

2022年12月14日
此文件在 收到·城市規劃委員會
及立法處進行核對及文件收才正式生效時
申請日期。

12 DEC 2022

The applicant hereby acknowledges
the receipt of the application number, only upon receipt
of all the required information and documents.

Form No. S16-III
表格第 S16-III 號

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

Applicable to Proposal Only Involving Temporary Use/Development of
Land and/or Building Not Exceeding 3 Years in Rural Areas or 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	A17L-17-1/376
	Date Received 收到日期	12 DEC 2012

- 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
(<input checked="" type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構)
YAU Siu Fai 丘兆輝

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)
(<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input checked="" type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構)
R-riches Property Consultants Limited 盈卓物業顧問有限公司

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)	Lots 913 RP (Part) and 920 RP in D.D. 107, Fung Kat Heung, 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 267 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 72 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積(倘有)	..... / ..... sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Kam Tin North Outline Zoning Plan No.: SYL-KTN/9
(e) Land use zone(s) involved 涉及的土地用途地帶	"Agriculture" Zone
(f) Current use(s) 現時用途	Vacant (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
21/11/2022 (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 21/11/2022 (DD/MM/YYYY)*
於 _____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會*

Others 其他

- others (please specify)
其他(請指明)

Note: May insert more than one "✓".
Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註: 可在多於一個方格內加上「✓」號
申請人須就申請涉及的每一地段(倘適用)及處所(倘有)分別提供資料

6. Type(s) of Application 申請類別	
(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas 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	Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation) for a Period of 3 Years and Associated Filling of Land (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期	<input checked="" type="checkbox"/> year(s) 年 3 <input type="checkbox"/> month(s) 個月
(c) Development Schedule 發展細節表	
Proposed uncovered land area 擬議露天土地面積	231 .....sq.m <input checked="" type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	36 .....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	N/A .....sq.m <input checked="" type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	72 .....sq.m <input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	72 .....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)	
.....	STRUCTURE USE COVERED AREA GFA BUILDING HEIGHT
.....	B1 EATING PLACE (RESTAURANT AND WASHROOM) 36 m ² (ABOUT) 72 m ² (ABOUT) 7 m (ABOUT) (2-STOREY)
.....	TOTAL 36 m ² (ABOUT) 72 m ² (ABOUT)
Proposed number of car parking spaces by types 不同種類停車位的擬議數目	
Private Car Parking Spaces 私家車車位	.....
Motorcycle Parking Spaces 電單車車位	.....
Light Goods Vehicle Parking Spaces 輕型貨車泊車位	.....
Medium Goods Vehicle Parking Spaces 中型貨車泊車位	.....
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	.....
Others (Please Specify) 其他 (請列明)	.....
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目	
Taxi Spaces 的士車位	.....
Coach Spaces 旅遊巴車位	.....
Light Goods Vehicle Spaces 輕型貨車車位	.....
Medium Goods Vehicle Spaces 中型貨車車位	.....
Heavy Goods Vehicle Spaces 重型貨車車位	.....
Others (Please Specify) 其他 (請列明)	.....

Proposed operating hours 擬議營運時間 08:00 to 21:00 daily including public holiday																															
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物?	Yes 是 <input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) Accessible from San Tam Road via Fung Kat Heung Road and Mei Fung Road No 否 <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input type="checkbox"/>																														
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話, 請另頁註明可盡量減少可能出現不良影響的措施, 否則請提供理據/理由。)																															
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是 <input type="checkbox"/> Please provide details 請提供詳情 No 否 <input checked="" type="checkbox"/>																														
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是 <input checked="" 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 checked="" type="checkbox"/> Filling of land 填土 Area of filling 填土面積 220 sq.m 平方米 <input checked="" type="checkbox"/> About 約 Depth of filling 填土厚度 not more than 0.2 m 米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約 No 否 <input type="checkbox"/>																														
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	<table 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>	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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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>.....</p> <p>.....</p> <p>.....</p>
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<p>(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</p>	
<p>(a) Application number to which the permission relates 與許可有關的申請編號</p>	<p>A/ _____ / _____</p>
<p>(b) Date of approval 獲批給許可的日期</p>	<p>..... (DD 日/MM 月/YYYY 年)</p>
<p>(c) Date of expiry 許可屆滿日期</p>	<p>..... (DD 日/MM 月/YYYY 年)</p>
<p>(d) Approved use/development 已批給許可的用途/發展</p>	
<p>(e) Approval conditions 附帶條件</p>	<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>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
<p>(f) Renewal period sought 要求的續期期間</p>	<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。

Background

The applicant seeks to use Lots 913 RP (Part) and 920 RP in D.D. 107, Fung Kat Heung, Kam Tin, New Territories (the Site) for 'Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation) for a Period of 3 Years and Associated Filling of Land (proposed development) (Plan 1).

The Site is located approximately 120m south of an area zoned as "Industrial (Group D)" on the Approved Kam Tin North Outline Zoning Plan (OZP) No.: SYL-KTN/9, which is dominated by various types of industrial uses, i.e. open storage, warehouse, workshop premises etc.. As there is no eating place provided for workers working at Fung Kat Heung area, they are usually required to travel to Yuen Long to dine. In view of that, the applicant intends to operate a new eating place at the Site to meet the pressing demand to serve local workers at Fung Kat Heung area.

Planning Context

The Site falls within an area zoned as "Agriculture" ("AGR") on the Approved Kam Tin North OZP No.: SYL-KTN/9 (Plan 2). According to the Notes of the OZP, 'eating place' use is not a column one nor two use within "AGR" zone, which require planning permission from the Town Planning Board (the Board). As the application is only on a temporary basis, the proposed development would therefore not frustrate the long term planning intention of the "AGR" zone.

Development Proposal

The Site occupied an area of 267 sq.m (about)(Plan 3). 1 structure is proposed at the Site for eating place (restaurant and washroom) with total GFA of 72 sq.m (Plan 4). The operation hours of the proposed development are 08:00 - 21:00 daily, including public holiday. The estimated maximum number of visitor per day are 30. The estimated number of staff working at the Site are 3. It is estimated that the Site would be able to accommodate 8 tables for dining.

The Site is accessible from San Tam Road via Fung Kat Heung Road and Mei Fung Road (Plan 1). No parking and loading/unloading space are provided at the Site (Plan 4). No vehicle will be allowed to enter/exit the site at any time during the planning approval period. Staff is required to commute to the Site by taking public transport provided at Fung Kat Heung Road, then walk to the Site via Fung Mei Road.

The Site involves 220 sq.m of filling of concrete of not more than 0.2m (about) in depth for site formation of structures and outside seating area (Plan 5). As heavy loading of structure would compact the existing soiled ground and weaken the ground surface, concrete site formation is required to provide stronger ground reinforcement to stabilise the existing soiled ground and prevent erosion from surface run-off. Therefore, land filling area is considered necessary and has been kept to minimal for the operation of the proposed development.

The applicant will follow 'Control of Oil Fume and Cooking Odour from Restaurant and Food Business' issued by EPD to control oily fume and cooking odour emissions generated from the eating place for the Site operation. Adequate air pollution control equipment is provided at the kitchen ventilation system for treating cooking fume emissions before being discharged to the outdoor environment, in order to fulfil the requirements of the Air Pollution Control Ordinance.

Conclusion

The proposed development will not create significant adverse traffic, environmental and drainage impacts to the surrounding areas. Adequate mitigation measures, i.e. submission of drainage and fire service installations proposals will be provided to minimize nuisance to the existing environment after planning approval has been granted by the Board.

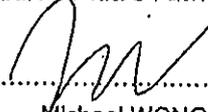
In view of the above, the Board is hereby respectfully requested to approve the subject application for 'Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation) for a Period of 3 Years and Associated Filling of Land'.

8. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署


.....
Michael WONG

Applicant 申請人 / Authorised Agent 獲授權代理人

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

R-riches Property Consultants Limited



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

Date 日期

22/11/2022

..... (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制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。

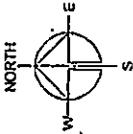
Gist of Application 申請摘要	
(Please provide details in both English and Chinese <u>as far as possible</u> . This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)	
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lot 913 RP (Part) and 920 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories
Site area 地盤面積	267 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. SYL-KTN/9
Zoning 地帶	"Agriculture" Zone
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	- Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation) for a Period of 3 Years and Associated Filling of Land

(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
	Non-domestic 非住用	72	<input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	/	
	Non-domestic 非住用	1	
(iii) Building height/No. of storeys 建築物高度/層數	Domestic 住用	/	m 米 <input type="checkbox"/> (Not more than 不多於)
		/	Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)
	Non-domestic 非住用	7	m 米 <input type="checkbox"/> (Not more than 不多於)
		/	Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)
(iv) Site coverage 上蓋面積	13	%	<input checked="" type="checkbox"/> About 約
(v) No. of parking spaces and loading/unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數		/
	Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明)		
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位/停車處總數		/
	Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明)		

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input 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>Location plan, Zoning plan, Plan showing the land status of the application site,</u>		
<u>Plan Showing the paved ratio of the application site</u>		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
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。

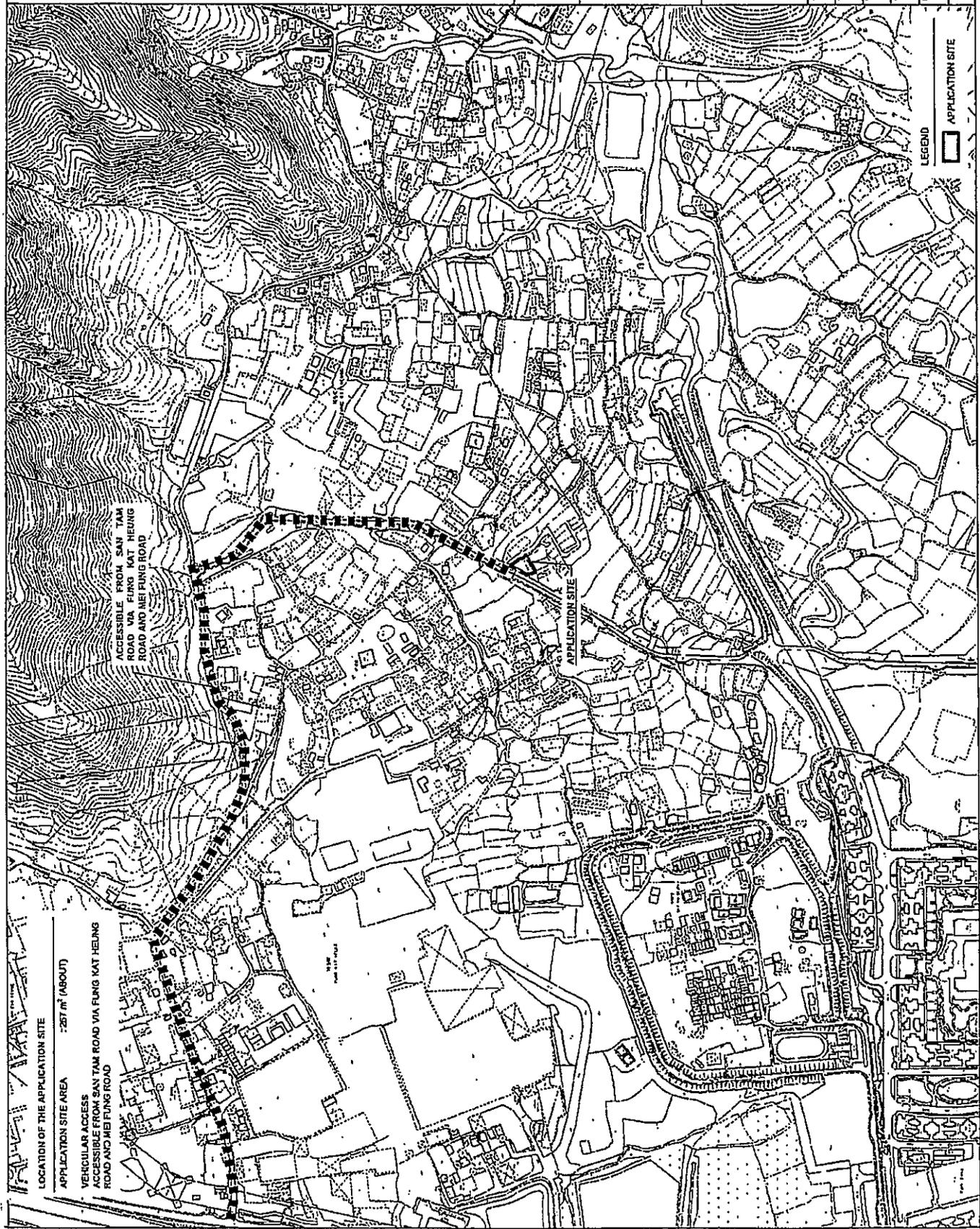


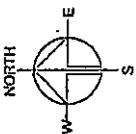
PROJECT: PROPOSED TEMPORARY EATING PLACE (RESTAURANT AND OUTSIDE SEATING AND ACCOMMODATION) FOR A PERIOD OF 3 YEARS AND ASSOCIATED FILLING OF LAND

SITE LOCATION: LOTE 813 RP (PART) AND 620 RP (PART) 107 FUNG KAT HEUNG, KAM TIN, YUEN LONG, NEW TERRITORIES

SCALE	1:5000 @ A4
DATE	14.11.2022
DESIGNED BY	
CHECKED BY	
APPROVED BY	
DRAWN BY	

DWG. TITLE	LOCATION PLAN
DWG. NO.	PLAN 1
VOL.	001



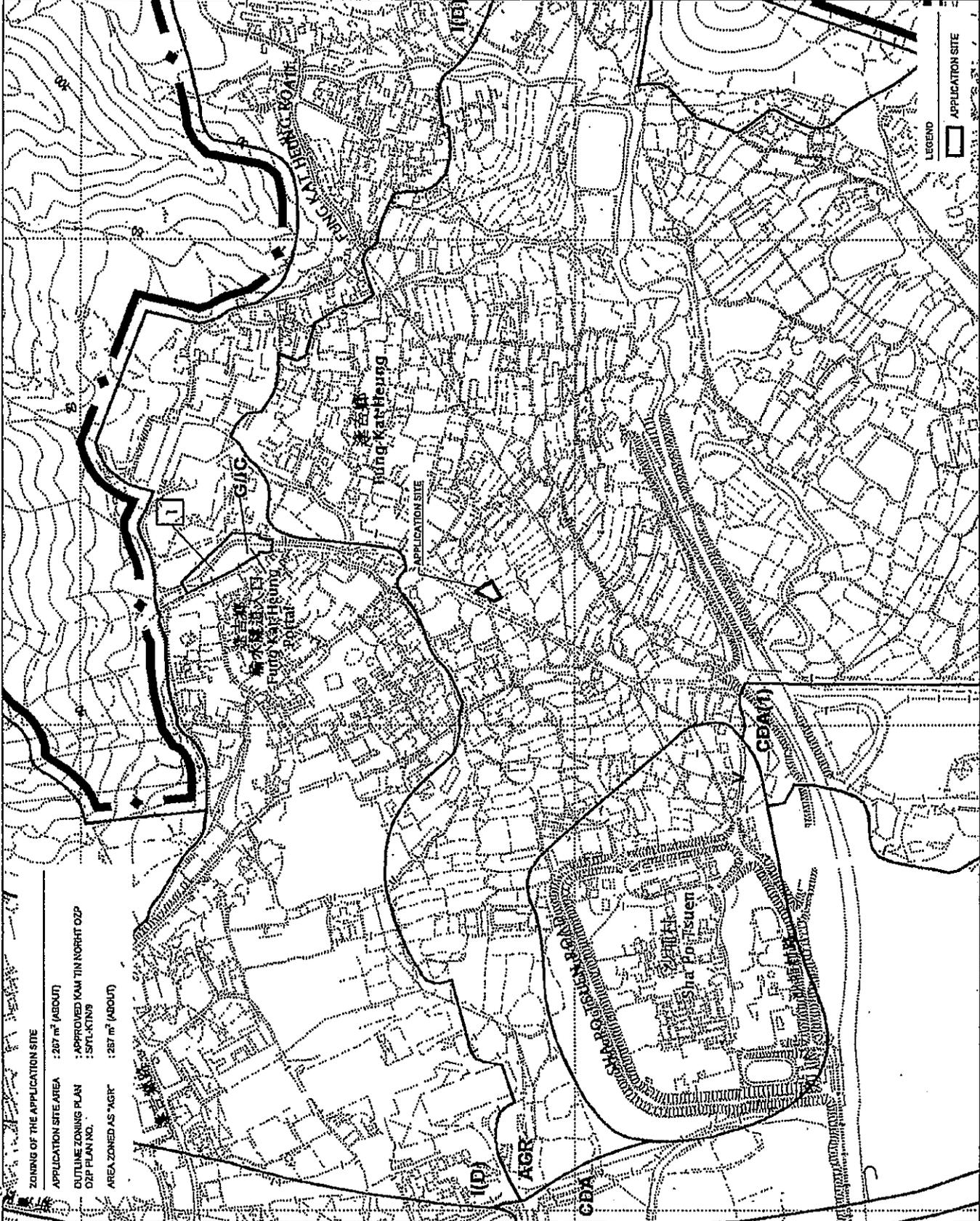


PROJECT
 PROPOSED TEMPORARY
 EATING PLACE (RESTAURANT
 AND OUTSIDE SEATING
 AND ACCOMMODATION) FOR A
 PERIOD OF 3 YEARS AND
 ASSOCIATED FILLING OF LAND.

LOCATION
 LOTS 818 RP (PART) AND 820 RP
 IN D.D. 187, FUNG KAT HEUNG,
 NAM TIN, YUEN LONG, NEW
 TERRITORIES

SCALE	1:5000 @ A4
DATE	14.11.2022
COMPILED BY	JKL
CHECKED BY	JKL
DATE	

PROJECT	ZONING OF THE SITE
PLAN NO.	001



ZONING OF THE APPLICATION SITE

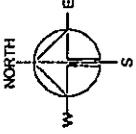
APPLICATION SITE AREA : 287 m² (ABOUT)

OUTLINE ZONING PLAN : APPROVED KAM TIN NORTH OZP
 OZP PLAN NO. : STL-KTN9

AREA ZONED AS "AGR" : 287 m² (ABOUT)

LEGEND

APPLICATION SITE

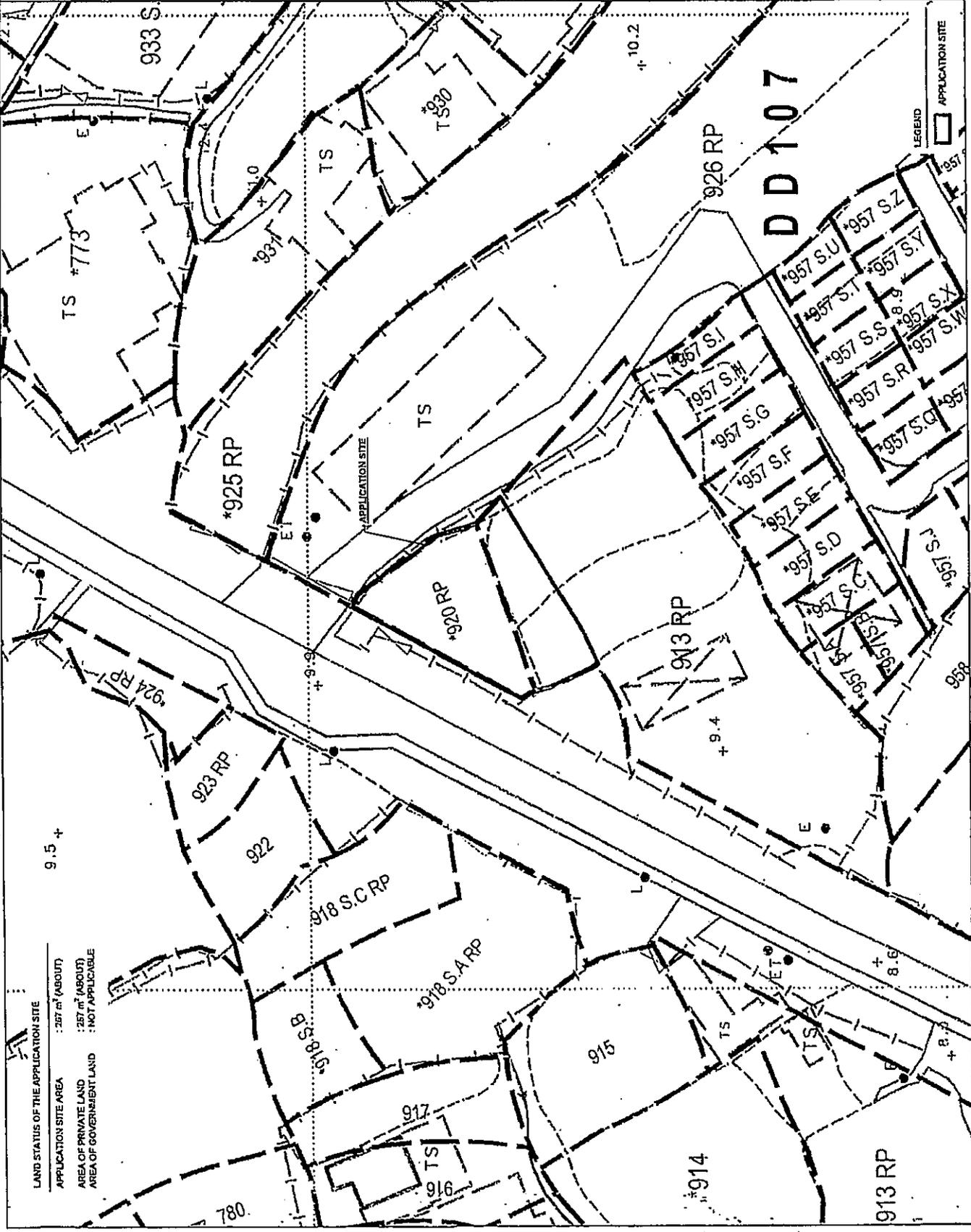


R-Riches
Property Consultants Ltd.

PROPOSED TEMPORARY EATING PLACE (RESTAURANT AND OUTSIDE SEATING ACCOMMODATION) FOR A PERIOD OF 3 YEARS AND ASSOCIATED FILLING OF LAND

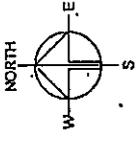
RELOCATION LOTS 913 RP (PART) AND 820 RP IN D.D. 107, FUNG WAT HEUNG, KAM TIN, YUEN LONG, NEW TERRITORIES

SCALE	1:500 @ A4
DATE	14.11.2022
BY	CHL
CHECKED BY	SHL
DATE	
LAND STATUS OF THE SITE	VS
PLAN NO.	001



LAND STATUS OF THE APPLICATION SITE
 APPLICATION SITE AREA : 257 m² (ABOUT)
 AREA OF PRIVATE LAND : 257 m² (ABOUT)
 AREA OF GOVERNMENT LAND : NOT APPLICABLE

LEGEND
 □ APPLICATION SITE



PROJECT: PROPOSED TEMPORARY EATING PLACE (RESTAURANT AND OUTSIDE SEATING ACCOMMODATION) FOR A PERIOD OF 3 YEARS AND ASSOCIATED FILLING OF LAND

SITE LOCATION: LOTS 813 RP PARCELS AND 820 RP IN DL 107 FILING MAT BELONGING TO KAM TIN YUEN LONG, NSW TERRITORIES

SCALE	1:700 @ A4
DATE	14.11.2022
DESIGNER	GCZ
DATE	

FILE TITLE	FILLING OF LAND AREA
DRAW NO.	PLAN 5
REV.	001

FILLING AND EXCAVATION OF LAND AREA OF THE APPLICATION SITE

APPLICATION SITE AREA : 287 m² (ABOUT)

FILLING OF LAND AREA : 220 m² (ABOUT)

DEPTH OF LAND FILLING : NOT MORE THAN 0.2 m

MATERIAL OF LAND FILLING : CONCRETE

PURPOSE OF LAND FILLING : SITE FORMATION OF STRUCTURE AND OUTSIDE SEATING AND CIRCULATION AREA

SITE FORMATION OF STRUCTURE

EXISTING SITE LEVEL : +9.9 mPD (ABOUT)

PROPOSED SITE LEVEL : +10.1 mPD (ABOUT)

MATERIAL OF FILLING : CONCRETE

DEPTH OF FILLING : NOT MORE THAN 0.2 m

LANDSCAPING AREA

EXISTING SITE LEVEL : +9.9 mPD (ABOUT)

NO FILLING OF LAND IS REQUIRED FOR THIS PORTION OF THE APPLICATION SITE

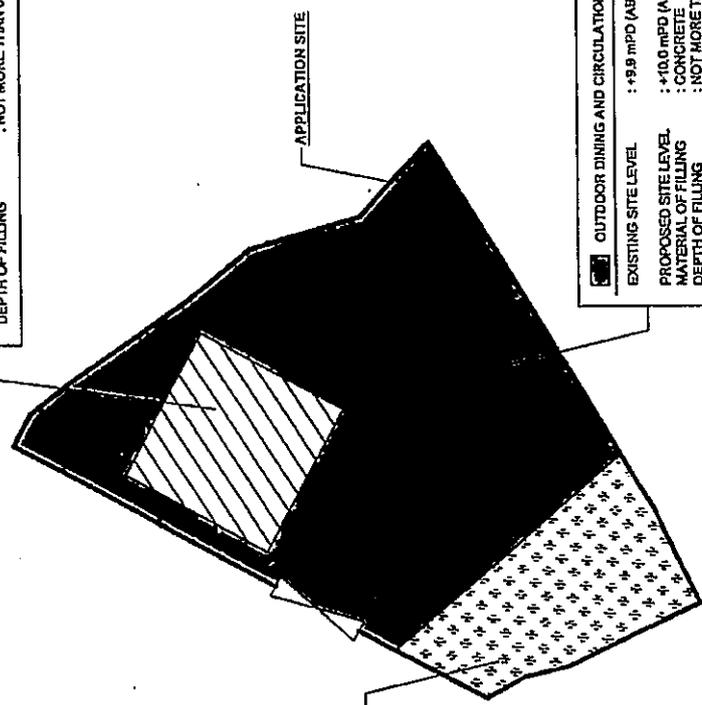
OUTDOOR DINING AND CIRCULATION AREA

EXISTING SITE LEVEL : +9.9 mPD (ABOUT)

PROPOSED SITE LEVEL : +10.0 mPD (ABOUT)

MATERIAL OF FILLING : CONCRETE

DEPTH OF FILLING : NOT MORE THAN 0.1m

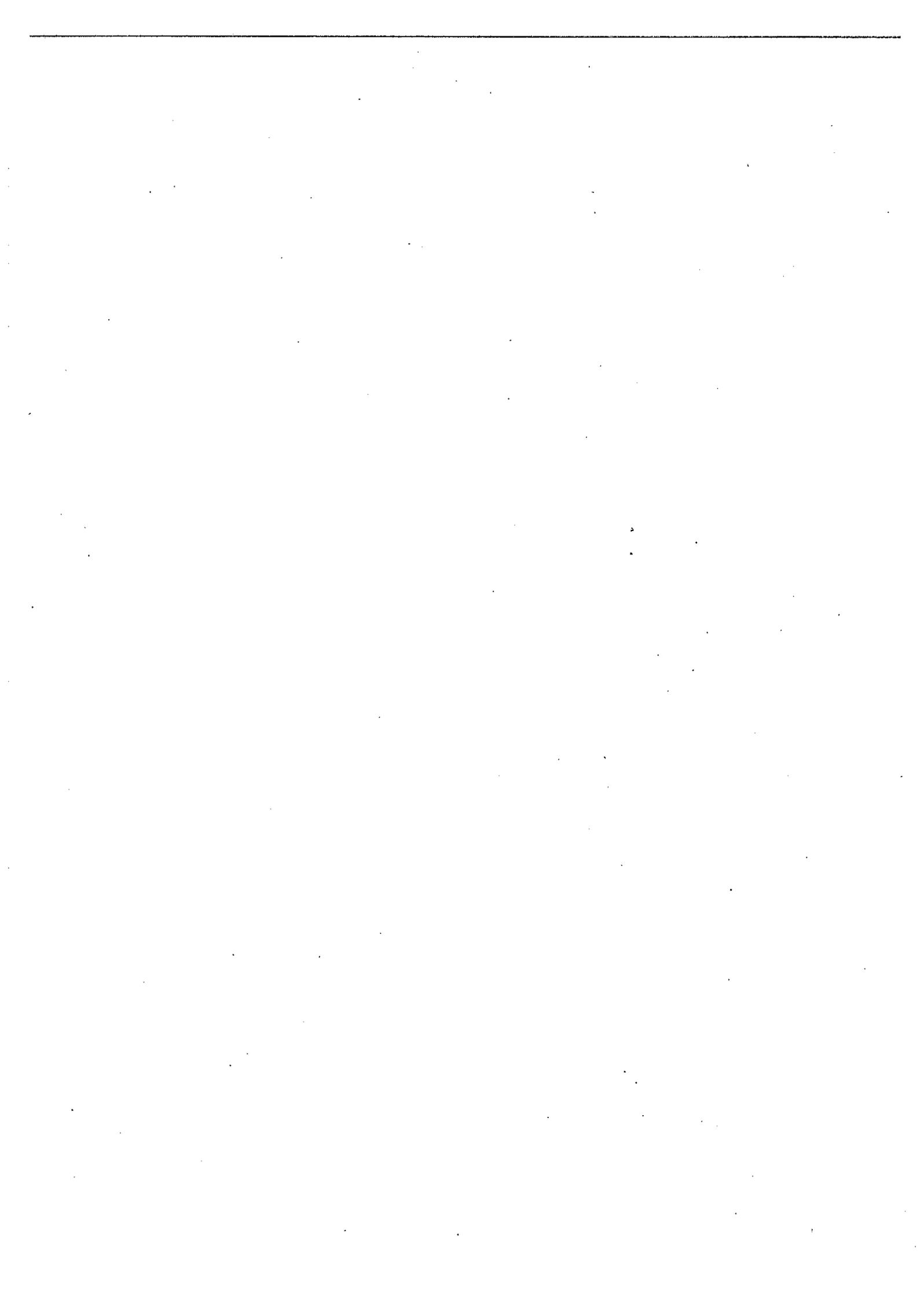


LEGEND

APPLICATION SITE

FILLING OF LAND AREA

DRESS / EGRESS





問
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Our Ref. : DD107 Lot 913 RP & 920 RP
Your Ref. : TPB/A/YL-KTN/876

The Secretary
Town Planning Board
15/F, North Point Government office
333 Java Road
North Point, Hong Kong

By Email

23 February 2023

Dear Sir,

1st Further Information

**Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation)
for a Period of 3 Years and Filling of Land in "Agriculture" Zone,
Lots 913 RP (Part) and 920 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories**

(S.16 Planning Application No. A/YL-KTN/876)

We are writing to submit further information to address departmental comments of the subject application (**Appendix I**).

Should you require more information regarding the application, please contact our Mr. Louis TSE at (852) / or the undersigned at your convenience. Thank you for your kind attention.

Yours faithfully,

For and on behalf of
R-riches Property Consultants Limited

Matthew NG
Planning and Development Manager

cc DPO/FSYLE, PlanD

(Attn.: Ms. Loree DUEN
(Attn.: Ms. Crystal WONG

email: llyduen@pland.gov.hk)
email: chtwong@pland.gov.hk)



Responses-to-Comments

**Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation)
for a Period of 3 Years and Filling of Land in “Agriculture” Zone,
Lots 913 RP (Part) and 920 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories**

(Application No. A/YL-KTN/876)

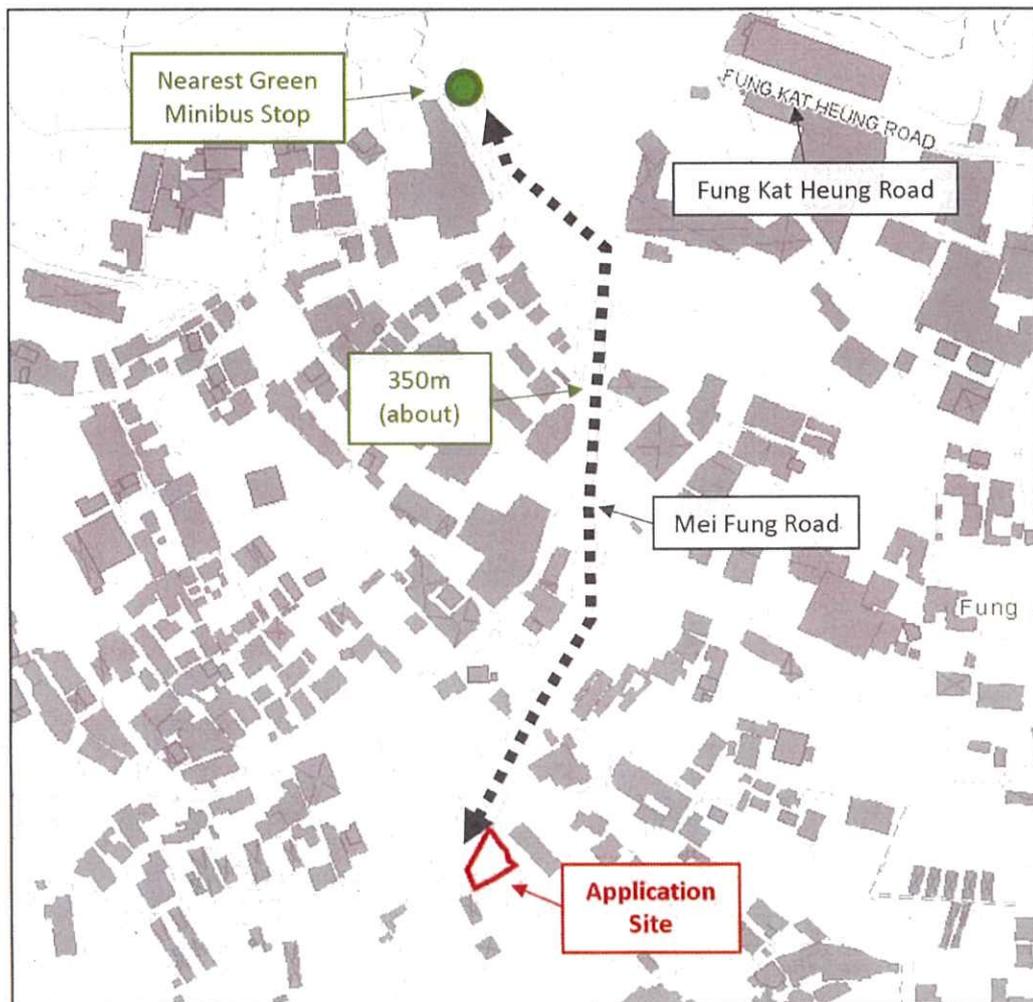
(i) A RtoC Table:

Departmental Comments		Applicant’s Responses
1. Comments of Commissioner for Transport (C for T) (Contact Person: Mr. Phil CAI; Tel: 2399 2421)		
(a)	The applicant should confirm that means of commute for staff and visitors;	The application site (the Site) is surrounded by various commercial and recreational uses with valid planning permissions. The applicant proposed to operate the applied use to serve nearby locals and workers. Visitor would commute to the Site by walking, while staff would commute to the Site by taking Green Minibus to Fung Kat Heung Road and then walk to the Site (Annex I).
(b)	The applicant should provide nearest public transport services and indicate on the layout plan;	Plan showing the nearest public transport services is provided for your consideration please (Annex I).
(c)	The applicant should note the local access between San Tam Road and the site is not managed by his department.	Noted.

Annex I - Public Transport Services Serving the Application Site

- (i) The Site is accessible from Fung Kat Heung Road via Mei Fung Road. Staff would to commute to the Site by taking public transport to Fung Kat Heung Road then walk to the Site.
- (ii) Details of public transport services provided at Fung Kat Heung Road are as follows:

Route No.	Termination Points	
	Green Minibus	
603	Yuen Long (Fung Cheung Rd)	Fung Kat Heung Road





卓物業
有限公司

Our Ref. : DD107 Lot 913 RP & 920 RP
Your Ref. : TPB/A/YL-KTN/876

The Secretary
Town Planning Board
15/F, North Point Government office
333 Java Road
North Point, Hong Kong

By Email

14 July 2023

Dear Sir,

2nd Further Information

**Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation)
for a Period of 3 Years and Filling of Land in "Agriculture" Zone,
Lots 913 RP (Part) and 920 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories**

(S.16 Planning Application No. A/YL-KTN/876)

We are writing to submit further information to address departmental comments of the subject application (**Appendix I**).

Should you require more information regarding the application, please contact our Mr. Orpheus LEE at _____ or the undersigned at your convenience. Thank you for your kind attention.

Yours faithfully,

For and on behalf of
R-riches Property Consultants Limited

Louis TSE
Town Planner

cc DPO/FSYLE, PlanD

(Attn.: Ms. Loree DUEN
(Attn.: Ms. Crystal WONG

email: llyduen@pland.gov.hk)
email: chtwong@pland.gov.hk)



Responses to Comments

**Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation)
for a Period of 3 Years and Filling of Land in “Agriculture” Zone,
Lots 913 RP (Part) and 920 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories**

(Application No. A/YL-KTN/876)

(i) Clarifications for the Proposed Development

- (a) The application site (the Site) is subject of a S.16 planning application (No. A/YL-KTN/651), which was submitted by a different applicant for ‘*temporary animal boarding establishment*’ and was approved by the Town Planning Board (the Board) for a temporary basis of 5 years in 2019. However, the applicant of the previous application (No. A/YL-KTN/651) finds it difficult to continue operating the animal boarding establishment business during the COVID-19 pandemic and was forced to close the business. Therefore, the ‘animal boarding establishment’ business was no longer in operation.
- (b) In view of that, the applicant of the current application seeks planning permission from the Board to operate a new eating place (restaurant and outside seating accommodation) to serve nearby locals and workers, as there is a lack of restaurant choices within the Fung Kat Heung area.
- (c) To facilitate the Site for the applied use, the Site will be converted to the proposed scheme with modifications of the existing two-storey structure for dining area, kitchen, office and washroom, and the uncovered area for outside seating area (with not more than 4 tables) and landscaping area (**Plan 1**). A photographic record showing the latest indoor setting is provided (**Annex I**). The applicant will strictly follow the proposed scheme during the planning approval period.
- (d) In support of the planning application, the applicant submitted a FSIs proposal and an as-built drainage plan to support the current application (**Plans 2 and 3**).

(ii) RtoC Table

Departmental Comments	Applicant’s Responses
1. Comments of District Lands Officer/Yuen Long, Lands Department (Contact Person: Ms. S. L. CHENG; Tel: 2443 1072)	
(i) LandsD has concerns given that there are unauthorized building works and/or uses on the private lot(s) which are already subject to lease enforcement actions according to case priority. The lot owner(s) should remedy the lease breaches as demanded by LandsD.	Noted. A Short Term Waiver application will be submitted by the applicant to facilitate the proposed structure at the Site after planning approval has been granted from the Town Planning Board.

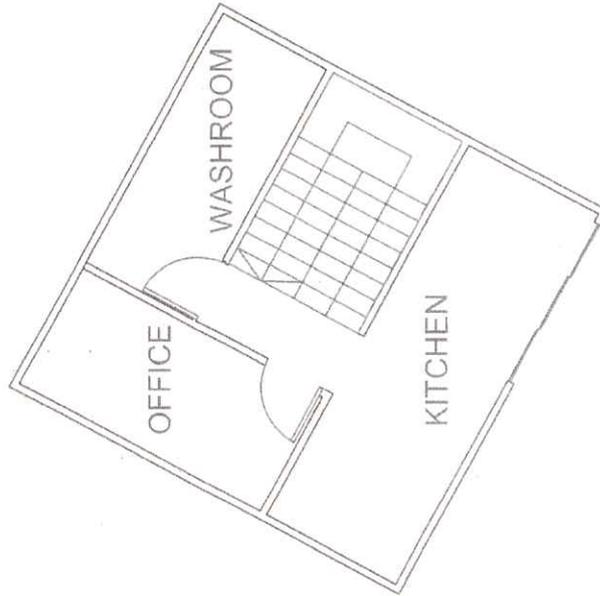
DEVELOPMENT PARAMETERS

APPLICATION SITE AREA	: 267 m ²	(ABOUT)
COVERED AREA	: 36 m ²	(ABOUT)
UNCOVERED AREA	: 231 m ²	(ABOUT)
PLOT RATIO	: 0.27	(ABOUT)
SITE COVERAGE	: 13 %	(ABOUT)
NO. OF STRUCTURE	: 1	
DOMESTIC GFA	: NOT APPLICABLE	
NON-DOMESTIC GFA	: 72 m ²	(ABOUT)
TOTAL GFA	: 72 m ²	(ABOUT)
BUILDING HEIGHT	: 7 m	(ABOUT)
NO. OF STOREY	: 2	

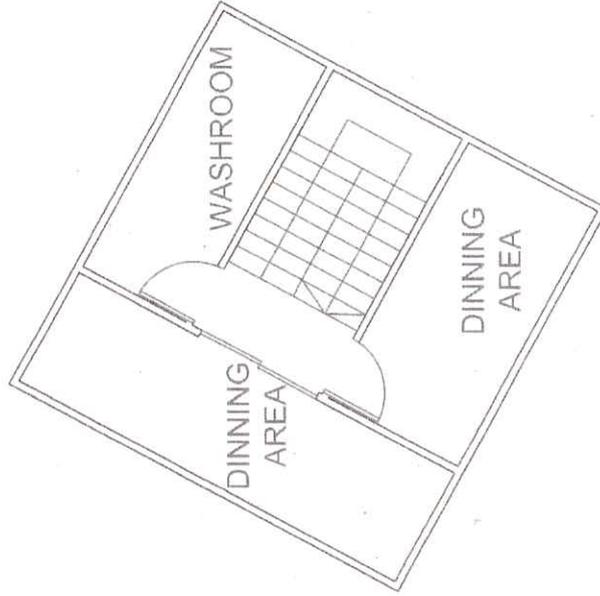
NO PARKING AND LOADING/UNLOADING SPACE IS PROVIDED AT THE SITE

STRUCTURE	USE	COVERED AREA	GFA	BUILDING HEIGHT
B1	EATING PLACE (RESTAURANT AND WASHROOM)	36 m ² (ABOUT)	72 m ² (ABOUT)	7 m (ABOUT)(2-STOREY)
TOTAL		36 m² (ABOUT)	72 m² (ABOUT)	

INTERNAL LAYOUT OF B1



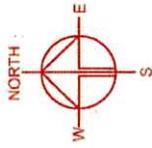
G/F



1/F

LEGEND

	APPLICATION SITE
	STRUCTURE
	INGRESS / EGRESS



PLANNING CONSULTANT



PROJECT

PROPOSED TEMPORARY EATING PLACE (RESTAURANT AND OUTSIDE SEATING ACCOMMODATION) FOR A PERIOD OF 3 YEARS AND ASSOCIATED FILLING OF LAND

SITE LOCATION

LOTS 913 RP (PART) AND 920 RP IN D.D. 107, FUNG KAT HEUNG, KAM TIN, YUEN LONG, NEW TERRITORIES

SCALE

1 : 250 @ A4

DESIGNED BY	DATE
MIN	14.11.2022
CHECKED BY	DATE
OL	01.06.2023
APPROVED BY	DATE

DWG. TITLE

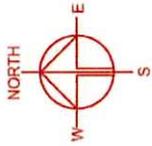
LAYOUT PLAN (2/2)

DWG. NO.

PLAN 1

VER.

001

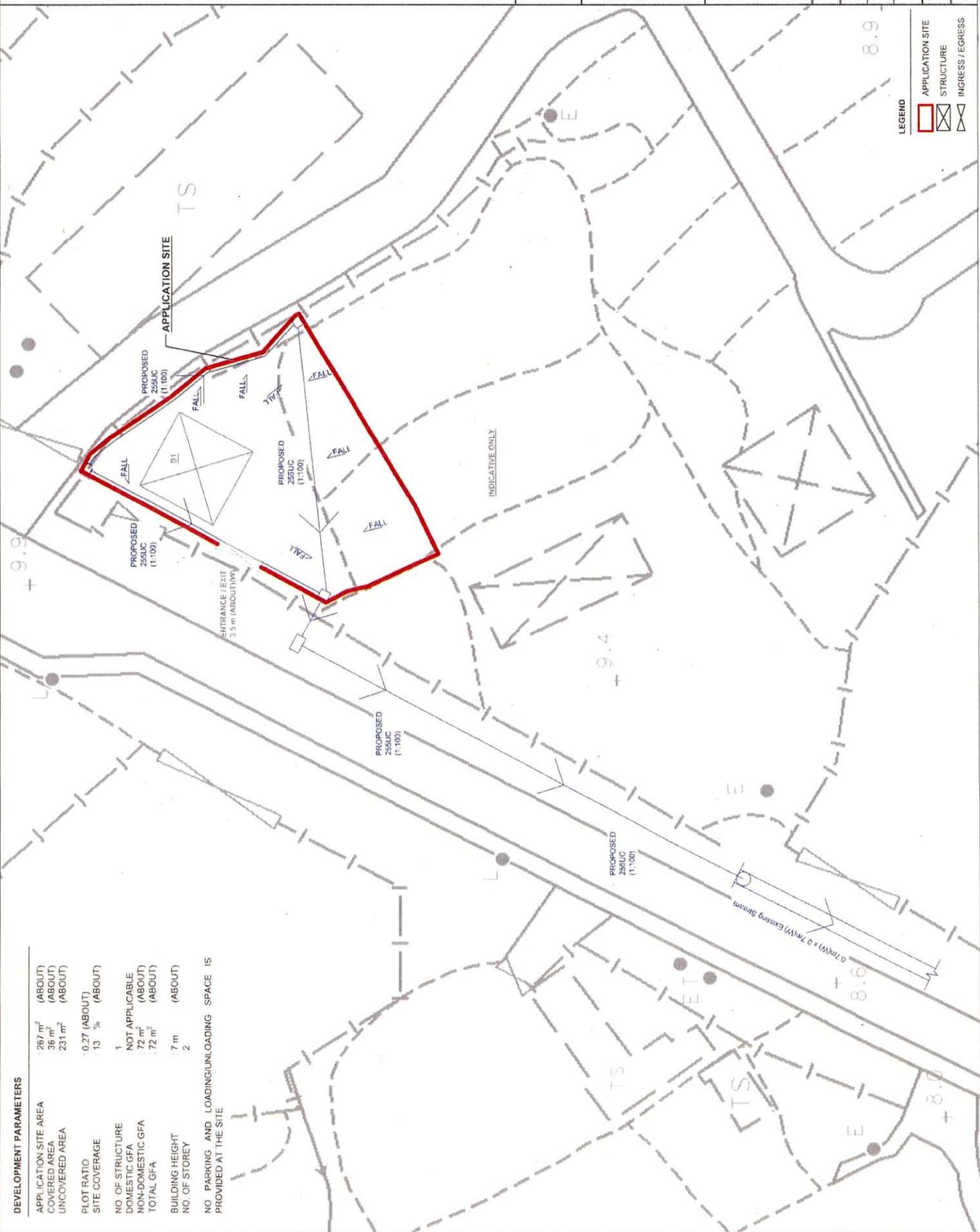


PROJECT: PROPOSED TEMPORARY EATING PLACE (RESTAURANT AND OUTSIDE SEATING ACCOMMODATION) FOR A PERIOD OF 3 YEARS AND ASSOCIATED FILLING OF LAND

SITE LOCATION: LOTS 913 RP (PART) AND 920 RP IN D.D. 107, FUNG KAT HEUNG, KAM TIN, YUEN LONG, NEW TERRITORIES

SCALE	1 : 250 @ A4
DRAWN BY	DATE
OL	06.06.2023
CHECKED BY	DATE
APPROVED BY	DATE

DWG TITLE	AS BUILT DRAINAGE PLAN
DWG NO	PLAN 3
VER	001



DEVELOPMENT PARAMETERS

APPLICATION SITE AREA	267 m ² (ABOUT)
COVERED AREA	36 m ² (ABOUT)
UNCOVERED AREA	231 m ² (ABOUT)
PLOT RATIO	0.27 (ABOUT)
SITE COVERAGE	13 % (ABOUT)
NO. OF STRUCTURE	1
DOMESTIC GFA	NOT APPLICABLE (ABOUT)
NON-DOMESTIC GFA	72 m ² (ABOUT)
TOTAL GFA	72 m ² (ABOUT)
BUILDING HEIGHT	7 m (ABOUT)
NO. OF STOREY	2

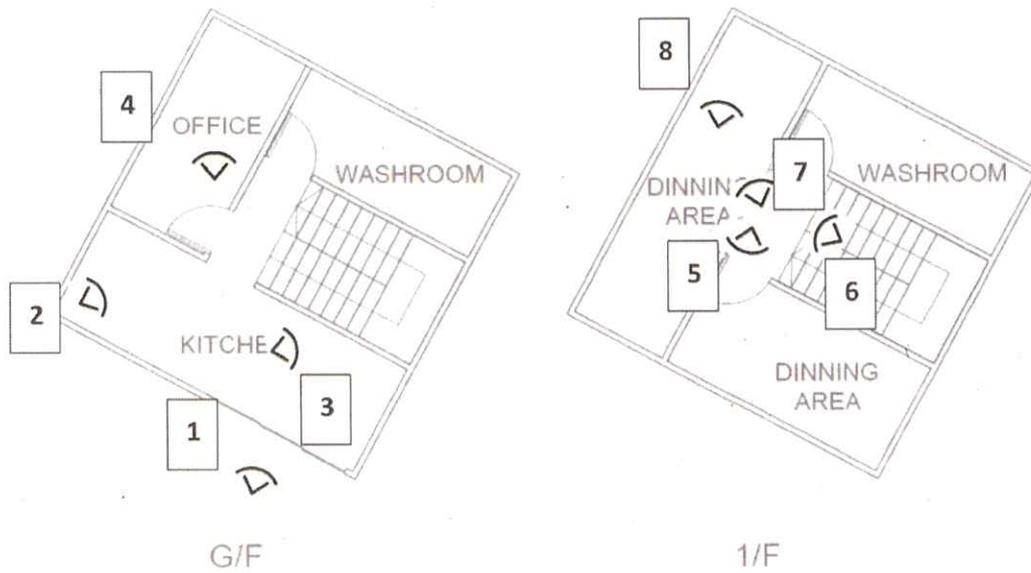
NO PARKING AND LOADING/UNLOADING SPACE IS PROVIDED AT THE SITE

Responses to Comments

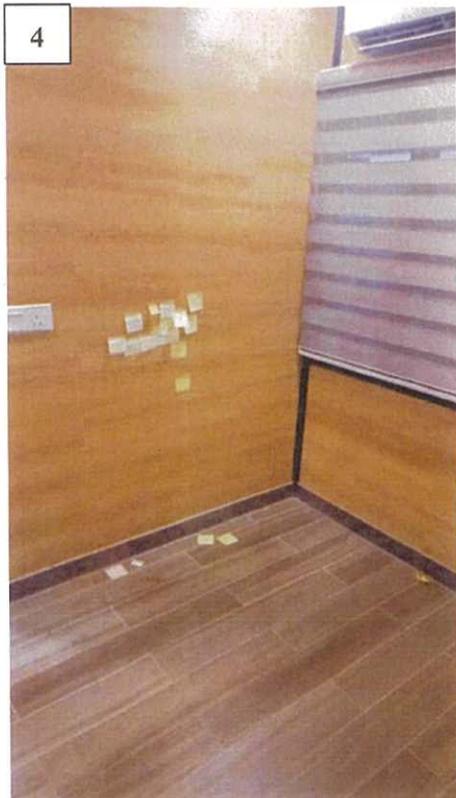
Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation)
for a Period of 3 Years and Filling of Land in "Agriculture" Zone,
Lots 913 RP (Part) and 920 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories

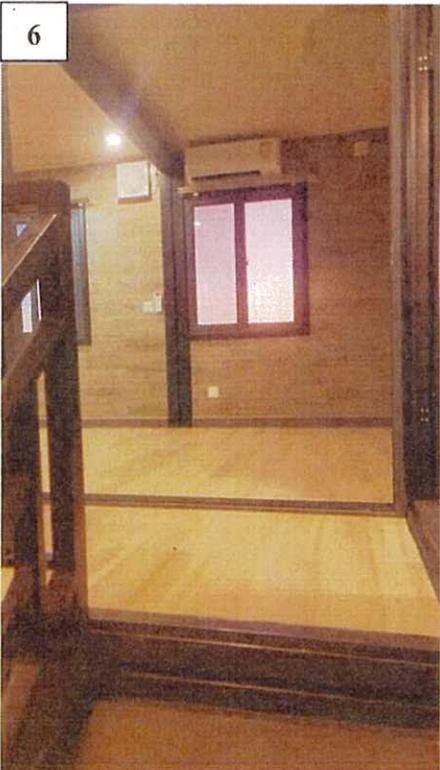
(S.16 Planning Application No. A/YL-KTN/876)

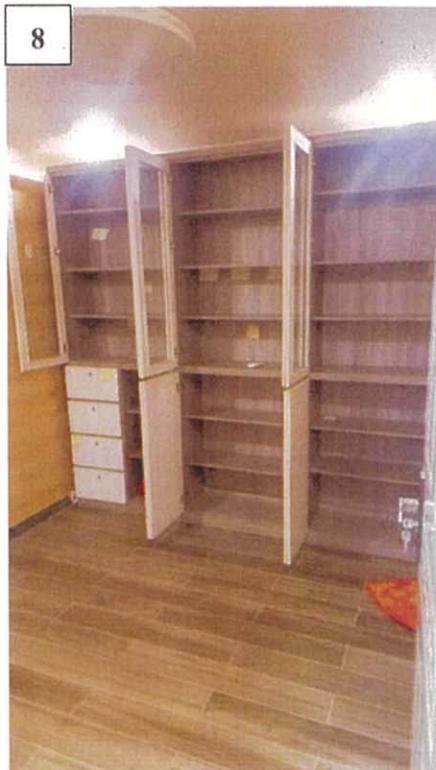
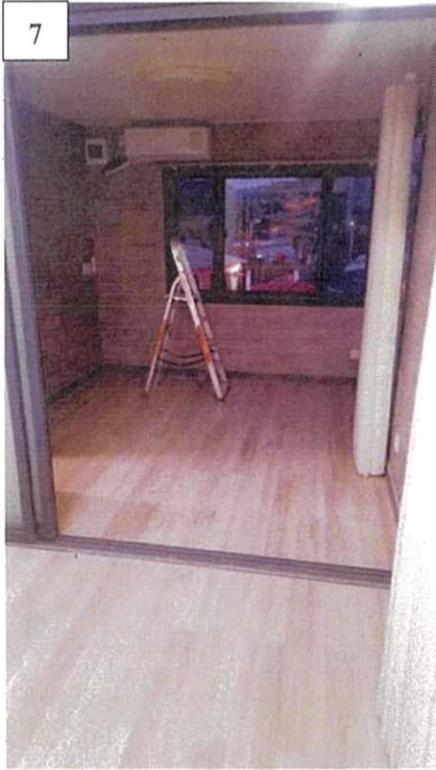
INTERNAL LAYOUT OF B1









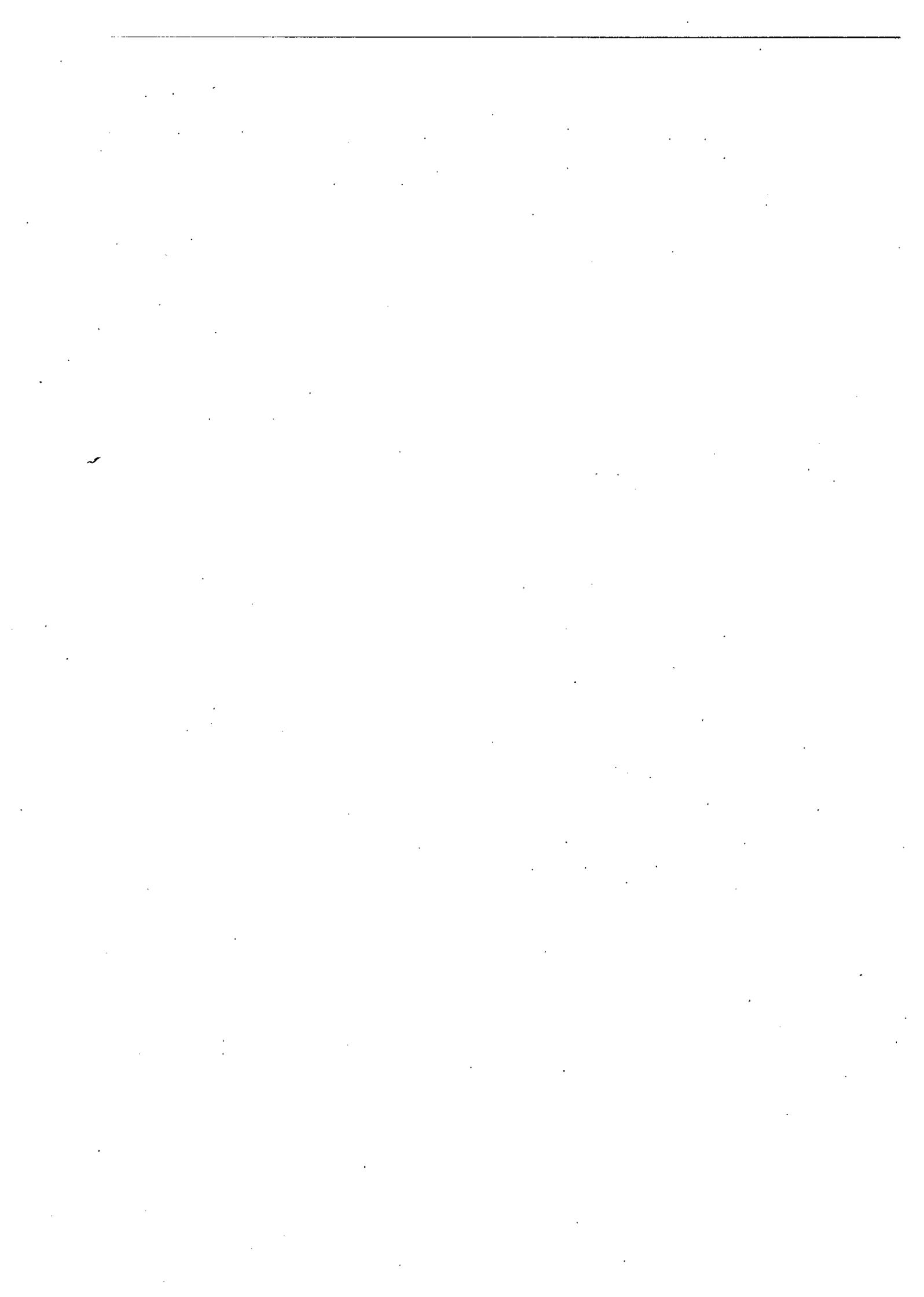


Appendix II of RNTPC
Paper No. A/YL-KTN/876B

Previous s.16 Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Use(s)/ Development(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-KTN/651	Proposed Temporary Animal Boarding Establishment for a Period of 5 Years	17.5.2019 [revoked on 17.4.2023]
2	A/YL-KTN/670	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years	16.8.2019 [revoked on 16.8.2021]
3	A/YL-KTN/772	Temporary Place of Recreation, Sports or Culture (Hobby Farm and Caravan Holiday Camp) with Ancillary Canteen for a Period of 3 Years and Filling of Land	9.7.2021 [revoked on 9.7.2022]



Government Departments' General Comments

1. Traffic

Comments of the Commissioner for Transport (C for T):

- no comment on the application from traffic engineering perspective.

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

- no objection to the application.

2. Environment

Comments of the Director of Environmental Protection (DEP):

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

3. Landscape

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no objection to the application from landscape planning perspective;
- based on the aerial photo of 2022, the Site is located in a rural inland plains landscape character comprising of temporary structures, open storage, vacant lands, farmlands, and scattered tree groups. The proposed use is not incompatible with the surrounding landscape character; and
- according to site photos taken in December 2022, the Site is fenced off, hard paved with a 2-storey height structure and seating area. No existing tree is observed within the Site. Significant adverse impact on the existing landscape resources arising from the proposed use is not anticipated.

4. Drainage

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

- no objection in-principle to the development from the public drainage point of view; and
- should the application be approved, approval conditions requiring (i) the submission of a drainage proposal including how the area with land filling will not adversely affect the overland flow across it; and (ii) the implementation and maintenance of the drainage proposal for the proposed development to the satisfaction the Director of Drainage Services or of the Town Planning Board should be included.

5. **Fire Safety**

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

- he has no objection in-principle to the proposal subject to fire service installation (FSIs) being provided to his satisfaction; and
- the FSIs proposal submitted (**Appendix Ib**) is considered acceptable to his Department.

6. **Building Matters**

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

- before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorized building works (UBW). An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO);
- his detailed comments on UBW, provision of access, excavation works, enforcement action, temporary or licensed structures and exemption of GFA are at **Appendix IV**; and
- detailed checking under BO will be carried out at building plan submission stage.

7. **Food and Environmental Hygiene**

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

- no objection to the application.

8. **District Office's Comments**

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

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

9. **Other Departments**

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

- Director of Electrical and Mechanical Services;
- Project Manager (West), Civil Engineering and Development Department;
- Chief Engineer/Construction, Water Supplies Department; and
- Commissioner of Police.



Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development at the Site;
- (b) 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 Site but not covered by the application. Immediate action should be taken to discontinue such development / uses and remove such structures not covered by the permission;
- (c) to resolve any land issue relating to the development with other concerned owner(s) of the Site;
- (d) to note the comments of the District Lands Officer/ Yuen Long, Lands Department (DLO/YL, LandsD) that:
- the lots owners will need to apply to his Office to permit the structure(s) to be erected or regularize any irregularities on site. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Application(s) for any of the above will be considered by the LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application(s) 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 the LandsD; and
 - there are unauthorized building works and/or uses on the private lot(s) which are already subject to lease enforcement actions according to case priority. The lot owner(s) should remedy the lease breaches as demanded by LandsD;
- (e) to note the comments of the Commissioner for Transport (C for T) 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 (TD). 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;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):
- his Department shall not be responsible for the maintenance of any access connecting the Site and San Tam Road; and
 - adequate drainage measures should be provided to prevent surface water running from the Site to nearby public road and drains;
- (g) to note D of FS's comments that:

- installation/ maintenance/ modification/ repair work of fire service installations (FSIs) shall be undertaken by an Registered Fire Service Installation Contractor (RFSIC). The RFSIC shall after completion of the installation/ maintenance/ modification/ repair work issue to the person on whose instruction the work was undertaken a certificate (F.S. 251) and forward a copy of the certification to the D of FS. Licensing requirements would be formulated upon receipt of formal application via the licensing authority;
- (h) to note the comments of the Director of Environmental Protection (DEP) that:
- the applicant is advised: (i) to follow the relevant mitigation measures and requirements in the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site” to minimize any potential environmental nuisance; (ii) 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 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 (iii) to control the oily fume and cooking odour emissions from the restaurant, the applicant should follow “Control of Oily Fume and Cooking Odour from Restaurants and Food Business” (https://www.epd.gov.hk/epd/sites/default/files/epd/english/environmentinhk/air/guide_ref/files/pamphlet_oilfume_eng.pdf) issued by EPD; (iv) to meet the statutory requirements under relevant pollution control ordinances;
- (i) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
- proper licence / permit issued by his department 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. 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 his 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;
 - whenever restaurant licensees wish to include an Outside Seating Accommodation (OSA) into their licensed premises, they are required to submit application to FEHD by filling in the application form together with 8 copies of proposed layout cum OSA plan and 5 copies of 1:1000 location map for approval. If the application of OSA is acceptable for further processing, FEHD will refer it to the relevant departments including such as Buildings Department, TD, Fire Services Department, Planning Department, Home Affairs Department, LandsD for clearance. A Letter of Requirements on the captioned would be issued if no objection was raised by the

Departments concerned and the OSA licence will be issued upon full compliance of all the requirements;

- no shelters other than movable sunshades in the form of parasol/umbrella/furniture would be allowed in the OSA;
 - 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
 - Proper licence issued by his Department is required if related place of entertainment is involved. Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement, a Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment; and
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- 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;
 - the Site does not abut on a specified street of not less than 4.5 m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
 - 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 Buildings Ordinance (BO). An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing 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 issuance 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.

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



A/YL-KTN/876 DD 107 Fung Kat Heung
06/01/2023 02:35

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
File Ref:

A/YL-KTN/876

Lots 913 RP (Part) and 920 RP in D.D. 107, Fung Kat Heung, Kam Tin

Site area: About 267sq.m

Zoning : "Agriculture"

Applied use: Restaurant and Outside Seating Accommodation) / **Filling of Land**

Dear TPB Members,

Application 799 was withdrawn. This application is effectively an extension to the 4 March 2022 approved 817 for camping and BBQ. Note that conditions for this operation, including a number related to drainage – ie HYGIENE - have still to be fulfilled

The camping site has catering facilities, there is no justification for restaurant in this location distant from any residential development.

The applicant proposed to fill most of the site, so in essence 'Destroy to Build'.

Members should reject this application.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 9 December 2021 2:37 AM CST
Subject: A/YL-KTN/799 DD 107 Fung Kat Heung

A/YL-KTN/799

Lot 920 RP in D.D. 107, Fung Kat Heung, Kam Tin

Site area : About 164m²

Zoning : "Agriculture"

Applied Use : Animal Boarding Establishment / **Canteen / 5 Years**

Dear TPB Members,

Strong objections. The conditions to previous application have not been fulfilled.
Note **EIGHT** extensions of time.

Now proposal for further land filling and the addition of a CANTEEN. To propose catering and animal housing in such close proximity in an area with no proper sewerage or drainage is alarming.

Members have a duty to ensure that public health, particularly in times of crisis, is a priority.

This application should be rejected and 651 revoked.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 16 April 2019 2:24 AM CST
Subject: A/YL-KTN/651 DD 107 Fung Kat Heung

A/YL-KTN/651
Lot 920 RP in D.D. 107, Fung Kat Heung, Kam Tin
Site area : About 164m²
Zoning : "Agriculture"
Applied Use : Animal Boarding Establishment / **5 Years**

Dear TPB Members, Should the applicant read Animal Breeding? It is quite clear that the number of applications for this use are far greater than the market demand for animal boarding. No indication as to how many animals to be accommodated on the site. No mention of discharge from faeces, urine and chemicals used in bathing and treatments.

Are there no animal lovers on TPB? Media is full of reports on breeding farms with atrocious conditions and exploitation of animals.

Instead of approving these facilities members should be demanding that there be some controls on these activities and registration.

Mary Mulvihill

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



Comments on the Section 16 Application No. A/YL-KTN/876
10/01/2023 15:50

From: "Roy Ng" <royng@pland.gov.hk>
To: <tpbpd@pland.gov.hk>
File Ref:

Dear Sir/Madam,

Please refer to the attachment for the captioned.

Yours faithfully,
Ng Hei Man (Mr.)
Campaign Manager
The Conservancy Association
T: 2728 6781
D: 2272 0303
F: 2728 5538

Registered Name 註冊名稱 : The Conservancy Association 長春社
(Incorporated in Hong Kong with limited liability by guarantee 於香港註冊成立的擔保有限公司)

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TPB20230110(KTN876).pdf



長春社 Since 1968

The Conservancy Association

會址: 香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期十三樓 1305-6 室 電話 Tel.:(852)2728 6781 傳真 Fax.:(852)2728 5538
Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port Road, 電子郵件 E-mail:cahk@cahk.org.hk
Kwai Chung, New Territories, H.K.
網址 Website:www.cahk.org.hk

10th January 2023

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

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam,

Comments on the Section 16 Application No. A/YL-KTN/876

The Conservancy Association (CA) OBJECTS to the captioned application.

1. Not in line with the planning intention of Agriculture (AGR) zone

According to the approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9, the planning intention of AGR zone *“is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes”*. However, the proposed *Temporary Eating Place (Restaurant and Outside Seating Accommodation)* is not related to agricultural purposes. We cannot see any details to justify how such plan would fulfill the planning intention of AGR zone.

2. Adverse environmental impacts

We worry that there would be several potential adverse environmental impacts caused by the application:

- No plans on land recovery: Various structures/uses, including a structure for restaurant and washroom, outside seating area, would be temporarily proposed in the application site. Besides, 82% of the site would be concrete-paved. However, no details are available to illustrate how the land would be recovered after the proposed temporary use.



長春社 Since 1968

The Conservancy Association

會址: 香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期十三樓 1305-6 室 電話 Tel.:(852)2728 6781 傳真 Fax.:(852)2728 6538
Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port Road, Kwai Chung, New Territories, H.K. 電子郵件 E-mail:cahk@cahk.org.hk
網址 Website:www.cahk.org.hk

- Adverse sewage and waste impact: The applicant does not provide any details of sewage arrangement, such as design, collection, treatment, disposal of sewage, back-up plans, and so on. Besides, insufficient details are available to identify other sources of wastewater arising from operation, particularly potential wastewater from outside seating area, and how these pollution sources would be treated. We worry that if the above issues cannot be properly addressed, it may lead to serious environmental and hygiene problems within the application site and its surrounding area.
- Other sources of environmental impacts not clearly addressed: There are no site management and operational plans to describe issues such as cooking odour emission, crowd control, waste management, additional provision of ancillary utilities, and so on. All these would help identify source of environmental impacts and then suggest measures to minimize or mitigate potential environmental disturbance, but we cannot see the project proponent has attempted to address this.

Yours faithfully,
Ng Hei Man
Campaign Manager
The Conservancy Association