Scale 比例:



Application Site

Ingress/egress 2M

Structure 1

Eating Place, Shop
and Services

GFA: 200m² (About)

No. of Storey: 2

Height: 7m (About)

Project 项目名称:

Proposed Temporary Eating Place, Shop
and Services for a period of 3 Years
at Lot 244 S.G in D.D. 109, Kam Tin,
Yuen Long, New Territories

Drawing Title 圖紙標題:

Layout Plan



Drawing No. 圖號:

20220918

Remarks 備註:

☒ Structure

Scale 比例:

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&publi



回覆: Departmental Comments - A/YL-KTN/865

19/12/2022 14:58

From:

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

Cc: "llyduen@pland.gov.hk" <llyduen@pland.gov.hk>, "chtwong@pland.gov.hk" <chtwong@pland.gov.hk>, "pplingan@pland.gov.hk" <pplingan@pland.gov.hk>

File Ref:

2 attachments



Responses to Departmental Comments _12.19.pdf 申請報告書及擬議發展的計劃細節_P.1-2.pdf

城規會/規劃處：

有關規劃申請：A/YL-KTN/865

現附上申請人回覆運輸處的意見，請查收。

申請人想撤回在2022年12月7日的電郵（回覆部門意見），請以此電郵為準。

現時也附上申請報告書及擬議發展的計劃細節的P.1-2，此文件將取代之前交過的文件。

申請人確認擬議發展不涉及任何補習社。

請查收，謝謝。

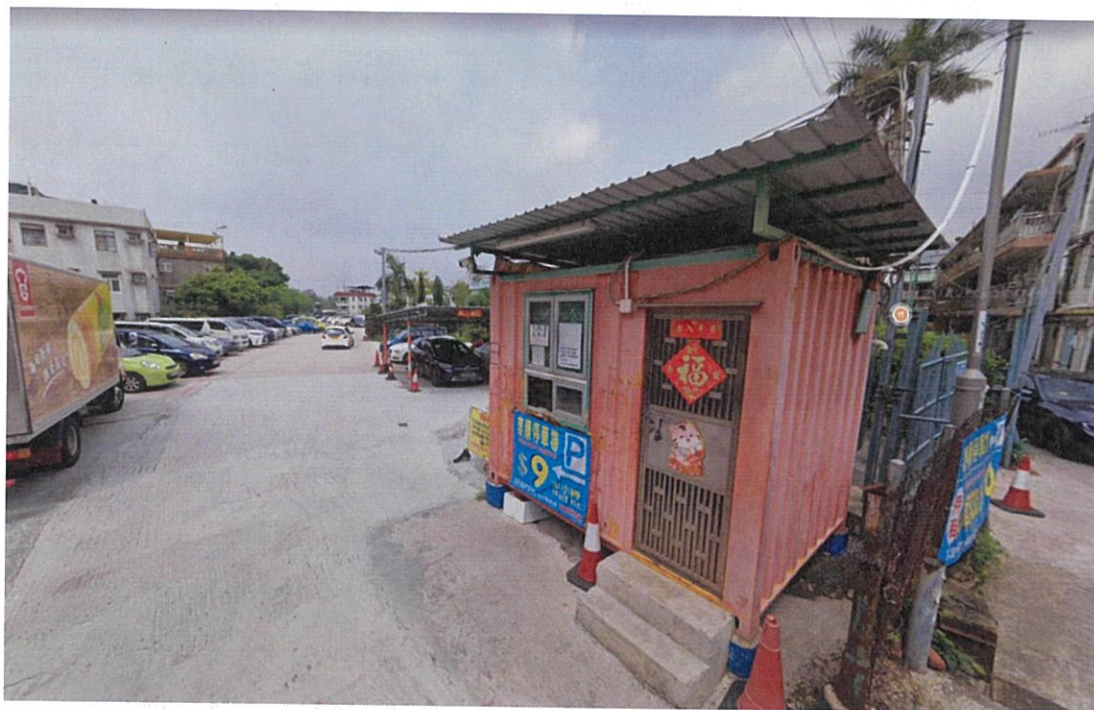
Ms Chong

Planning Application No. A/YL-KTN/865

Table A: Responses to Departmental Comments (dated 6.12.2022 and 15.12.2022)

	Departmental Comments	Responses
	Transport Department	
(a)	<p>(a) The applicant should justify the proposed no. parking and loading/unloading considering the commute of staff/visitors and logistics;</p> <p>Loading/unloading shall not be carried out on public road. The applicant shall seek other locations, such as general layby, parking space, etc., for this activity accordingly.</p>	<p>申請人會在申請地點附近的停車場（錦田泰康圍停車場 Kam Tin Tai Hong Wai Car Park）進行臨時上落貨活動，停車場距離申請地點約 6 分鐘步行距離，送貨司機會把車輛停泊在停車場，然後用手推車將貨物送到申請地點。</p> <p>每次不會超過 1 輛車輛上落貨車輕進行上落貨。</p> <p>請看附圖。</p>
(b)	<p>The applicant should note the local access between Kam Tin Bypass and the site is not managed by this Department</p>	<p>申請人知悉。</p>

參考照片



錦田泰康圍停車場 Kam Tin Tai Hong Wai Car Park



步行距離：約 6 分鐘

擬議發展細節

1. 申請人現根據《城市規劃條例》(第 131 章)第 16 條，提交有關新界元朗錦田丈量約份第 109 約地段第 244 號 G 分段的規劃申請，擬在上述地段申請為期三年的臨時食肆，商店及服務行業。
2. 申請地點位於錦田市中心附近，在《錦田北分區計劃大綱核准圖編號 S/YL-KTN/9》上劃為鄉村式發展。
3. 申請地盤面積為約 165 平方米，上蓋面積約 100 平方米，露天地方面積為 65 平方米，上蓋覆蓋率為 60.6%。
4. 申請地點將設有 1 個臨時構築物，用途如下：
構築物 1：臨時食肆，商店及服務行業，每層面積不多於 100 平方米，2 層高，高度不多於 7 米，總面積不多於 200 平方米。
5. 擬議發展的臨時食肆，商店及服務行業，主要包括：關愛餐廳或咖啡室、便利店及日用品零售、寵物美容、雜貨飲品零售等等，主要為附近的居民提供服務。
6. 申請地點不涉及任何訪客或職員停車位。
7. 擬議發展的營運時間為星期一至日上午 9 時至下午 8 時 (包括公眾假期)。

申請原因

1. 申請地點的面積約為 165 平方米，根據錦田北分區計劃大綱核准圖編號 S/YL-KTN/9，申請地點現時被規劃為「鄉村式發展」。
2. 擬議申請用途為擬議臨時食肆，商店及服務行業，屬於第二欄的准許用途，須先向城規會申請。
3. 擬議發展並非貨倉或露天存放用途，屬社區小規模運作，與規劃意向「鄉村式發展」並無衝突，與周遭的土地用途並非不協調。
4. 擬議發展是在申請地點上設 1 個簡單臨時上蓋構築物，不涉及大型基建工程，只是臨時食肆、商店及服務行業，出售一些與民生相關的日用品、提供美容或醫療服務。
5. 申請用途屬臨時性質，不會有任何損害周邊環境設施，不會安裝霓虹燈光招牌；夜間不會有音響播放及商業推銷活動，也不會產生光害滋擾，不會有過大的噪音聲浪問題，不會影響附近環境及民居。
6. 申請人會採取環境保護署發出的《處理臨時用途及露天貯存用地的環境問題作業指引》所列載的緩解環境影響措施，以盡量舒緩擬議發展對環境造成的滋擾。
7. 申請地點的工作人員約 5-8 人，不會有人在留宿，他們只在營業時間內上班。除了補及貨品，沒有其他運輸工作，也不會提供職員/訪客泊車位。
8. 擬議發展有充分的理由支持，當中包括以下規劃考量因素：
 - * 附近有大量民居，擬議申請的臨時商店能提供服務給他們，提供方便；
 - * 符合「鄉村式發展」地帶的規劃意向；
 - * 擬議發展屬臨時三年的性質，不會影響土地規劃用途的長遠規劃發展；
 - * 附近亦有大量商店，與附近的環境協調；
 - * 申請人能為特殊人士（她的兒子及朋友）創造就業機會，推廣關愛共融；
 - * 擬議發展並不會造成任何不良的交通、園藝及景觀影響；及
 - * 符合有關環境考慮的相關條例 / 指引。

根據以上各點，申請人誠意懇求城市規劃委員會寬大批准新界元朗錦田丈量約份第 109 約地段第 244 號 G 分段作為期三年的臨時食肆，商店及服務行業。

Town Planning Board Guidelines for
Application for Eating Place within “Village Type Development” Zone in
Rural Areas under Section 16 of the Town Planning
(TPB PG-No.15A)

The main planning criteria for assessing the application include:

- (a) the eating place use should not create any environmental nuisance or cause inconvenience to the residents nearby. Such use should preferably be located at the fringe of a village area, e.g. area abutting the main road. For any eating place use that is situated amidst the existing village houses, sympathetic consideration may only be given if there are no objections from local residents;
- (b) the eating place use should not have any adverse traffic impact on its surrounding areas nor should it affect any pedestrian circulation in the area;
- (c) sympathetic consideration may also be given to any application which 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 (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.

Similar s.16 Applications within the same “V” Zone in the vicinity of the Site

Approved Applications

Application No.	Use/Development	Date of Consideration
A/YL-KTN/547	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	3.2.2017 [Revoked on 3.1.2019]
A/YL-KTN/572	Proposed Temporary Shop and Services (Book Shop) for a Period of 3 Years	8.9.2017 [Revoked on 8.2.2020]
A/YL-KTN/611	Temporary Shop and Services (Grocery, Metalware Retail Shop and Car Beauty Product) with Ancillary Office for a Period of 3 Years	3.8.2018 [Revoked on 3.5.2019]
A/YL-KTN/644	Temporary Shop and Services (Real Estate Agent, Grocery, Metalware Retail Shop and Car Beauty Product) with Ancillary Office for a Period of 3 Years	8.3.2019 [Revoked on 8.6.2021]
A/YL-KTN/753	Proposed Temporary Shop and Services for a Period of 5 Years	26.3.2021

Rejected Applications

Application No.	Use/Development	Date of Consideration	Rejection Reasons
A/YL-KTN/602	Proposed Temporary Shop and Services (Motor Vehicle Showroom) with Storage of Vehicles/Vehicles Parts and Ancillary Offices Use for a Period of 3 Year	28.12.2018 [on review]	(1), (2)
A/YL-KTN/662	Proposed Temporary Shop and Services (Motor Vehicle Showroom) with Storage of Vehicles/Vehicles Parts and Ancillary Offices Use for a Period of 3 Years	6.9.2019	(1), (2)

Rejection Reasons:

- (1) The development is not in line with the planning intention of the “V” zone
- (2) The scale of the proposed development is excessive and not compatible with the developments in the surrounding area.

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department:

- no adverse comment on the application; and
- currently no Small House application approved or under processing at the application site (the Site).

2. Traffic

Comments of the Commissioner for Transport:

- no further comment on the application from traffic engineering perspective having reviewed the further information submitted by the applicant (**Appendix Ia**)

Comments of the Chief Highway Engineer/New Territories West, Highways Department:

- no objection to the application.

3. Environment

Comments of the Director of Environmental Protection:

- no objection to the application; and
- there was no environmental complaint case concerning the Site received in the past three years.

4. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- no objection in-principle to the proposed development from the public drainage point of view; and
- should the application be approved, approval conditions requiring the submission of a drainage proposal and the implementation and maintenance of the drainage proposal for the development to the satisfaction of his department.

5. Fire Services

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

- no objection in-principle to the proposal subject to the fire service installations being provided to the satisfaction of the D of FS.

6. Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- before any new building works (including containers / open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO); and
- detailed checking under the BO will be carried out at building plan submission stage.

7. Food and Environmental Hygiene

Comments of the Director of Food and Environmental Hygiene:

- no adverse comment on the application.

8. Nature Conservation

Comments of the Director of Agriculture, Fisheries and Conservation:

- no comment on the application from nature conservation perspective.

9. District Officer's Comments

Comments of the District Officer (Yuen Long), Home Affairs Department:

- he has not received any comments from the locals upon close of consultation and has no particular comment on the application.

10. Other Departments

- Chief Engineer/Construction, Water Supplies Department; Chief Engineer/Railway Development 2-1, Railway Development Office, Highways Department; Chief Estate Surveyor/Railway Development, Lands Department; Project Manager (West), Civil Engineering and Development Department; Commissioner of Police; and Director of Electrical and Mechanical Services have no comment on / no objection to the application.

Recommended Advisory Clauses

- (a) the permission is given to the development / uses and structures under application. It does not condone any other development / uses and structures which currently occur on the application site (the Site) which are not covered by the application. The applicant shall be requested to take immediate action to discontinue such development / uses and structures not covered by the permission;
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - the Site comprises Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government; and
 - should the application be approved, the lot owner(s) will need to apply to his office to permit the structures to be erected or regularise any irregularities on Site, if any. Besides, given the applied use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD;
- (c) to note the comments of the Commissioner for Transport that:
 - the Site is connected to the public road network via a section of a local access road which is not managed by Transport Department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly. Sufficient manoeuvring space shall be provided within the Site. No vehicle is allowed to queue back to or reverse onto / from public road at any time during the planning approval period;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - HyD is not/shall not be responsible or the maintenance of any access connecting the Site and Kam Tin Bypass; and
 - adequate drainage measures should be provided at the Site to prevent surface water running from the Site to the nearby public roads and drains;
- (e) to note the comments of the Director of Environmental Protection that:
 - the applicant is advised: (i) to follow the requirements stipulated in “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site”; (ii) to avoid the use of public announcement system or any form of

audio amplification system on the Site to minimise the potential noise nuisance on the surrounding area; (iii) to provide adequate supporting infrastructure / facilities for proper collection, treatment and disposal of waste / wastewater generated from the proposed use. If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of Environmental Protection Department (EPD)'s Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" including completion of percolation test and certification by Authorised Person; and (iv) to control the oily fume and cooking odour emissions from the restaurant, the applicant should follow "Control of Oily Fume and Cooking Odour from Restaurant and Food Business" issued by EPD; and (v) that it is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances;

(f) to note the comments of the Director of Fire Services that:

- in consideration of the design/nature of the proposal, the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his department for approval;
- the applicant is advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of where the proposed FSIs are to be installed should be clearly marked on the layout plans; and
- the applicant is reminded that if the structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;

(g) to note the comments of the Director of Food and Environmental Hygiene (DFEH):

- proper licence / permit issued by his Department is required if there is any food business / catering service / activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. The operation of any eating place should be under a food licence issued by the Food and Environmental Hygiene Department (FEHD). If the operator intends to operate a restaurant business in the territory, a restaurant licence should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132). For the operation of other types of food business, relevant food licences should also be obtained from FEHD in accordance with Cap. 132. Under the Food Business Regulation, Cap. 132X, a Food Factory Licence should be obtained from this department for food business which involves the preparation of food for sale for human consumption off the premises before commencement of such business. The application for food business licences under Cap.132, if acceptable by FEHD, will be referred to relevant Government departments 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; and
- if the proposal involves any commercial/trading activities, no environmental nuisance should be generated to the surroundings. Also, for any waste generated

from the commercial/trading activities, the applicant should handle on their own/at their expenses. The applicant is also reminded that the operation of the food business 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;

(h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that:

- the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
- the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
- 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 should be obtained, otherwise, they are unauthorized building works (UBW) under the BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
- for UBW erected on leased land, enforcement action may be taken by the Building Department 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 building works or UBW on the Site under the BO;
- any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R;
- 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
- detailed checking under the BO will be carried out at building plan submission stage; and

(i) to note the comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD) that:

- the project “Improvement to Kam Tin Shi Street, Kam Tn Heung”, which includes resurfacing of the road surface and reconstructing the drainage channel at Kam Tin Shi Street, is tentatively scheduled to be implemented from January 2023 to August

2023;

- any damage done to the access road shall be made good to the satisfaction of DO(YL), HAD
- the access should keep clean during the construction or occupation of the purposed temporary eating place; and
- existing access road must not be interfered with or obstructed during occupation of the purposed temporary eating place.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

221202-171442-67976

提交限期

Deadline for submission:

02/12/2022

提交日期及時間

Date and time of submission:

02/12/2022 17:14:42

有關的規劃申請編號

The application no. to which the comment relates:

A/YL-KTN/865

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Lam Ka Hing

意見詳情

Details of the Comment :

反對，住屋過於密集地方設商業活動，必引至附近環境污染，增加引發火警危機，影響村民安全及生活質數。

