

2021年 7月 2 6日

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

26 JUL 2021

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

Form No. S16-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](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](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	AML-MP/314
	Date Received 收到日期	26 JUL 2021

- 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

(☒ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

TAM Chan 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)

R-riches Property Consultants 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)	Lot 3250 S.B ss. 24 S.A RP and 3250 S.B ss.34 RP in D.D. 104 and Adjoining Government Land, Mai Po, 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 ..... 1,187 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 ..... 1,610 ..... 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)	..... 217 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Mai Po and Fairview Park Outline Zoning Plan No.: S/YL-MP/6
(e) Land use zone(s) involved 涉及的土地用途地帶	"Commercial/Residential" and "Residential (Group D)" Zones
(f) Current use(s) 現時用途	Eating Place  (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)"<sup>#</sup>  
已通知 ..... 名「現行土地擁有人」<sup>#</sup>。

Details of the "current land owner(s)" <sup>#</sup> notified 已獲通知「現行土地擁有人」 <sup>#</sup> 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)<sup>#&</sup>  
於 \_\_\_\_\_ (日/月/年)向每一名「現行土地擁有人」<sup>#</sup>郵遞要求同意書<sup>&</sup>

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)<sup>&</sup>  
於 \_\_\_\_\_ (日/月/年)在指定報章就申請刊登一次通知<sup>&</sup>
- ☒ posted notice in a prominent position on or near application site/premises on  
16/6/2021 (DD/MM/YYYY)<sup>&</sup>  
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<sup>&</sup>
- ☒ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on 17/6/2021 (DD/MM/YYYY)<sup>&</sup>  
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<sup>&</sup>

Others 其他

- ☐ others (please specify)  
其他（請指明）

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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 for a Period of 3 Years

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

(b) Effective period of permission applied for  
申請的許可有效期☒ year(s) 年 ..... 3 .....☐ month(s) 個月 .....

## (c) Development Schedule 發展細節表

Proposed uncovered land area 擬議露天土地面積	207	sq.m	<input checked="" type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	980	sq.m	<input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	2		
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	1,610	sq.m	<input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	1,610	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 (G/F)	750m <sup>2</sup> (ABOUT)	750m <sup>2</sup> (ABOUT)	7m (ABOUT) (2-STOREY)
B2	EATING PLACE (1/F)		630m <sup>2</sup> (ABOUT)	
	RAIN SHELTER (CANOPY)	230m <sup>2</sup> (ABOUT)	230m <sup>2</sup> (ABOUT)	4m (ABOUT) (1-STOREY)
TOTAL		980m <sup>2</sup> (ABOUT)	1,610m <sup>2</sup> (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 Monday to Sunday 08:00 - 23:00 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 Fairview Park Boulevard																															
	No 否	<input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度)																															
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁表示可盡量減少可能出現不良影響的措施，否則請提供理據/理由。)																																	
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動？	Yes 是	<input type="checkbox"/> Please provide details 請提供詳情 ..... ..... .....																															
	No 否	<input checked="" type="checkbox"/>																															
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程？	Yes 是	<input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及／或範圍) <input type="checkbox"/> Diversion of stream 河道改道 <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 ..... m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 ..... m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 ..... m 米 <input type="checkbox"/> About 約																															
	No 否	<input checked="" type="checkbox"/>																															
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響？	<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"/>
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"/>																															
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On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															
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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"/>																															

	<p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible)</p> <p>請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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**(B) Renewal of Permission for Temporary Use or Development in Rural Areas**

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>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
(f) Renewal period sought 要求的續期期間	<p><input type="checkbox"/> year(s) 年 .....</p> <p><input type="checkbox"/> month(s) 個月 .....</p>

**7. Justifications 理由**

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

The applicant seeks to use Lot 3250 S.B ss. 24 S.A-RP and 3250 S.B ss.34 RP in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long, New Territories (proposed development) (**Plan P01**). The applicant would like to operate an eating place at the Site to serve the nearby locals and workers.

The Site falls within an area zoned as "Commercial/Residential" ("C/R") and "Residential (Group D)" ("R(D)") on the Approved Mai Po and Fairview Park Outline Zoning Plan No.: S/YL-MP/6 (**Plan P02**). According to the Notes of the OZP, 'eating place' is a column 1 use within the "C/R" zone but a column 2 use within the "R(D)" zone, which requires permission from the Board. Since the application is only on a temporary basis, it will not jeopardize the long term planning intention of the "R(D)" zone.

The Site occupied an area of 1,187sq.m (about), including 970sq.m of private land and 217sq.m of Government land (**Plan P03**). Two structures are proposed at the Site for eating place and rain shelter with total GFA of 1,610sq.m (about)(**Plan P04**). The remaining uncovered area are proposed for circulation space and landscaping area.

The operation hours of the proposed development are Monday to Sunday 08:00 - 23:00 (including public holiday). The proposed development will not operate outside operation hours. The estimated maximum number of visitor per day are 40 (about). The estimated number of staff working at the Site is 10.

The Site is accessible from Fairview Park Boulevard (**Plan P01**). No private car parking and fixed loading/unloading space is provided at the Site. Staff and visitors are required to access the Site by walking. Goods to support the operation of the Site are transported to the Site by light goods vehicle (LGV) once a day, hence, adverse traffic impact should not be anticipated.

The applicant will strictly follow the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by EPD during the operation of the proposed development. The applicant will also 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.

The proposed development will not create significant adverse traffic, environmental, landscape and drainage impacts to the surrounding areas. Adequate mitigation measures, i.e. submission of drainage, landscape and FSIs 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 for a Period of 3 Years'.



**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 an application to the Board 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

Name in Block Letters  
姓名（請以正楷填寫）

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

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

18/6/2021

(DD/MM/YYYY 日/月/年)

**Remark 備註**

The materials submitted in an application to the Board 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。

<b>Gist of Application 申請摘要</b> (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 deposited 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存放於規劃署規劃資料查詢處以供一般參閱。)	
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lot 3250 S.B ss. 24 S.A RP and 3250 S.B ss.34 RP in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long, New Territories
Site area 地盤面積	1,187 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 217 sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	Approved Mai Po and Fairview Park Outline Zoning Plan No.: S/YL-MP/6
Zoning 地帶	"Commercial/Residential" and "Residential (Group D)" Zones
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 for a Period of 3 Years

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	/	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	1,610	<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 (about)	m 米 <input type="checkbox"/> (Not more than 不多於)
		1	Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)
(iv) Site coverage 上蓋面積	82 % <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) _____ _____		

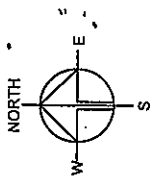
Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
<b>Plans and Drawings 圖則及繪圖</b>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 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"/>
Location plan, Plan showing the zoning of the application site,		
Plan showing the land status of the application site		
<b>Reports 報告書</b>		
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。

LOCATION OF THE APPLICATION SITE

APPLICATION SITE AREA : 1,187m<sup>2</sup> (ABOUT)  
ACCESSIBLE FROM FAIRVIEW PARK BOULEVARD



APPLICATION SITE

Open Storage

HA SAN WAI ROAD

ACCESSIBLE FROM FAIRVIEW PARK BOULEVARD

KAM POK ROAD

FAIRVIEW PARK BOULEVARD

Villa Camellia

Royal Camellia

YAU POK ROAD

BLUENIA ROAD EAST

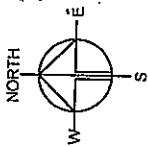
W.F. 1ST STREET

PK ROAD SOUTH

Drawing No. P01  
Project PROPOSED TEMPORARY EATING PLACE FOR A PERIOD OF 3 YEARS  
Lots 3250 S.B ss.24 S.A RP AND 3250 S.B ss.34 RP IN D.D. 104, AND ADJOINING GL. MAI PO, YUEN LONG, NEW TERRITORIES

Drawing Title LOCATION PLAN  
Scale of A1 1:2000  
Date 16.6.2021  
Revision

LEGEND  
APPLICATION SITE



**ZONING OF THE APPLICATION SITE**

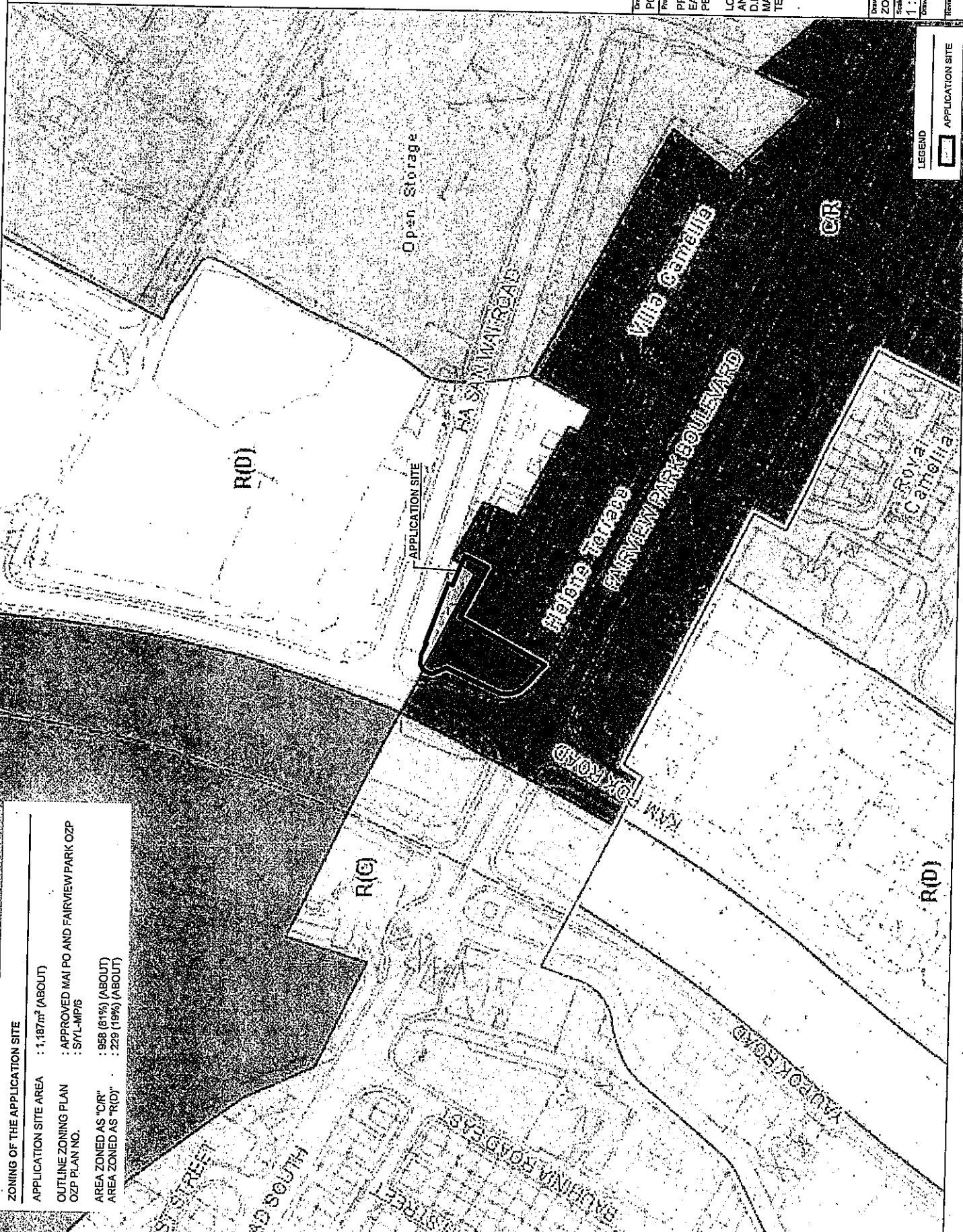
APPLICATION SITE AREA : 1,187m<sup>2</sup> (ABOUT)

OUTLINE ZONING PLAN : APPROVED MAI PO AND FAIRVIEW PARK OZP

OZP PLAN NO. : SYL-MP/6

AREA ZONED AS "CR" : 958 (81%) (ABOUT)

AREA ZONED AS "RD" : 229 (19%) (ABOUT)



Drawing No.	Ver.
P02	01
Project	
PROPOSED TEMPORARY EATING PLACE FOR A PERIOD OF 3 YEARS	
LOTS 3250 S.B. S3.24 S.A. RP AND 3250 S.B. S3.34 RP IN D.D. 104, AND ADJOINING GL MAI PO, YUEN LONG, NEW TERRITORIES	
Drawing Title	
ZONING OF THE SITE	
Scale of A1	
1:2000	
Drawn	16.6.2021
Checked	16.6.2021
Date	

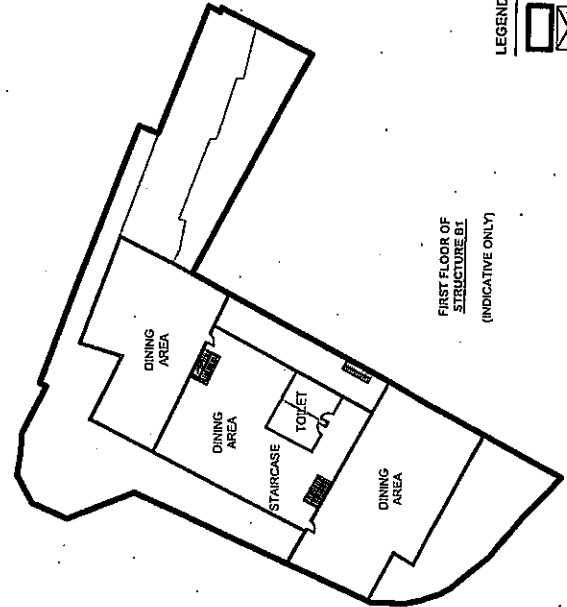
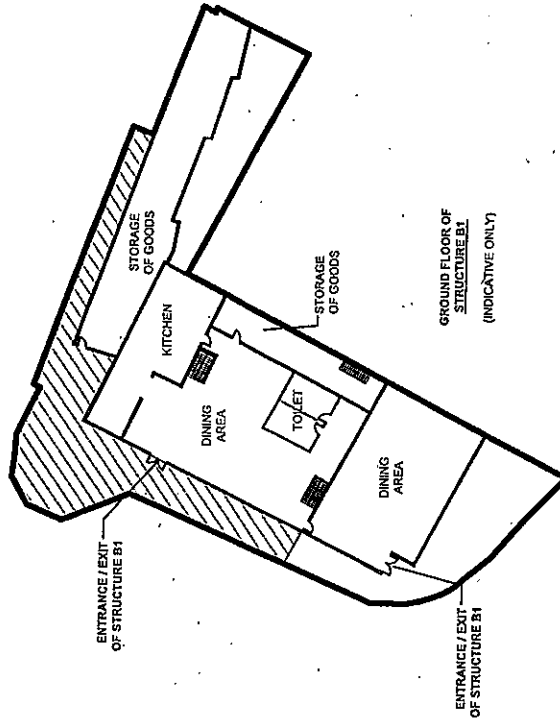
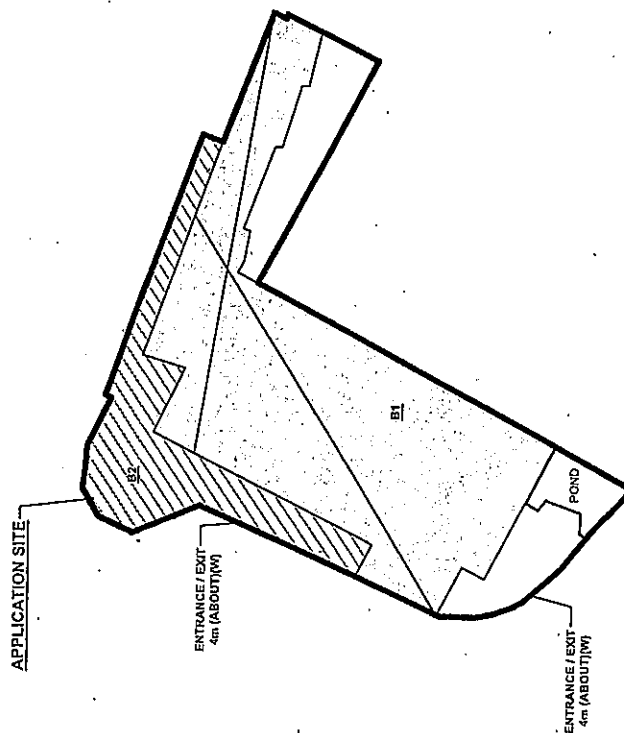
LEGEND

☒ APPLICATION SITE



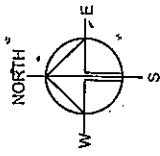
# DEVELOPMENT PARAMETERS

APPLICATION SITE AREA	: 1,187m <sup>2</sup> (ABOUT)
COVERED AREA	: 980m <sup>2</sup> (ABOUT)
UNCOVERED AREA	: 207m <sup>2</sup> (ABOUT)
PLOT RATIO	: 1.4 (ABOUT)
SITE COVERAGE	: 82% (ABOUT)
NO. OF STRUCTURE	: 2
DOMESTIC GFA	: N/A
NON-DOMESTIC GFA	: 1,610m <sup>2</sup> (ABOUT)
BUILDING HEIGHT	: 4m - 7m (ABOUT)
NO. OF STOREY	: 1-2



LEGEND
APPLICATION SITE
STRUCTURE (ENCLOSED)
STRUCTURE (CANOPY)

STRUCTURE	USE	COVERED AREA	GFA	BUILDING HEIGHT
B1	EATING PLACE (G/F)	750m <sup>2</sup> (ABOUT)	750m <sup>2</sup> (ABOUT)	7m (ABOUT) (2-STOREY)
B2	EATING PLACE (1/F)	230m <sup>2</sup> (ABOUT)	630m <sup>2</sup> (ABOUT)	4m (ABOUT) (1-STOREY)
	RAIN SHELTER (CANOPY)		230m <sup>2</sup> (ABOUT)	
TOTAL		980m <sup>2</sup> (ABOUT)	1,610m <sup>2</sup> (ABOUT)	



Drawing No.	PD4
Ver.	01
Project	PROPOSED TEMPORARY EATING PLACE FOR A PERIOD OF 3 YEARS
Location	LOTS 3250 SB ss.24 S.A RP AND 3250 S.B ss.34 RP IN D.D. 104, AND ADJOINING GL MAI PO, YUEN LONG, NEW TERRITORIES
Drawing Title	LAYOUT PLAN
Scale of A1	1:700
Drawn	
Reviewed	
Date	12.7.2021



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



[FI] S.16 Application No. A/YL-MP/314 - FI to address departmental comments  
30/08/2021 18:20

From: Matthew Ng  
To: Town Planning Board <tpbpd@pland.gov.hk>  
Cc: "akfpang@pland.gov.hk" <akfpang@pland.gov.hk>, "ayycheung@pland.gov.hk" <ayycheung@pland.gov.hk>, Bon Tang, Grace Wong  
Orpheus Lee

FileRef:

1 attachment



FI1 for A\_YL-MP\_314 (20210830).pdf

Dear Sir,

Attached herewith the FI to address departmental comments of the subject application. Should you require more information, please do not hesitate to contact me. Thank you for your kind attention.

Kind Regards,

**Matthew NG** | Planning and Development Manager  
**R-riches Group (HK) Limited**

**R-riches Property Consultants Limited | R-riches Planning Limited | R-riches Construction Limited**

T: | F: | M: | E:

A:



盈卓物業  
顧問有限公司

Our Ref.: DD104 Lot 3250 S.B ss.24 S.A RP & 3250 S.B ss.34 RP  
Your Ref.: TPB/A/YL-MP/314

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

By Email

30 August 2021

Dear Sir,

**1<sup>st</sup> Further Information**

**Proposed Temporary Eating Place for a Period of 3 Years in "Commercial/Residential"  
and "Residential (Group D)", Lot 3250 S.B ss.24 S.A RP and  
3250 S.B ss.34 RP in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long**

**(S.16 Planning Application No. A/YL-MP/314)**

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. Bon TANG at or the undersigned at your convenience.

Yours faithfully,

For and on behalf of  
R-riches Property Consultants Limited

**Matthew NG**  
Planning and Development Manager

cc DPO/FSYLE, PlanD

(Attn.: Ms. Alice CHEUNG  
(Attn.: Mr. Andy PANG

email: ayycheung@pland.gov.hk )  
email: akfpang@pland.gov.hk )



HK



## Responses-to-Comments

Proposed Temporary Eating Place for a Period of 3 Years in "Commercial/Residential" and "Residential (Group D)",  
Lot 3250 S.B ss.24 S.A RP and 3250 S.B ss.34 RP in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long

(Application No. A/YL-MP/314)

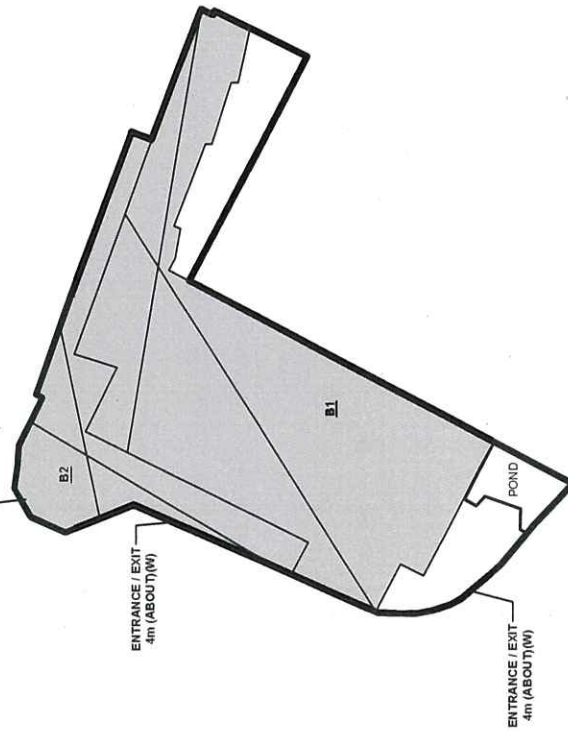
(i) A RtoC Table:

Departmental Comments		Applicant's Responses
<b>1. Comments of District Lands Officer/Yuen Long, Lands Department (Contact Person: Mr. YIP Wai-ki; Tel: 2443 3474)</b>		
(a)	No permission is given for occupation of Government Land of about 217m <sup>2</sup> in area (subject to verification) included in the application site. The act of occupation of Government Land without Government's prior approval is not allowed.	Noted. The applicant will submit Short Term Tenancy application after planning permission has been obtained from the Town Planning Board (the Board).
(b)	According to the layout plan submitted, structure B2 is a "Rain Shelter (Canopy)". According to our latest inspection record on 3.5.2021, the captioned structure is a concrete structure instead. Please clarify.	The applicant revised the use of structure B2 from "Rain Shelter" to "Eating Place" ( <b>Plan 1</b> ). The applicant will strictly follow the proposed scheme after planning approval has been obtained from the Board.

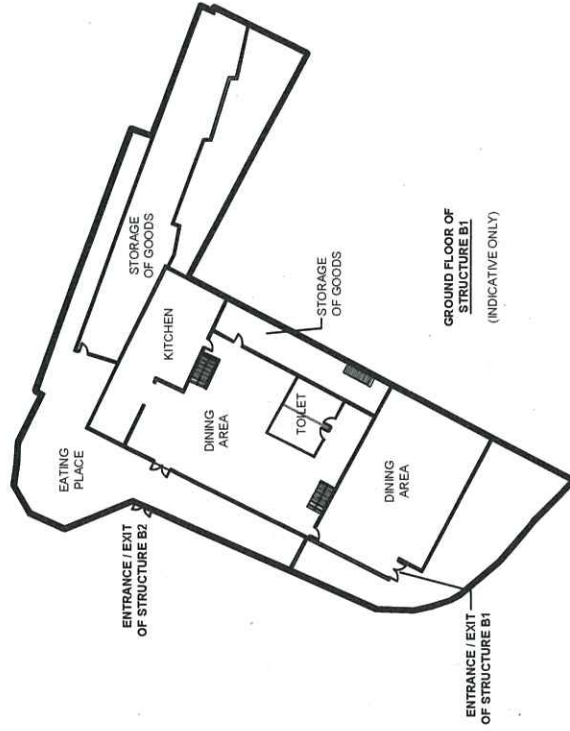
# DEVELOPMENT PARAMETERS

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SITE COVERAGE	: 82% (ABOUT)
NO. OF STRUCTURE	: 2
DOMESTIC GFA	: N/A
NON-DOMESTIC GFA	: 1,610m <sup>2</sup> (ABOUT)
BUILDING HEIGHT	: 4m - 7m (ABOUT)
NO. OF STOREY	: 1 - 2

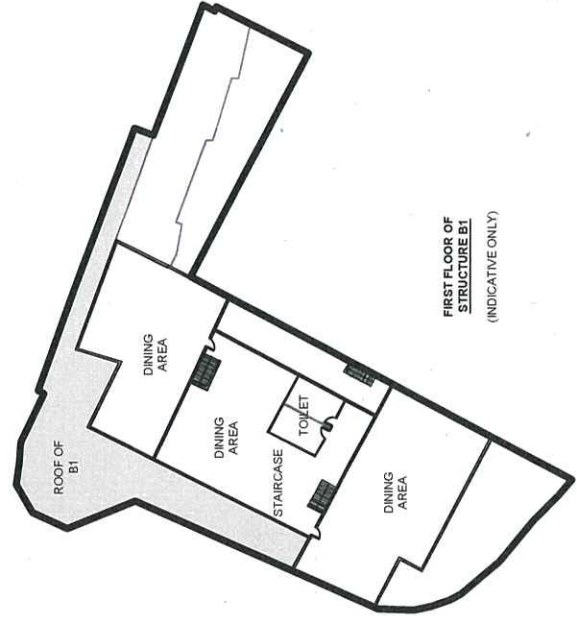
APPLICATION SITE



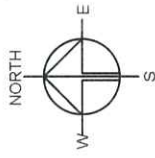
STRUCTURE	USE	COVERED AREA	GFA	BUILDING HEIGHT
B1	EATING PLACE (G/F)	750m <sup>2</sup> (ABOUT)	750m <sup>2</sup> (ABOUT)	7m (ABOUT) (2-STOREY)
B2	EATING PLACE (1/F)	230m <sup>2</sup> (ABOUT)	230m <sup>2</sup> (ABOUT)	4m (ABOUT) (1-STOREY)
TOTAL		980m <sup>2</sup> (ABOUT)	1,610m <sup>2</sup> (ABOUT)	



GROUND FLOOR OF STRUCTURE B1 (INDICATIVE ONLY)



FIRST FLOOR OF STRUCTURE B1 (INDICATIVE ONLY)



Drawing No. **PLAN 1** Var 02

Project  
PROPOSED TEMPORARY EATING PLACE FOR A PERIOD OF 3 YEARS

LOTS 3250 S.B. ss 24 S.A. RP AND 3250 S.B. ss 34 RP IN D.D. 104, AND ADJOINING GL. MAI PO, YUEN LONG, NEW TERRITORIES

Drawing Title  
LAYOUT PLAN  
Scale of A4  
1 : 700

Drawn  
12.7.2021  
Revised  
30.8.2021

## LEGEND

APPLICATION SITE  
STRUCTURE

[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)

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寄件者: Matthew Ng  
寄件日期: 2021年09月06日星期一 10:10  
收件者: Town Planning Board  
副本: Bon Tang; Grace Wong; Orpheus Lee  
主旨: [FI] S.16 Application No. A/YL-MP/314 - FI to address departmental comments  
附件: FI2 for A\_YL-MP\_314 (20210906).pdf

Dear Sir,

Attached herewith the FI to address departmental comments of the subject application. Should you require more information, please do not hesitate to contact me. Thank you for your kind attention.

Kind Regards,

Matthew NG | Planning and Development Manager  
R-riches Group (HK) Limited

R-riches Property Consultants Limited | R-riches Planning Limited | R-riches Construction Limited  
T: (852) | F: (852) | M: (852) | E: :



盈卓物業  
顧問有限公司

Our Ref.: DD104 Lot 3250 S.B ss.24 S.A RP & 3250 S.B ss.34 RP  
Your Ref.: TPB/A/YL-MP/314

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

By Email

6 September 2021

Dear Sir,

**2<sup>nd</sup> Further Information**

**Proposed Temporary Eating Place for a Period of 3 Years in "Commercial/Residential"  
and "Residential (Group D)" Zones, Lots 3250 S.B ss.24 S.A RP and  
3250 S.B ss.34 RP in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long**

**(S.16 Planning Application No. A/YL-MP/314)**

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. Bon TANG at , or the undersigned at your convenience.

Yours faithfully,

For and on behalf of  
R-riches Property Consultants Limited

**Matthew NG**  
Planning and Development Manager

cc DPO/FSYLE, PlanD

(Attn.: Ms. Alice CHEUNG  
(Attn.: Mr. Andy PANG

email: ayycheung@pland.gov.hk )  
email: akfpang@pland.gov.hk )



1852

## Appendix I

## S.16 Planning Application No. A/YL-MP/314

## Responses-to-Comments

Proposed Temporary Eating Place for a Period of 3 Years in "Commercial/Residential" and "Residential (Group D)",  
Lot 3250 S.B ss.24 S.A RP and 3250 S.B ss.34 RP in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long

(Application No. A/YL-MP/314)

(i) A RtoC Table:

	Departmental Comments	Applicant's Responses
<b>1. Comments of Commissioner for Transport (Contact Person: Mr. TSE Ho-hang; Tel: 2339 2727)</b>		
(a)	The applicant should clarify any vehicular access, provision of car parking and loading/unloading spaces are required for the operation of the proposed eating place; and	The eating place is proposed to serve the nearby locals, i.e. residents living in Villa Camellia, Royal Camellia, Greenery Garden, Helene Terrace and Fairview Park, hence, no parking space is provided at the application site (the Site). Staff and visitor are required to access the Site by walking. For loading/unloading (L/UL) arrangement, only one 5.5 tonnes lorry will be deployed for delivery of goods once a day between 10:00am to 11:00am for approximately 10 minutes. No vehicle will enter the Site and the L/UL activities will be carried out at Ha San Wai Road on the basis that it will not affect traffic flow. Same arrangement has already been adopted by similar approved S.16 planning application (No. A/NE-LYT/723) for the same use and is workable.
(b)	The applicant should clarify should there be any parking spaces for visitors to avoid illegal parking on Kam Pok Road and Ha Sang Wai Road.	Staff and visitor are required to access the Site by walking. If illegal parking activities were observed in vicinity of the Site, they will be

S.16 Planning Application No. A/YL-MP/314

	reported to respective departments by staff deployed at the entrance/exit of the Site.
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**Previous s.16 Applications at the Application Site**

**Approved Application**

No.	Application No.	Proposed Use(s)/Development(s)	Date of Consideration (RNTPC/TPB)
1.	A/DPA/YL-MP/3	Restaurant and Bar	18.10.1991 Approved by RNTPC

**Approval Conditions**

- (1) Provision of sewage treatment facilities.
- (2) Provision of landscape planting.

**Rejected Application**

No.	Application No.	Proposed Use(s)/Development(s)	Date of Consideration (RNTPC/TPB)
1.	A/YL-MP/218	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	9.6.2013 Rejected by RNTPC

**Rejection Reason**

The site was a piece of government land with kerbside planting and drainage facilities maintained by the Drainage Services Department. The applicant failed to demonstrate that the development would not obstruct the routine maintenance work, in particular for the drainage facilities at the application site.



致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

Appendix III of RNTPC  
Paper No. A/YL-MP/314

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

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

有關的規劃申請編號 The application no. to which the comment relates

A/YL-MP/314

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

本人反對有關申請，因該申請會引至錦芳路以下新圍  
路，造成嚴重阻礙，因火車路邊例停泊於  
下新圍路及錦芳路一帶，上水已經常阻礙村民無法  
駕車出入，就其後新圍路，警告世亦難以有效方法疏  
解。

「提意見人」姓名/名稱 Name of person/company making this comment

區振勳

簽署 Signature

日期 Date

9 Aug. 2021





**Recommended Advisory Clauses**

- (a) To resolve any land issues related to the temporary use with the concerned owner(s) of the application site (the Site);
- (b) To note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
  - (i) the Site comprises Government Land (GL) and 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;
  - (ii) no permission is given for occupation of GL of about 217m<sup>2</sup> in area (subject to verification) included in the Site. The act of illegal occupation of GL without Government's prior approval is not allowed;
  - (iii) the registered lot owner(s) will need to immediately apply to his office to permit the structures to be erected or regularise any irregularity 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. Application 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 fees, as may be imposed by LandsD; and
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
  - (i) to provide the run in/out at Fairview Park Boulevard to the satisfaction of TD and HyD in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement;
  - (ii) to submit the details of relocation works of street furniture at Fairview Park Boulevard for TD and HyD review. No relocation works of street furniture should be implemented unless approval on the relocation proposal is obtained from TD and HyD;
  - (iii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains; and
- (d) to note the comments of the Director of Environmental Protection (DEP) to follow the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" to minimise potential environmental impacts on the surrounding areas and to follow "Control of Oily Fume and Cooking Odour from Restaurant and Food Business" issued by EDP;
- (e) to note the comments of the Director of Fire Services (D of FS) to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of the proposed FSI should be clearly marked

on the layout plans. If any proposed 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;

- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
  - (i) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application;
  - (ii) 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 BO;
  - (iii) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
  - (iv) 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;
  - (v) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at the building plan submission stage;
  - (vi) 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;
  - (vii) if the proposed use under application is subject to issue of a licence, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licencing authority;
  - (viii) detailed checking under BO will be carried out at the building plan submission stage; and
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that there is no public sewer connection available in the vicinity, the applicant shall seek views and comments from the DEP regarding the sewage disposal arrangement of the proposed development;
- (h) to note the comments of the Director of Food and Environmental Hygiene (DEFH) that:

- (i) if the proposal involves any commercial/trading activities, there should be no encroachment on the public place and no environmental nuisance should be generated to the surroundings. Its state should not be a nuisance or injurious or dangerous to health and surrounding environment. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses;
- (ii) proper licence/permit issued by his department is required if food business and/or related place of public entertainment activity is involved;
- (iii) for the operation of any types of food business, relevant food licences/permits should also be obtained from Food and Environmental Hygiene Department (FEHD) in accordance with the Public Health and Municipal Services Ordinance (Cap. 132);
- (iv) any operator intends to operate a restaurant business in the territory, a general restaurant/light refreshment restaurant licence should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132), the application for restaurant licence are required;
- (v) in accordance with Section 4 of Food Business Regulation, Cap. 132X, the expression "food business" means, any trade or business for the purpose of which any person engages in the handling of food or food is sold by means of a vending machine. But it does not include any canteen in work place (other than a factory canteen referred to in section 31) for the use exclusively of the persons employed in the work place. As such, a staff canteen that exclusively use by the staff members of that working place does not require a food business licence from his department. However, if the said canteen provided foods to the outsiders with payment, a food business licence is required;
- (vi) any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public Entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement, a PPE Licence (or Temporary PPE Licence) should be obtained from FEHD whatever the general public is admitted with or without payment; and
- (vii) 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.

