

2022年 5月 2 5日

此文件在 收到 城市規劃委員會
正式文件後才正式取閱

25 MAY 2022

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

Form No. S16-I
表格第 S16-I 號

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

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

- (i) Construction of "New Territories Exempted House(s)";
興建「新界豁免管制屋宇」;
- (ii) Temporary use/development of land and/or building not exceeding 3 years in rural areas; and
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;及
- (iii) Renewal of permission for temporary use or development in rural areas
位於鄉郊地區的臨時用途或發展的許可續期

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

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

General Note and Annotation for the Form
填寫表格的一般指引及註解

"Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

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

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

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

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

2201044 25/4 by hand

Form No. S16-III 表格第 S16-III 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A146-57/621
	Date Received 收到日期	25 MAY 2022

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

Asia Tender Limited

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)	Lots 196 (Part), 197 and 199 RP in D.D. 102 and Adjoining Government Land, San 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 999 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 476 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) 66 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 San Tin Outline Zoning Plan No.: SYL-ST/8
(e) Land use zone(s) involved 涉及的土地用途地帶	"Village Type Development" Zone
(f) Current use(s) 現時用途	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
20/4/2022 (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 20/4/2022 (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，或有關係的鄉事委員會[&]

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) 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 523sq.m ☒About 約

Proposed covered land area 擬議有上蓋土地面積 476sq.m ☒About 約

Proposed number of buildings/structures 擬議建築物/構築物數目 5

Proposed domestic floor area 擬議住用樓面面積 N/Asq.m ☐About 約

Proposed non-domestic floor area 擬議非住用樓面面積 476sq.m ☒About 約

Proposed gross floor area 擬議總樓面面積 476sq.m ☒About 約

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

STRUCTURE	USE	COVERED AREA	GFA	BUILDING HEIGHT
B1	RESTAURANT	195m ² (ABOUT)	195m ² (ABOUT)	4m (ABOUT)(1-STORY)
B2	RESTAURANT	185m ² (ABOUT)	185m ² (ABOUT)	4m (ABOUT)(1-STORY)
B3	COVERED WALKWAY	50m ² (ABOUT)	50m ² (ABOUT)	4m (ABOUT)(1-STORY)
B4	STORAGE OF GOODS	43m ² (ABOUT)	43m ² (ABOUT)	3m (ABOUT)(1-STORY)
B5	METER ROOM	3m ² (ABOUT)	3m ² (ABOUT)	2.5m (ABOUT)(1-STORY)
TOTAL		476m ² (ABOUT)	476m 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 1

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 09:00 to 22:00 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 Castle Peak Road - San Tin via a local access	
	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 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?	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"/>

	<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	<div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件 <input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件 <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： <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> </div> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <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	<div style="display: flex; flex-direction: column; gap: 10px;"> <div> <input type="checkbox"/> year(s) 年 </div> <div> <input type="checkbox"/> month(s) 個月 </div> </div>

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 seek to use Lots 196 (Part), 197 and 199 RP in D.D. 102 and Adjoining Government Land, San Tin, Yuen Long, New Territories (The Site) for Proposed Temporary Eating Place (Restaurant) for a Period of 3 Years (Plan 01). The applicant would like to use the Site to operate a new eating place to serve the nearby locals and workers of nearby businesses.

Planning Context

The Site falls within area zoned as "Village Type Development" ("V") on the Approved San Tin Outline Zoning Plan (OZP) No: S/YL-ST/8 (Plan 02). According to the Notes of the OZP, 'eating place' is a column 2 use within the "V" 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 "V" zone.

Similar S.16 planning application (No. A/YL-ST/604) for the same use was approved by the Board on 18/2/2022, hence, approval of the current application will not set undesirable precedent within the "V" zone. The applied use supports the daily lives of nearby residents, hence, in line with the planning intention of "V" zone.

Development Proposal

The Site occupied an area of 999 sq.m (about), including 933 sq.m (about) of private land and 66 sq.m of Government Land (Plan P03). Five structures are proposed at the Site for restaurant, covered walkway, storage of goods and meter room with total GFA of 476 sq.m (about)(Plan P04). The operation hours of the proposed development are 09:00 - 22:00 daily including public holiday. The estimated number of staff working at the Site is 8. The estimated number of 10 tables will be provided to serve 50 nos. of visitor per day.

The Site is accessible from Castle Peak Road - San Tin via a local access (Plan P01). 1 no. loading/unloading space for light goods vehicle are provided at the Site (Plan P04). No medium and heavy vehicle including container vehicle, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval. Sufficient space is provided for vehicle to smoothly manoeuvre to/from and within the Site to ensure no queuing, turning back outside the Site during the planning approval period (Plan P05). As traffic generation and attraction of the proposed development is minimal, adverse traffic impact to the surrounding road network should not be anticipated (Appendix I).

The applicant will strictly follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued by Environmental Protection Department to minimize adverse environmental impacts and nuisance to the surrounding area. The applicant will strictly follow the Professional Persons Environmental Consultative Committee Practice Notes for sewage treatment at the Site.

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.

Conclusion

The proposed development will not create significant adverse traffic, environmental, landscape and drainage impacts to the surrounding areas. Adequate mitigation measures will be provided after planning approval has been granted from the Board, i.e. submission of drainage and fire service installations proposals to mitigate any adverse impact arising from the proposed development.

In view of the above, the Board is hereby respectfully requested to approve the subject application for 'Proposed Temporary Eating Place (Restaurant) 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 this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.

本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署

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

Michael WONG

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

20/4/2022

(DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

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

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

Statement on Personal Data 個人資料的聲明

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

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

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

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

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

方便申請人與委員會秘書及政府部門之間進行聯絡。

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

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

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

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

Gist of Application 申請摘要 (Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)	
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lots 196 (Part), 197 and 199 RP in D.D. 102 and Adjoining Government Land, San Tin, Yuen Long, New Territories
Site area 地盤面積	999 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 66 sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	Approved San Tin Outline Zoning Plan No.: S/YL-ST/8
Zoning 地帶	"Village Type Development " 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 3 <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) 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	476	<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	5	
(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	2.5 - 4 (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	48 % <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) _____ _____		1 1 (LGV)

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	<u>Chinese</u> 中文	<u>English</u> 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Location plan, Zoning plan, Plan showing the land status of the application site</u>		
<u>Swept path analysis</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 checked="" type="checkbox"/>
<u>Trip generation and attraction</u>		
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。

Estimated Trip Generation and Attraction

**Proposed Temporary Eating Place (Restaurant) for a Period of 3 Years in
"Village Type Development" Zone, Lots 196 (Part), 197 and 199 RP in D.D. 102
and Adjoining Government Land, San Tin, New Territories**

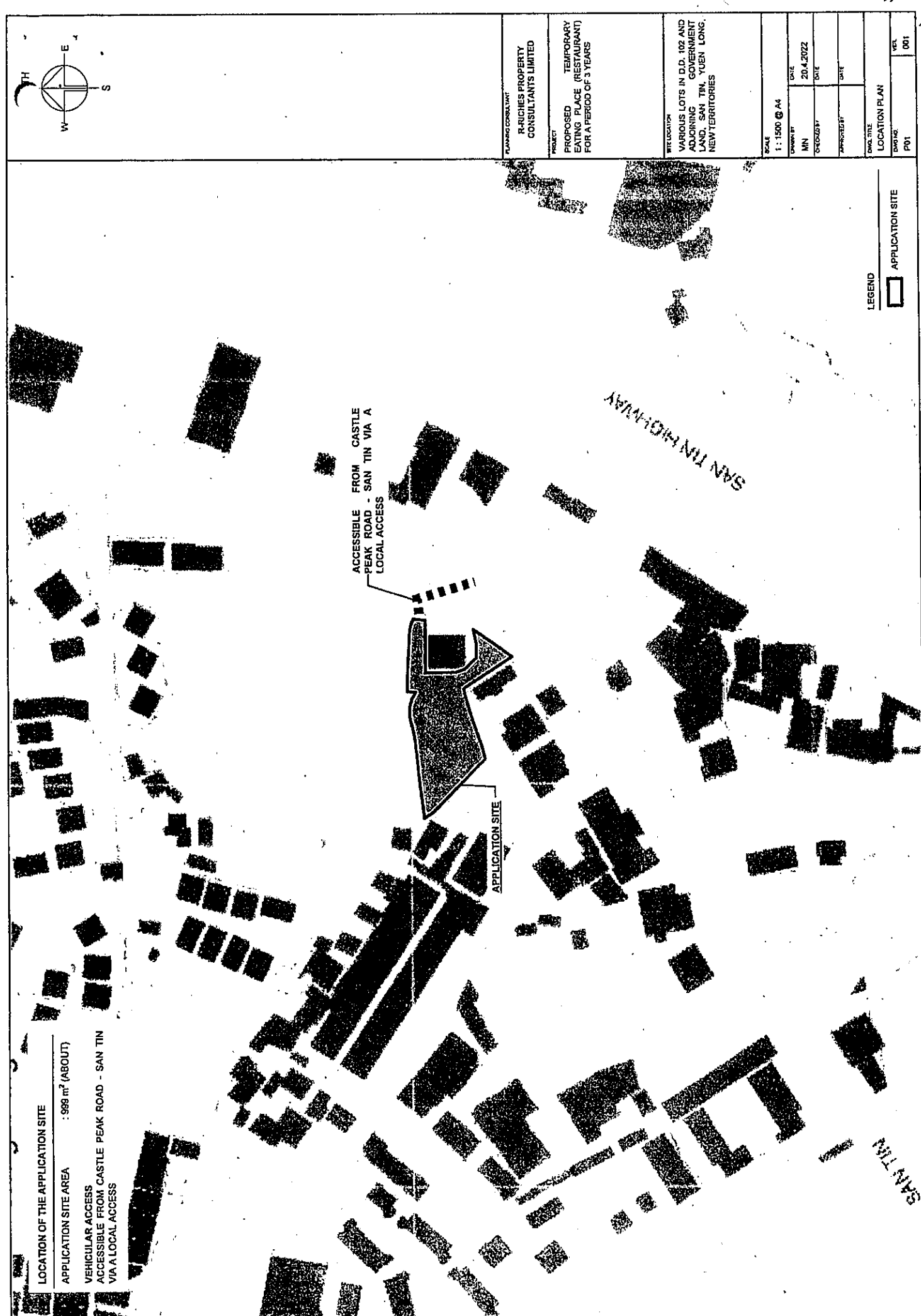
- (i) The application site (the Site) is accessible from Castle Peak Road – San Tin via a local access. 1 no of space is provided at the Site, details are as follows:

Type of Space	No. of Space
L/UL Space for Light Goods Vehicle - 7m (L) x 3.5m (W)	1

- (ii) The operation hours of the proposed development are from 09:00 to 22:00 daily (including public holiday). Please see below the trip generation and attraction of the proposed development:

Time Period	Trip Generation and Attraction		
	Light Goods Vehicle		2-Way Total
	In	Out	
Trips at <u>AM peak</u> per hour (09:00 – 10:00)	1	1	2
Trips at <u>PM peak</u> per hour (18:00 – 19:00)	1	1	2
Traffic trip per hour (average)	1	1	2

- (iii) In view of the above, the parking and loading/unloading provisions are adequate for the site operation and adverse traffic impact to the surrounding road network should not be anticipated.



**VEHICULAR ACCESS
ACCESSIBLE FROM CASTLE PEAK ROAD - SAN TIN
VIA A LOCAL ACCESS**

APPLICATION SITE

11-2-53

APPLICATION SITE

DWG NO.

DWG NO.

WIRE LOCATION

**VARIOUS LOTS IN D.D. 102 AND
ADJOINING GOVERNMENT
LAND, SAM TIN, YUEN LONG,
NEW TERRITORIES**

SCALE
1 : 1500 @ A4

DATE	
DRAWN BY	LD MATHIAS

CREATED BY	DATE
MIN	20.4.2022

Date _____

ADMISSIONS UNIT	DATE
-----------------	------

שאלה 1

LOCATION PLAN

DWG NO.

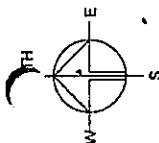
San Tin Development

ZONING OF THE APPLICATION SITE

APPLICATION SITE AREA : 999 m² (ABOUT)
 OUTLINE ZONING PLAN : APPROVED SAN TIN OZP
 OZP PLAN NO. : SYL-ST/8
 AREA ZONED AS "V" : 999 m² (ABOUT)
 "V" - "VILLAGE TYPE DEVELOPMENT" ZONE

APPLICATION SITE

SAN TIN HIGHWAY



PLANNING CONSULTANT
 R-RICHES PROPERTY
 CONSULTANTS LIMITED

PROJECT
 PROPOSED TEMPORARY
 EATING PLACE (RESTAURANT)
 FOR A PERIOD OF 3 YEARS

SITE LOCATION
 VARIOUS LOTS IN D.D. 102 AND
 ADJOINING GOVERNMENT
 LAND, SAN TIN, YUEN LONG,
 NEW TERRITORIES

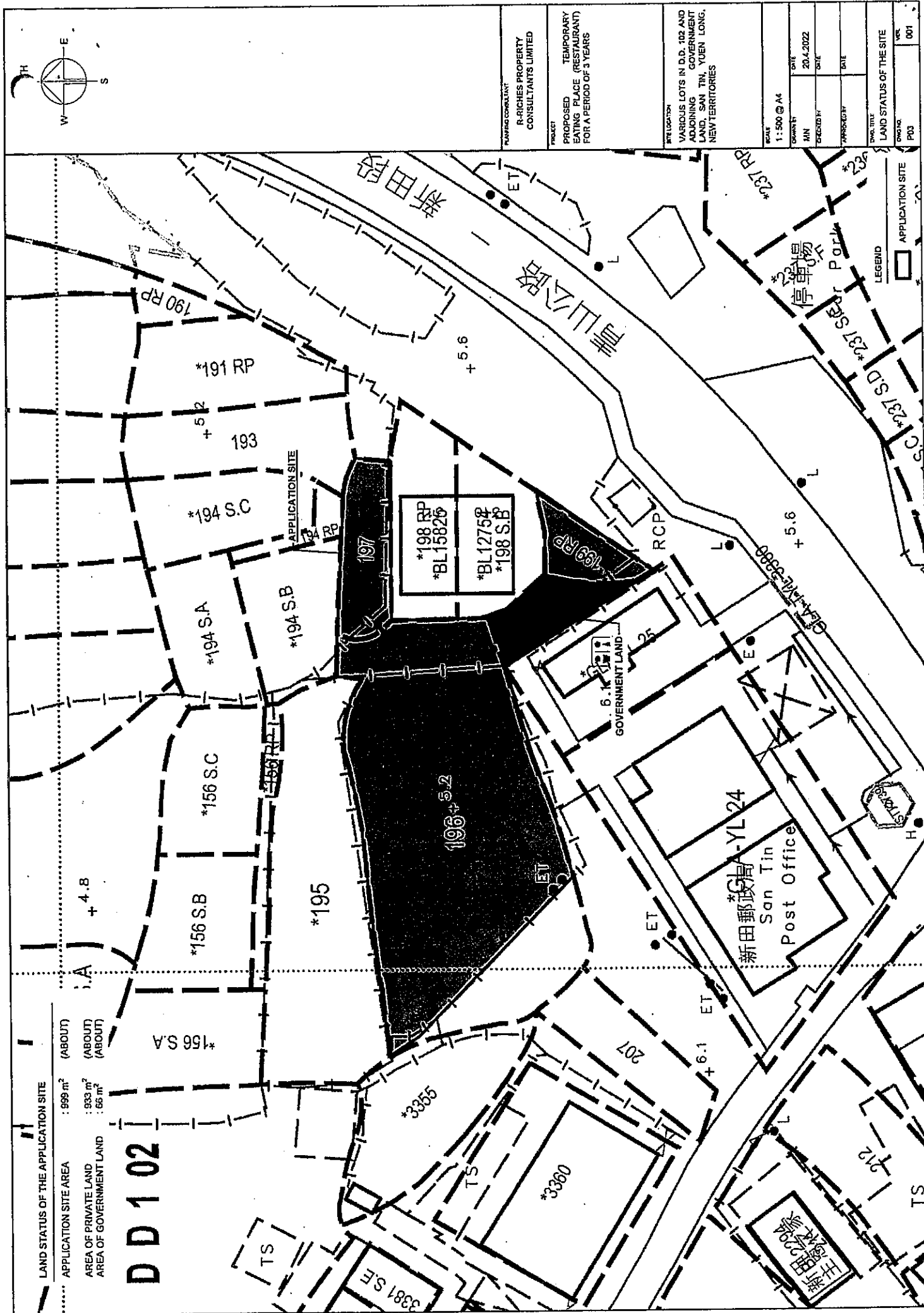
SCALE
 1:1500 @ A4

DATE	DATE
20.4.2022	20.4.2022
DATE	DATE
DATE	DATE

OWN TITLE
 ZONING OF THE SITE
 OWN NO.
 P02

LEGEND
☐ APPLICATION SITE

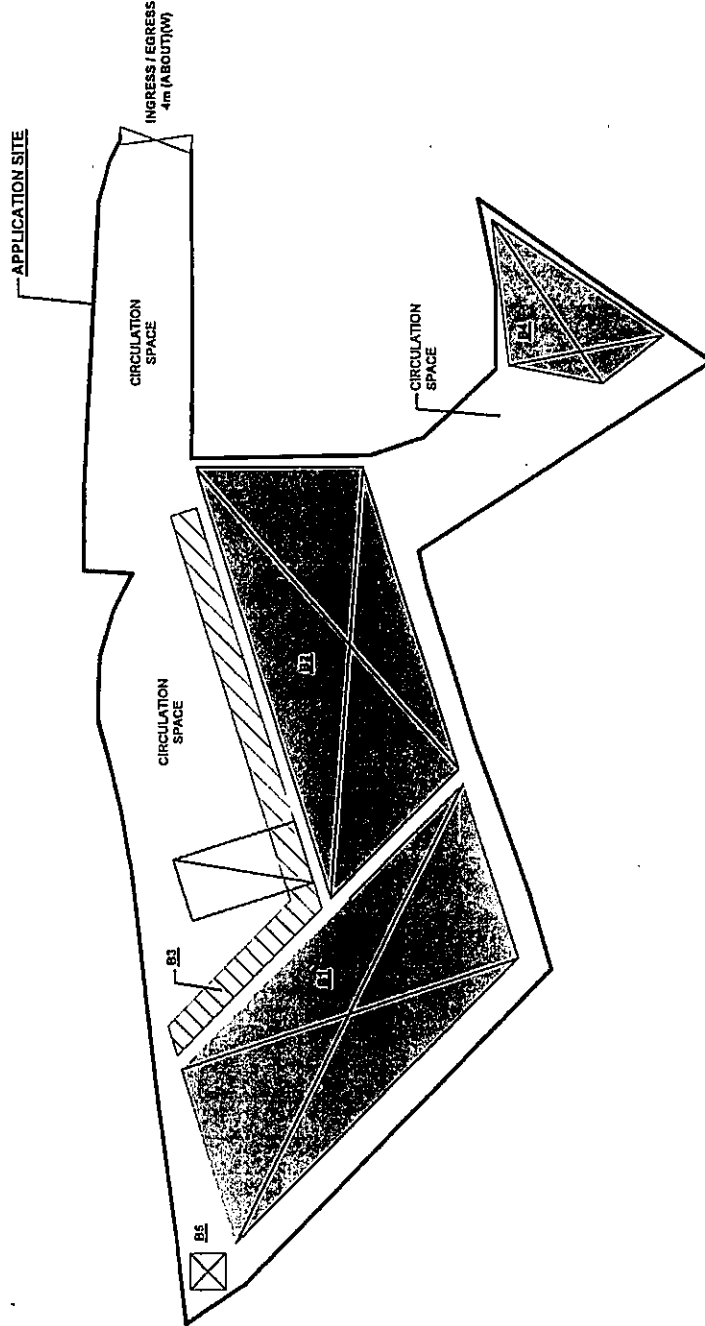
WKA
 001



DEVELOPMENT PARAMETERS

APPLICATION SITE AREA	: 988 m ²	(ABOUT)
COVERED AREA	: 476 m ²	(ABOUT)
UNCOVERED AREA	: 523 m ²	(ABOUT)
PLOT RATIO	: 0.5	(ABOUT)
SITE COVERAGE	: 48 %	(ABOUT)
NO. OF STRUCTURE	: 5	
DOMESTIC GFA	: NOT APPLICABLE	
NON-DOMESTIC GFA	: 476 m ²	(ABOUT)
TOTAL GFA	: 476 m ²	(ABOUT)
BUILDING HEIGHT	: 2.5 - 4 m	(ABOUT)
NO. OF STOREY	: 1	

STRUCTURE	USE	COVERED AREA	GFA	BUILDING HEIGHT
B1	RESTAURANT	195m ² (ABOUT)	195m ² (ABOUT)	4m (ABOUT)(1-STOREY)
B2	RESTAURANT	185m ² (ABOUT)	185m ² (ABOUT)	4m (ABOUT)(1-STOREY)
B3	COVERED WALKWAY	50m ² (ABOUT)	50m ² (ABOUT)	4m (ABOUT)(1-STOREY)
B4	STORAGE OF GOODS	43m ² (ABOUT)	43m ² (ABOUT)	3m (ABOUT)(1-STOREY)
B5	METER ROOM	3m ² (ABOUT)	3m ² (ABOUT)	2.5m (ABOUT)(1-STOREY)
TOTAL		476m ² (ABOUT)	476m ² (ABOUT)	

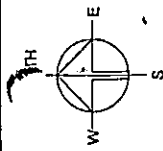


LEGEND

	APPLICATION SITE
	STRUCTURE (ENCLOSED)
	STRUCTURE (CANOPY)
	LUL SPACE (LIGHT GOODS VEHICLE)
	INGRESS / EGRESS

PARKING AND LOADING / UNLOADING PROVISION

NO. OF LUL SPACE FOR LGV	: 1
DIMENSION OF LUL SPACE	: 7m (L) X 3.5m (L)



PLANNING CONSULTANT	R-RICHES PROPERTY CONSULTANTS LIMITED
PROJECT	PROPOSED TEMPORARY EATING PLACE (RESTAURANT) FOR A PERIOD OF 3 YEARS
SITE LOCATION	VARIOUS LOTS IN D.D. 102 AND ADJOINING GOVERNMENT LAND, SAN. TRN. TUN LONG, NEW TERRITORIES
SCALE	1 : 400 @ A4
DRAWN BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE
DRAWN TITLE	LAYOUT PLAN
DRAWN NO.	P04
VER.	001



顧問有限公司
盈卓物業

Our Ref. : DD102 Lot 196 & VL
Your Ref. : TPB/A/YL-ST/621

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

By Email

7 July 2022

Dear Sir,

1st Further Information

Proposed Temporary Eating Place for a Period of 3 Years in "Village Type Development" Zone, Lots 196 (Part), 197 and 199 RP in D.D. 102 and Adjoining Government Land, San Tin, Yuen Long

(S.16 Planning Application No. A/YL-ST/621)

We are writing to submit further information to provide clarifications for the subject application, details are as follows:

- (i) The Applicant will strictly implement good practices under Professional Persons Environmental Consultative Committee Practice Notes 5/93 for sewage treatment at the application site. Licensed collectors will be employed by the Applicant to collect and dispose of sewage regularly to minimize adverse environmental impact to the surrounding area.

Should you require more information regarding the application, please contact our Mr. Orpheus LEE 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. Benjamin TUNG

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



**Relevant Extract of Town Planning Board Guidelines for Application
for Development within Deep Bay Area
under Section 16 of the Town Planning Ordinance (TPB PG-No.12C)**

According to TPB PG-No. 12C, the Site falls within the Wetland Buffer Area (WBA). Extracts of land use concept and development guidelines are summarised as follows:

- (a) the intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area (WCA) and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds; and
- (b) within the WBA, for development or redevelopment which requires planning permission, an ecological impact assessment (EcoIA) would need to be submitted. Some local and minor uses (including temporary uses) are however exempted from the requirement of EcoIA.

**Relevant Extract of Town Planning Board Guidelines for
Application for Eating Place within “Village Type Development” zone in Rural Areas
under section 16 of the Town Planning Ordinance (TPB PG-No.15A)**

The relevant planning criteria are summarised as follows:

- (a) the eating place use should not create any environmental nuisance or cause inconvenience to the residents nearby. Such use should preferably be located at the fringe of a village area, e.g. area abutting the main road. For any eating place use that is situated amidst the existing village houses, sympathetic consideration may only be given if there are no objections from local residents;
- (b) the eating place use should not have any adverse traffic impact on its surrounding areas nor should it affect any pedestrian circulation in the area;
- (c) sympathetic consideration may be given if the eating place use would not have adverse impacts on drainage, sewage disposal facilities or fire safety aspects;
- (d) for any application on open ground as an extension to ground floor eating place in a NTEH or as a free-standing development, the eating place use should not adversely affect the land availability for village type development. Application sites with configurations/dimensions which are not suitable to be delineated separately for village type development or which are considered not suitable for village type development (e.g. within 20 m of public roads constructed/maintained by the Highways Department or 15 m of other local public roads), sympathetic consideration may be given by the Board on individual merits;
- (e) all other statutory or non-statutory requirements of relevant Government departments should be met; and
- (f) even if a proposal is considered acceptable in land-use planning terms and other planning criteria are met, under normal circumstances only a temporary approval for a maximum of three years should be considered so as to retain planning control on the development at the Site and to cater for changing circumstances in future.

Previous s.16 Applications covering the Application Site

Approved Applications

No.	Application No.	Use(s)/ Development(s)	Date of Consideration (RNTPC/TPB)
1.	A/YL-ST/135	Proposed Temporary Public Car/Lorry Park with Canteen for a Period of 3 Years	28.7.2000 (<i>RNTPC</i>)
2.	A/YL-ST/245	Temporary Public Car/Lorry Park with Ancillary Facilities (including Canteen & Site Office) for a Period of 3 Years	15.8.2003 (<i>RNTPC</i>)
3.	A/YL-ST/315	Temporary Public Car/Lorry Park with Ancillary Facilities (including Canteen & Site Office) for a Period of 3 Years	4.8.2006 (<i>RNTPC</i>)
4.	A/YL-ST/383	Temporary Public Car/Lorry Park with Ancillary Facilities (including Canteen & Site Office) for a Period of 3 Years	15.1.2010 (<i>RNTPC</i>)
5.	A/YL-ST/481	Temporary Public Car Park (Private Cars and Light Goods Vehicles under 5.5 tonnes) with Ancillary Facilities (Including Canteen and Site Office) for a Period of 3 Years	19.2.2016 (<i>RNTPC</i>) (Revoked on 19.7.2018)
6.	A/YL-ST/540	Temporary Public Car Park (Private Cars and Light Goods Vehicles under 5.5 tonnes) for a Period of 3 Years	12.4.2019 (<i>RNTPC</i>) (Revoked on 12.7.2021)

Rejected Applications

No.	Application No.	Use(s)/ Development(s)	Date of Consideration (RNTPC/TPB)	Rejection Reason(s)
1.	A/YL-ST/125	Temporary Vehicle Park (for Private Cars and Container Vehicles) with Ancillary Workshop for a Period of 3 Years	19.5.2000 (RNTPC)	(1), (2), (3), (4)

Rejection Reason(s):

- (1) The development is not in line with the planning intention of the "Village Type Development" zone for the area which is to designate both existing recognised villages and other suitable areas of land for village expansion. (As there is a programme for Small House development in the application site) There is no strong justification in the submission to merit a departure from the planning intention even on a temporary basis.
- (2) The development is incompatible with the surrounding land uses which are predominantly rural in character/ residential development, including the nearby village settlements of Wing Ping Tsuen and the future Small Houses within the application site.
- (3) There is insufficient information in the submission to demonstrate that a proper vehicular access can be provided for the development traffic to the southern portion of the application site without having adverse impact on the surrounding area.
- (4) The approval of the application will set an undesirable precedent for similar applications/other similar applications within the "V" zones. (The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.)

Similar s.16 Applications in the vicinity of the Site within the same “Village Type Development” Zone on the San Tin Outline Zoning Plan No. S/YL-ST/8 in the Past Five Years

Approved Applications

No.	Application No.	Use(s)/ Development(s)	Date of Consideration (RNTPC/TPB)
1.	A/YL-ST/499	Proposed Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	3.2.2017 (RNTPC)
2.	A/YL-ST/565	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	17.1.2020 (RNTPC)
3.	A/YL-ST/604	Proposed Temporary Eating Place for a Period of 5 Years	18.2.2022 (RNTPC) (3 years)

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- the subject application site is within the village 'environ' and no small house application has been approved or is being processed in the subject application site; and
- advisory comments as detailed in **Appendix V**.

2. Traffic

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

- no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period; and
- advisory comments as detailed in **Appendix V**.

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

- advisory comments as detailed in **Appendix V**.

Comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD2-2, RDO, HyD):

- advisory comments as detailed in **Appendix V**.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- she has no objection to the application in accordance with the revised "Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites";
- one substantiated environmental complaint in the vicinity of the Site was recorded in the past 3 years. The complaint was related to the effluent (oily wastewater) discharged from nearby eateries, affecting the drainage capacity of HyD's roadside gullies at Castle Peak Road – San Tin. EPD has carried out site inspection and took enforcement action under the Water Pollution Control Ordinance (Cap. 358) against those illegal discharge in San Tin area. The pollution source included the restaurants and eateries in DD102 located at Castle Peak Road – San Tin. The responsible restaurants were subsequently convicted in Jan 2021; and
- advisory comments as detailed in **Appendix V**.

4. **Food and Environmental Hygiene**

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

- she has no adverse comments on the subject planning application;
- no Food and Environmental Hygiene Department's facilities will be affected; and
- advisory comments as detailed in **Appendix V**.

5. **Landscape**

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

- as the Site falls within "V" zone, which is a non-landscape sensitive zoning, no significant landscape impact arising from the development is anticipated.

6. **Drainage**

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

- he has no objection in principle to the application from drainage operation and maintenance point of view;
- the applicant shall submit a drainage submission to demonstrate how he will collect, convey and discharge rain water falling onto or flowing to the Site. A clear drainage plan showing full details of the existing drains and the proposed drains (e.g. cover & invert levels of pipes/catchpits/outfalls and ground levels justifying waterfowl etc.) with supporting design calculations & charts should be included. The applicant is reminded that approval of the drainage proposal must be sought prior to the implementation of drainage works on the Site;
- after completion of the required drainage works, the applicant shall provide DSD for reference a set of record photographs showing the completed drainage works with corresponding photograph locations marked clearly on the approved drainage plan for reference. DSD will inspect the completed drainage works jointly with the applicant with reference to the set of the photographs;
- all the proposed drainage facilities should be constructed and maintained by the applicant at his own cost. The applicant should ensure and keep all drainage works on site under proper maintenance at all times; and
- advisory comments as detailed in **Appendix V**.

7. **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 installations (FSIs) being provided to his satisfaction;

- in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his Department for approval. In addition, the applicant should also be advised on the following points:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - the location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
- advisory comments as detailed in **Appendix V**.

8. Buildings Matters

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

- he has no objection to the application; and
- advisory comments as detailed in **Appendix V**.

9. Other Departments

- The Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) has no objection to the application.
- The following departments have no comment on the application:
 - Director of Agriculture, Fisheries and Conservation;
 - Project Manager (West), West Development Office, Civil Engineering and Development Department;
 - District Officer (Yuen Long), Homes Affairs Department; and
 - Commissioner of Police.

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
- the Site comprises Old Scheduled Agricultural Lots (OSALs) and Government Land (GL). The OSALs are 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;
 - no permission is given for occupation of GL included in the Site (about 66m² subject to verification). The act of occupation of GL without Government's prior approval is not allowed; and
 - should planning approval be given to the subject planning application, the 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. Also, the applicant has to either exclude the GL from the application site or apply for a formal approval prior to the actual occupation of the GL. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Application(s) for any of the above will be considered by LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD;
- (b) to note the comments of the Commissioner for Transport (C for T) that:
- the Site is connected to public road network via a section of a local access which is not managed by Transport Department (TD). The land status of the local access should be clarified with LandsD by the applicant. Moreover, the management and maintenance responsibilities of the local access should be clarified with the relevant lands and maintenance authorities accordingly; and
 - the applicant should seek the relevant land owner(s) on the right of using the vehicular access;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
- the access arrangement of the Site from Castle Peak Road – San Tin should be commented by the TD;
 - HyD shall not be responsible for the maintenance of any access connecting the Site and Castle Peak Road – San Tin; and
 - adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to the nearby public roads or exclusive road drains;
- (d) to note the comments of the Chief Engineer/Railway Development 2-2, Highways Department (CE/RD2-2, HyD) that:

- the Site is in close proximity to Northern Link (NOL) Spur Line alignment and station under development by MTR Corporation Limited (MTRCL). The applicant is required to note the potential nuisance of NOL Spur Line during construction and operation, coordinate with MTRCL before the commencement of works and allow MTRCL to get access to the application site for Ground Investigation works and survey. Deep foundation such as piling is not allowed;
- (e) to note the comments of the Director of Environmental Protection (DEP) that:
- to control the oily fume and cooking odour emissions from the proposed use, the applicant is advised to follow "Control of Oily Fume and Cooking Odour from Restaurant and Food Business" issued by Environmental Protection Department;
- (f) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
- proper licence/permit issued by Food and Environmental Hygiene Department (FEHD) is required if there is any food business/catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. The operation of any eating place should be under a food licence issued by the FEHD. If the operator intends to operate a restaurant business in the territory, a restaurant licence should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132). For the operation of other types of food business, relevant food licences should also be obtained from FEHD in accordance with Cap. 132. Under the Food Business Regulation, Cap. 132X, a Food Factory Licence should be obtained from this department for food business which involves the preparation of food for sale for human consumption off the premises before commencement of such business. The application for food business licences under Cap.132, if acceptable by FEHD, will be referred to relevant government departments for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements; and
 - if the proposal involves any commercial/trading activities, no environmental nuisance should be generated to the surroundings. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses. Please also remind the applicant that the operation of the food business place must not cause any environmental nuisance to the surrounding. The refuse generated by the proposed eating place are regarded as trade refuse. The management or owner of the Site is responsible for its removal and disposal at their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that
- the applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas;
 - the applicant is reminded that the proposed drainage proposal / works as well as the site boundary should not cause encroachment upon areas outside his jurisdiction;

- no public sewerage maintained by CE/MN, DSD is currently available for the connection. For sewage disposal and treatment, agreement from DEP shall be obtained; and
 - the applicant should consult DLO/YL regarding all the proposed drainage works outside the lot boundary in order to ensure the unobstructed discharge from the Site in future;
- (h) to note the comments of the Director of Fire Services (D of FS) that:
- 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. Licensing requirements, if any, would be formulated upon the receipt of formal application via the Licensing Authority; and
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- the proposed social welfare facility is located on GL and there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application;
 - the existing structures (not being a New Territories Exempted House) are erected on unleased government land do not come under the control of the Buildings Ordinance (BO);
 - for unauthorised building works (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 constructed as an acceptance of any existing building works or UBW on the Site under the BO;
 - 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, the prior approval and consent of the Building Authority 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;
 - 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 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
 - 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; and
 - detailed checking under the BO will be carried out at building plan submission stage.

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

參考編號

Reference Number:

220615-123545-53910

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

15/06/2022 12:35:45

有關的規劃申請編號

The application no. to which the comment relates:

A/YL-ST/621

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 文天養

意見詳情

Details of the Comment :

各城規會同寅及各相關部門

相關申請一如既往是未齊備規劃理據、環評報告、排水排污影響評估就過會，就是以丁屋不受建築署條例監管下，免除一切應乎合法例要求。基於城規會有限度的監管職能下批出予申請者，再由其他諸如環保署去解決污水排放設計、油脂水排放控制及食環署的連附氣味的排煙氣安排，消防署只要有手持式滅火筒，其他的法例都不用了，交通及人流的安排就等候有投訴政府土地上非法泊車才由落馬州警署處理。

當然城規會可以按既定方式去過此類粗疏不明及沒技術文件支持的申請，而鄉紳們亦聲稱配合城規會批出內諸多項要求，終歸的監管成效當然是食環署到青山公路此新田段公廁旁公路地表水收集地井上的擴醜木板，看看現在的茶餐廳油脂水有多難看，看看環保署及渠務署是怎引用法例及圖則規管及看看毗鄰民居對煙味的投訴尤被老人院院友。

有稱用來過程序的城規會若只看文件背離事實，相信始需公開全部申請資料才能令到其他村民了解到在此處改為茶餐廳是對民生有何種必要及何類形得益；重要的是城規會定會批准此申請，因為慣常在事後由其他“相關部門”善後投訴。

謝謝城規會署長垂注

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號****Reference Number:**

220620-151650-94988

提交限期**Deadline for submission:**

28/06/2022

提交日期及時間**Date and time of submission:**

20/06/2022 15:16:50

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

A/YL-ST/621

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

先生 Mr. Lam Ka Hing

意見詳情**Details of the Comment :**

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

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



Comment, on the application# A/YL-ST/621

17/06/2022 16:19

From:

To:

File Ref:

tpbpd@pland.gov.hk

Dear Sir/Madam;

RE:

PLANNING APPLICATION

Application No.: A/YL-ST/621

Location: San Tin Outline Zoning Plan No. S/YL-ST/8

Proposal: Proposed Temporary Eating Place

Regarding the application for restaurants in the above-mentioned lots, the villagers and I are strongly opposed to the relevant applications.

Since there are many restaurants in the vicinity of this location, the problems of sewage, storm drain and sanitation have never been improved.

Furthermore, if more restaurants are added, the above problems will only deepen and repeat. It is meaningless...

Although the government's Drainage Services Department is close to the village, the related problems have not been resolved.

During the rainy season, the main roads of the entire village are flooded with rainwater.

The main reason is that the nearby restaurants have not properly treated the sewage, and the waste such as oil scale all the channels are blocked.

Under the current circumstances, adding more restaurants will not only damage the roads, also pollute the sanitary environment.

Please kindly understand our situation.

Thank you very much.

Lam (Ms)

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



A/YL-ST/621 DD 102 San Tin large restaurant
27/06/2022 03:13

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

A/YL-ST/621
Lots 196 (Part), 197 and 199 RP in D.D. 102 and Adjoining Government Land in
D.D.102, San Tin
Site area : 999sq.m Includes Government Land of about 66sq.m
Zoning : "VTD"
Applied Use : Restaurant / 1 Vehicle Parking

Dear TPB Members,

Application 615 was deferred twice and is presumably now history.

The parking element has been reduced.

Previous objections however remain relevant.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Wednesday, 9 March 2022 2:11 AM CST
Subject: A/YL-ST/615 DD 102 San Tin large restaurant

A/YL-ST/615
Lots 156 RP, 156 S.A, 156 S.B, 156 S.C, 194 S.A (Part), 194 S.B (Part), 196 (Part), 197 and
199 RP in D.D. 102 and Adjoining Government Land in D.D.102, San Tin
Site area : 1,677sq.m Includes Government Land of about 108sq.m
Zoning : "VTD"
Applied Use : Restaurant / 13 Vehicle Parking

Dear TPB Members,

Application 598 withdrawn.

However objections are relevant and applicable to this application.
No mention of drainage or other essential elements.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Wednesday, 27 October 2021 2:52 AM CST
Subject: A/YL-ST/598 DD 102 San Tin large restaurant

A/YL-ST/598

Lots 196 (Part), 197 (Part), 198 RP (Part), 198 S.B (Part) and 199 RP in
D.D.102, San Tin

Site area : 1,058m²

Zoning : "VTD"

Applied Use : Open Air Restaurant

Dear TPB Members,

The previous parking facility, A/YL-ST/540, has a history of revocation re failure to comply with Drainage conditions.

This would also be an issue with restaurant use, we are now in the Covid era where the issue hygiene is of primary importance.

There is no information re how many diners would be accommodated and if the, presumably, existing washrooms and kitchen areas could cope with the large increase in numbers.

Hand washing, toilets, hygienic food preparation and refrigerators . Questions please.

Mary Mulvihill

