

2022年 11月 23日

Appendix Ia of RNTPC
Paper No. A/YL-ST/637 & 638

此文件在 收到。城市規劃委員會
只會在收到此文件後才正式承認收到

23 NOV 2022

The document is received.
The committee formally acknowledge
the document only upon receipt
of all the required information and documents.

Form No. S16-III
表格第 S16-III 號

(A/YL-ST/637)

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

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

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

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

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

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

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

General Note and Annotation for the Form

填寫表格的一般指引及註解

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

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

& Please attach documentary proof 請夾附證明文件

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

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

2202746 26/10 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	A14L-5T(637)
	Date Received 收到日期	23 NOV 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)

Fortune Nine (HK) Company Limited (九記行(香港)有限公司)

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)

Top Bright Consultants Ltd. (才鴻顧問有限公司)

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	Lot 673S.C (Part) in DD99 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 108 sq.m 平方米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 108 sq.m 平方米 <input type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積(倘有)	..... 47 sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	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" ("V")
(f) Current use(s) 現時用途	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

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

The applicant 申請人 -

☐ is the sole "current land owner"[#] (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」[#] (請繼續填寫第 6 部分，並夾附業權證明文件)。

☐ is one of the "current land owners"[#] (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」[#] (請夾附業權證明文件)。

☒ is not a "current land owner"[#].
並不是「現行土地擁有人」[#]。

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

5. Statement on Owner's Consent/Notification 就土地擁有人的同意/通知土地擁有人的陳述

(a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 -

☐ has obtained consent(s) of "current land owner(s)"[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of "current land owner(s)" [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of "Current Land Owner(s)" 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上述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. 如上述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
24/10/2022 (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 24/10/2022 (DD/MM/YYYY)[&]
於 (日/月/年)把通知寄往相關的業主立案法團／業主委員會／互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

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

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

6. Type(s) of Application 申請類別	
(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B)) (如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)	
(a) Proposed use(s)/development 擬議用途/發展	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期	<input checked="" type="checkbox"/> year(s) 年 3 <input type="checkbox"/> month(s) 個月
(c) Development Schedule 發展細節表	
Proposed uncovered land area 擬議露天土地面積	..... 0 .....sq.m <input type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	..... 108 .....sq.m <input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	..... 1
Proposed domestic floor area 擬議住用樓面面積	..... N/A .....sq.m <input checked="" type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	..... 108 .....sq.m <input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	..... 108 .....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) Shelter (1 Storey; Height: 3m)	
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	..... N/A
Motorcycle Parking Spaces 電單車車位	..... N/A
Light Goods Vehicle Parking Spaces 輕型貨車泊車位	..... N/A
Medium Goods Vehicle Parking Spaces 中型貨車泊車位	..... N/A
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	..... N/A
Others (Please Specify) 其他 (請列明)	..... N/A
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目	
Taxi Spaces 的士車位	..... N/A
Coach Spaces 旅遊巴車位	..... N/A
Light Goods Vehicle Spaces 輕型貨車車位	..... N/A
Medium Goods Vehicle Spaces 中型貨車車位	..... N/A
Heavy Goods Vehicle Spaces 重型貨車車位	..... N/A
Others (Please Specify) 其他 (請列明)	..... N/A

Proposed operating hours 擬議營運時間 From 7:00 am to 10:00 pm 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)) The Application Site is accessed from Tung Wing On Road	
	No 否	<input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width). 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input type="checkbox"/>	
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話, 請另頁註明可盡量減少可能出現不良影響的措施, 否則請提供理據/理由。)			
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是	<input type="checkbox"/> Please provide details 請提供詳情	
	No 否	<input checked="" type="checkbox"/>	
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是	<input 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>
--	--

(B) Renewal of Permission for Temporary Use or Development in Rural Areas
 位於鄉郊地區臨時用途/發展的許可續期

(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期	..... (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	..... (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<p><input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件</p> <p><input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件</p> <p><input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
(f) Renewal period sought 要求的續期期間	<p><input type="checkbox"/> year(s) 年</p> <p><input type="checkbox"/> month(s) 個月</p>

7. Justifications 理由

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

Please refer to Chapter 6 of the Supplementary Planning Statement

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

Adam Chow

Assistant Town Planner

Name in Block Letters

Position (if applicable)

姓名 (請以正楷填寫)

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

Top Bright Consultants Limited

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

Date 日期

25/10/2022

(DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

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

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

Statement on Personal Data 個人資料的聲明

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

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

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

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

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

方便申請人與委員會秘書及政府部門之間進行聯絡。

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

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

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

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

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)
(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	Lot 673S.C (Part) in DD99 and Adjoining Government Land, San Tin, Yuen Long, New Territories		
Site area 地盤面積	108	sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地	47	sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	San Tin Outline Zoning Plan No. S/YL-ST/8		
Zoning 地帶	Village Type Development" ("V")		
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	Temporary Eating Place (Outside Seating Accommodation of a 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	N/A	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	108	<input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	N/A	
	Non-domestic 非住用	1	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	N/A	<input type="checkbox"/> (Not more than 不多於) m 米
		N/A	<input type="checkbox"/> (Not more than 不多於) Storeys(s) 層
	Non-domestic 非住用	3	<input checked="" type="checkbox"/> (Not more than 不多於) m 米
		1	<input checked="" type="checkbox"/> (Not more than 不多於) Storeys(s) 層
(iv) Site coverage 上蓋面積	100 % <input checked="" type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數		0
	Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明)		N/A N/A N/A N/A N/A N/A
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數		0
	Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明)		N/A N/A N/A N/A N/A N/A

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖/布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖/園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location Plan, Site Plan, Plan Showing General Area, Extract from San Tin Outline Zoning Plan No. S/YL-ST/8		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及/或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
Note: May insert more than one '✓'. 註：可在多於一個方格內加上「✓」號。		

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

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



才鴻顧問有限公司
TOP BRIGHT CONSULTANTS LIMITED

Our Ref.: 22/785B/L01

October 25, 2022

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

By Hand

Dear Sir/Madam,

**Temporary Eating Place (Outside Seating Accommodation of a Restaurant)
for a Period of Three Years in "Village Type Development" ("V") zone
at Lot 673S.C (Part) in DD99 and Adjoining Government Land,
San Tin, Yuen Long, New Territories**

We are instructed by the Applicant, Fortune Nine (HK) Company Ltd., to apply for the captioned use under Section 16 of the Town Planning Ordinance (Cap. 131):

The following documents are submitted for your consideration:

- (a) A signed original copy of the application form;
- (b) 70 copies of the supplementary planning statement;
- (c) An authorization letter signed by the Applicant;
- (d) Copies of notification given to the current land owners; and
- (e) Particulars of applicant and authorized agent.

Should you have any queries or require further information, please feel free to contact the undersigned at

Yours faithfully,
For and on behalf of
Top Bright Consultants Ltd.


Adam Chow

2022年11月23日
收到・城市規劃委員會
此項申請文件後才正式處理收到
23 NOV 2022
I formally acknowledge
the
of all the required information and documents.

Encl.

c.c. Fortune Nine (HK) Company Ltd. (the Applicant)

香港北角渣華道 333 號
北角政府合署 15 樓
城市規劃委員會

先生/女士：

規劃申請委任信

新界元朗新田丈量約份第 99 約地段第 673 號 C 分段(部份)和毗連政
府土地用作臨時食肆（餐廳戶外座位區），為期三年的規劃申請

本公司為上述規劃申請的申請人，現授權才鴻顧問有限公司(Top Bright Consultants Ltd.) 就標題地段向城市規劃委員會申請用作臨時食肆（餐廳戶外座位區），為期三年，並處理一切有關該規劃申請的事宜。

文偉昌 

申請人

九記行(香港)有限公司

公司註冊證號碼：

2022 年 10 月 24 日

副本致：才鴻顧問有限公司

2022年 11月 2.3日

此文件經 收到・城市規劃委員會
於文件後才正式發給收到

Appendix Ic of RNTPC
Paper No. A/YL-ST/637 & 638

23 NOV 2022

The applicant will formally acknowledge
the application only upon receipt
of all the required information and documents.

Form No. S16-III
表格第 S16-III 號

(A/YL-ST/638)

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

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

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

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

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

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

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

General Note and Annotation for the Form

填寫表格的一般指引及註解

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

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

& Please attach documentary proof 請夾附證明文件

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

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

220274-7 26/10 by nand

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/4-51/638
	Date Received 收到日期	23 NOV 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/tbpb/>. 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/tbpb/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱	
<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input checked="" type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構	
Fortune Nine (HK) Company Limited (九記行(香港)有限公司)	
2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)	
<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input checked="" type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構	
Top Bright Consultants Ltd. (才鴻顧問有限公司)	
3. Application Site 申請地點	
(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Lot 673S.D (Part) in DD99 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 71 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 71 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)	..... 48 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	San Tin Outline Zoning Plan No. S/YL-ST/8
(e) Land use zone(s) involved 涉及的土地用途地帶	Village Type Development ("V")
(f) Current use(s) 現時用途	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

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

The applicant 申請人 –

- ☐ is the sole "current land owner"[#] (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」[#] (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"[#] (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」[#] (請夾附業權證明文件)。
- ☒ is not a "current land owner"[#].
並不是「現行土地擁有人」[#]。
- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification 就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of "current land owner(s)"[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of "current land owner(s)" [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of "Current Land Owner(s)" 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上述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. 如上述任何方格的空間不足，請另買說明)

- ☒ 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
24/10/2022 (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 24/10/2022 (DD/MM/YYYY)[#]
於 (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會^{*}

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

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

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

6. Type(s) of Application 申請類別	
(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B)) (如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)	
(a) Proposed use(s)/development 擬議用途/發展	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期	<input checked="" type="checkbox"/> year(s) 年 3 <input type="checkbox"/> month(s) 個月
(c) Development Schedule 發展細節表	
Proposed uncovered land area 擬議露天土地面積	..... 0 .....sq.m <input type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	..... 71 .....sq.m <input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	..... 1
Proposed domestic floor area 擬議住用樓面面積	..... N/A .....sq.m <input checked="" type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	..... 71 .....sq.m <input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	..... 71 .....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)	
Shelter (1 Storey; Height: 3m)	
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	..... N/A
Motorcycle Parking Spaces 電單車車位	..... N/A
Light Goods Vehicle Parking Spaces 輕型貨車泊車位	..... N/A
Medium Goods Vehicle Parking Spaces 中型貨車泊車位	..... N/A
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	..... N/A
Others (Please Specify) 其他 (請列明)	..... N/A
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目	
Taxi Spaces 的士車位	..... N/A
Coach Spaces 旅遊巴車位	..... N/A
Light Goods Vehicle Spaces 輕型貨車車位	..... N/A
Medium Goods Vehicle Spaces 中型貨車車位	..... N/A
Heavy Goods Vehicle Spaces 重型貨車車位	..... N/A
Others (Please Specify) 其他 (請列明)	..... N/A

Proposed operating hours 擬議營運時間 From 7:00 am to 10:00 pm 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)) The Application Site is accessed from Tung Wing On Road	
	No 否	<input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input type="checkbox"/>	
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話, 請另頁註明可盡量減少可能出現不良影響的措施, 否則請提供理據/理由。)			
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是	<input type="checkbox"/> Please provide details 請提供詳情	
	No 否	<input checked="" type="checkbox"/>	
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是	<input 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>
--	--

(B) Renewal of Permission for Temporary Use or Development in Rural Areas

位於鄉郊地區臨時用途/發展的許可續期

(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期	..... (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	..... (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<p><input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件</p> <p><input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件</p> <p><input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>(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。

Please refer to Chapter 6 of the Supplementary Planning Statement

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

Adam Chow

Assistant Town Planner

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

Top Bright Consultants Limited



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

Date 日期

25/10/2022

(DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

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

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

Statement on Personal Data 個人資料的聲明

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

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

(a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及

(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

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

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

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

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

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)	
Location/address 位置/地址	Lot 673S.D (Part) in DD99 and Adjoining Government Land, San Tin, Yuen Long, New Territories	
Site area 地盤面積	71 sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地 48 sq. m 平方米)	<input checked="" type="checkbox"/> About 約
Plan 圖則	San Tin Outline Zoning Plan No. S/YL-ST/8	
Zoning 地帶	Village Type Development" ("V")	
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	Temporary Eating Place (Outside Seating Accommodation of a 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	N/A <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	N/A <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	7.1 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	1 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	N/A	
	Non-domestic 非住用	1	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	N/A <input type="checkbox"/> (Not more than 不多於) m 米	
		N/A <input type="checkbox"/> (Not more than 不多於) Storeys(s) 層	
	Non-domestic 非住用	3 <input checked="" type="checkbox"/> (Not more than 不多於) m 米	
		1 <input checked="" type="checkbox"/> (Not more than 不多於) Storeys(s) 層	
(iv) Site coverage 上蓋面積	100 % <input checked="" type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數		0
	Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) <hr/> <hr/>		N/A N/A N/A N/A N/A N/A
	Total no. of vehicle loading/unloading bays/lays 上落客貨車位／停車處總數		0
	Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) <hr/> <hr/>		N/A N/A N/A N/A N/A N/A

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

	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location Plan, Site Plan, Plan Showing General Area, Extract from San Tin Outline Zoning Plan No. S/YL-ST/8		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
Note: May insert more than one '✓'. 註：可在多於一個方格內加上「✓」號		

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

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



才鴻顧問有限公司
TOP BRIGHT CONSULTANTS LIMITED

Our Ref.: 22/785C/L01

October 25, 2022

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

By Hand

Dear Sir/Madam,

**Temporary Eating Place (Outside Seating Accommodation of a Restaurant)
for a Period of Three Years in "Village Type Development" ("V") zone
at Lot 673S.D (Part) in DD99 and Adjoining Government Land,
San Tin, Yuen Long, New Territories**

We are instructed by the Applicant, Fortune Nine (HK) Company Ltd., to apply for the captioned use under Section 16 of the Town Planning Ordinance (Cap. 131).

The following documents are submitted for your consideration:

- (a) A signed original copy of the application form;
- (b) 70 copies of the supplementary planning statement;
- (c) An authorization letter signed by the Applicant;
- (d) Copies of notification given to the current land owners; and
- (e) Particulars of applicant and authorized agent.

Should you have any queries or require further information, please feel free to contact the undersigned at

Yours faithfully,
For and on behalf of
Top Bright Consultants Ltd.


Adam Chow

2022年 11月 23日

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

23 NOV 2022

The undersigned hereby formally acknowledge
the receipt of the application only upon receipt
of all the required information and documents.

Encl.

c.c. Fortune Nine (HK) Company Ltd. (the Applicant)

**Appendix Ie of RNTPC
Paper No. A/YL-ST/637 & 638**



Response to Departmental Comments for s.16 Planning Application A/YL-ST/637 and 638
2023/01/05 16:17

From: Tsz Nok Chow <

To: dlylam@pland.gov.hk, ayycheung@pland.gov.hk, tpbpd@pland.gov.hk, kinchunwong@td.gov.hk

Cc: Raymond Leung <

History:

This message has been forwarded.

1 Attachment



Response to TD's comment.pdf

Dear Alice,

With reference to the comments suggested by Transport Department dated 14.12.2022, we submit herewith our response to comments in the attachments for your further consideration.

Moreover, we would like to make a clarification to the DLO/YL, LandsD's comment. LandsD has advised that one small house was approved in Lot No. 673 S.C and Lot No. 673 S.D in D.D. 99 respectively. Both small houses have been implemented and the ground floor of the small houses are currently used for restaurants. The one in Lot No. 673 S.C in D.D. 99 is called Bo Bo Restaurant and another one in Lot No. 673 S.D in D.D. 99 is called Foon Hei Lau. The Planning Application Nos. A/YL-ST/637 and 638 are seeking planning permission for temporary OSAs of the ground floor restaurants of two small houses in Lot No. 673 S.C and Lot No. 673 S.D in D.D. 99. They will not affect the small house approval.

Should you have any queries or require further information, please feel free to contact the undersigned at

Best Regards,
Adam Chow
Assistant Town Planner
Top Bright Consultants Ltd.

With reference to the comments suggested by Transport Department dated 14.12.2022, we submit herewith our response to comments for your further consideration.

Transport Department's Comment

(a) The subject site is connected to public road network via a section of a local access which is not managed by Transport Department. The land status of the local access should be clarified with the Lands Department by the applicant. Moreover, the management and maintenance responsibilities of the local access should be clarified with the relevant lands and maintenance authorities accordingly.

(b) As there is no information about the vehicular access at the private lot(s) to the concerned site, the applicant should seek the relevant land owner(s) on the right of using the vehicular access.

(c) The restaurant furniture and temporary structures in the OSA shall not obstruct traffic aids and sightlines of vehicles and pedestrians.

(d) The application shall demonstrate the clear width of the footpaths between OSAs are sufficient for wheelchair users.

(e) If the planning application is approved, no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period."

Our Response

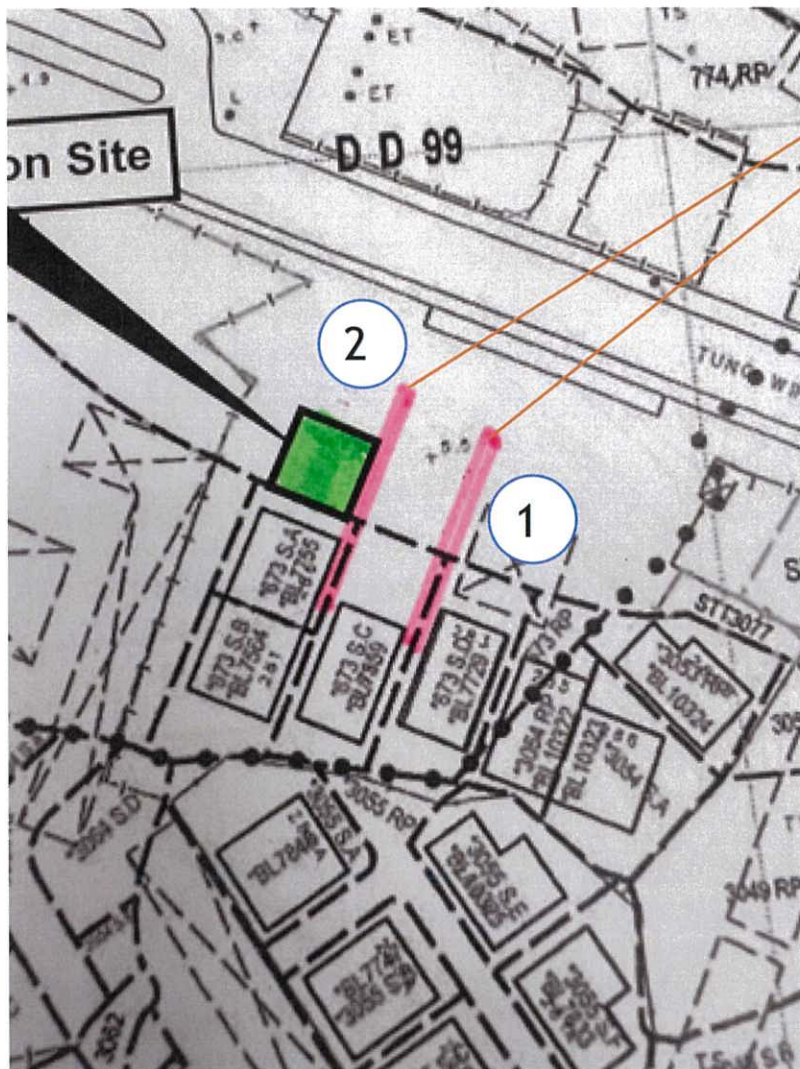
(a) Noted.

(b) Noted.

(c) Noted. Please note that the OSAs are more than 10 metres away from the Tung Wing On Road. The restaurant furniture and temporary structures will be kept in the OSAs and will not obstruct traffic aids and sightlines of vehicles and pedestrians.

(d) A minimum width of 1.2m footpaths are maintained between OSAs, which are sufficient for wheelchair users (See site photos and layout plan below). The pedestrian environment currently enjoyed by the public in that location would not be adversely affected. The footpaths between OSAs are not with high pedestrian flow. Therefore, it allows enough space along the footpath for use of the pedestrians and residents.

(e) Noted.



A minimum width of 1.2m footpaths

1





**Relevant Extracts 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) of Deep Bay Area. The land use concept, development guidelines and key assessment criteria are summarised as follows:

WBA

- (a) the intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area 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)**

According to TPB PG-No.15A, the planning criteria for assessing planning applications for eating place use in the "V" zone in the rural areas relevant to the applications are 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 also be given to any application which would not have adverse impacts on drainage, sewage disposal facilities or fire safety aspects;
- (d) for any application on open ground as an extension to ground floor eating place in a New Territories Exempted House (NTEH) or as a free-standing development, the eating place use should not adversely affect the land availability for village type development. Application sites with configurations/dimensions which are not suitable to be delineated separately for village type development or which are considered not suitable for village type development (e.g. within 20m of public roads constructed/maintained by the Highways Department or 15m of other local public roads), sympathetic consideration may be given by the Town Planning Board on individual merits; and
- (e) all other statutory or non-statutory requirements of relevant Government departments should be met.

Previous s.16 Applications covering the Application Sites

Approved Applications

No.	Application No.	Use(s) / Development(s)	Date of Consideration (RNTPC/TPB)
1.	A/YL-ST/57	Temporary Container Trailer Park and Vehicle for Repairing/ Washing Workshop with Restaurant for a period of 12 Months	3.7.1998 (RNTPC)
2.	A/YL-ST/104	Temporary Container Tractor/ Trailer Park with Vehicle Washing/ Repairing Workshop and Canteen for a Period of 12 Months	8.10.1999 (RNTPC)
3.	A/YL-ST/294	Temporary Public Car Park with Ancillary Office and Staff Canteen for a Period of 3 Years	24.3.2006 (on review) (TPB) (12 months) [revoked on 24.12.2006]

Rejected Applications

No.	Application No.	Use(s) / Development(s)	Date of Consideration (RNTPC/TPB)	Rejection Reason(s)
1.	A/YL-ST/16	Temporary Container Vehicle/ Trailer and Lorry Repair Workshop, Container Vehicle Park, Weigh Bridge, Tyre Repair Workshop and Canteen for a Period of 12 Months	6.12.1996 (RNTPC)	(1), (2), (3) & (4)
2.	A/YL-ST/34	Temporary Container Vehicle/ Trailer and Lorry Repair Workshop, Container Vehicle Park, Weigh Bridge, Tyre Repair Workshop and Canteen for a Period of 12 Months	22.8.1997 (RNTPC)	(1), (2), (3) & (4)
3.	A/YL-ST/41	Temporary Container Vehicle/ Trailer and Lorry Repair Workshop, Container Vehicle Park, Weigh Bridge, Tyre Repair Workshop and Canteen for a Period of 12 Months	21.11.1997 (RNTPC)	(1), (2), (3) & (4)
4.	A/YL-ST/126	Temporary Container Trailer Park with Vehicle Washing/ Repairing Workshop and Canteen for a Period of 3 Years	19.5.2000 (RNTPC)	(1), (2), (4), (5) & (6)
5.	A/YL-ST/153	Temporary Container Trailer Park with Vehicle Washing/ Repairing Workshop and Canteen for a Period of 3 Years	22.12.2000 (RNTPC)	(1), (2), (3), (4) & (6)
6.	A/YL-ST/203	Temporary Container Trailer Park with Vehicle Washing/ Repairing Workshop and Canteen for a Period of 3 Years	9.8.2002 (RNTPC)	(1), (2), (3), (5) & (6)

Rejection Reason(s):

- (1) Not in line with the planning intention of "V" zone.
- (2) Incompatible with the surrounding land uses/residential/village type development.

- (3) Insufficient information to demonstrate that the development would not have adverse environmental/traffic/drainage/landscaping/sewage/visual impacts on the surrounding, the nearby village settlements or the Deep Bay.
- (4) Setting undesirable precedent for similar applications.
- (5) Insufficient information to demonstrate that a proper vehicular access could be provided for the development traffic to the southern portion of the application site without having adverse impact on the surrounding areas.
- (6) As there was a programme for Small House development within the application site, there was insufficient justification in the submission for a departure from such planning intention.

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

Government Departments' General Comments

1. Land Administration

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

- (a) no adverse comment on the applications;
- (b) the application sites (the Sites) comprise two Old Schedule Agricultural Lots (OSAL) and Government Land (GL). The respective OSAL is 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;
- (c) no permission is given for the occupation of the GL in the respective Site (about 47m² for Application No. A/YL-ST/637 and about 48m² for Application No. A/YL-ST/638, both subject to verification). The act of occupation of the above GL without Government's prior approval is not allowed; and
- (d) the Sites are not within the Village Environs of San Tin Heung. Two Small House applications are approved in Lot 673 S.C and Lot 673 S.D in D.D. 99 respectively.

2. Traffic

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

- (a) having considered the applicant's submission including the Further Information, he has no adverse comment on the application;
- (b) should the applications be approved by the Town Planning Board, a condition should be imposed requiring that no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period; and
- (c) advisory comments as detailed in **Appendix V**.

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

- (a) the proposed access arrangement of the Sites from Tung Wing On Road should be approved by Transport Department; and
- (b) 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):

- (a) the Sites are in close proximity to the Northern Link (NOL) Spur Line alignment which is under development by Mass Transit Railway Corporation Limited (MTRCL);

- (b) the applicant is required to consult MTRCL with respect to the design and construction of the proposed works, whether it would affect the NOL Spur Line; and
- (c) deep foundation such as piling is not permitted at the Sites unless MTRCL's agreement is sought.

3. **Environmental**

Comments of the Director of Environmental Protection (DEP):

- (a) there is no environmental complaint case related to the Sites in the past three years; and
- (b) advisory comments as detailed in **Appendix V**.

4. **Drainage**

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

he has no objection in principle to the applications from drainage operation and maintenance point of view, subject to the following:

- (a) the applicant shall submit a drainage proposal for approval by CE/MN, DSD prior to implementation of the drainage works on the Sites;
- (b) should the applications be approved, an approval condition requiring the submission of drainage proposal and implementation of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board should be imposed; and
- (c) advisory comments as detailed in **Appendix V**.

5. **Fire Safety**

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

- (a) he has no objection in principle to the applications subject to fire service installations (FSIs) being provided to his satisfaction;
- (b) FSIs are anticipated to be required in consideration of the design/nature of the proposal. The applicant is required to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. and
- (c) advisory comments as detailed in **Appendix V**.

6. Building Matters

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

- (a) no objection in principle to the applications;
- (b) there is no record of approval by the Building Authority (BA) for the existing structure at the Sites; and
- (c) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of BA, they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for the use under the applications;
- (d) advisory comments as detailed in **Appendix V**.

7. Food License

Comments of the Director of Food and Environmental Hygiene:

- (a) no adverse comment on the applications; and
- (b) advisory comments as detailed in **Appendix V**.

8. Other Departments

The following government departments have no objection to or no comment on the applications:

- (a) Director of Agriculture, Fisheries and Conservation;
- (b) Commissioner of Police;
- (c) Chief Engineer/Construction, Water Supplies Department
- (d) Project Manager (West), West Development Office, Civil Engineering and Development Department;
- (e) Chief Engineer/Construction, Water Supplies Department;
- (f) Chief Town Planner/Urban Design and Landscape, Planning Department; and
- (g) District Officer (Yuen Long).

Recommended Advisory Clauses

- (a) To note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the applicant/lot owners should immediately apply to LandsD to permit the structures to be erected or regularise any irregularity on the Sites, if any. Also, the applicant has to either exclude the Government Land (GL) from the application sites (the Sites) or apply to Food and Environmental Hygiene Department (FEHD) for Outside Seating Accommodation (OSA). Besides, given the applied 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(s) will be approved. If such application(s) 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:
 - (i) the Sites are connected to public road network via a section of a local access which is not managed by Transport Department. The land status of the local access should be clarified with Lands Department by the applicant. Moreover, the management and maintenance responsibilities of the local access should be clarified with the relevant lands and maintenance authorities accordingly;
 - (ii) the applicant should seek the relevant land owner(s) on the right of using the vehicular access; and
 - (iii) the restaurant furniture and temporary structures in the OSA shall not obstruct traffic aids and sightlines of vehicles and pedestrians;
- (c) to note the comments of the Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD) that HyD shall not be responsible for the maintenance of any access connecting the Sites and Tung Wing On Road. Adequate drainage measures should be provided to prevent surface water running from the Sites to the nearby public roads and drains;
- (d) to note the comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD2-2, RDO, HyD) that the Sites are in close proximity to the Northern Link (NOL) Spur Line alignment which is under development by Mass Transit Railway Corporation Limited (MTRCL). The applicant is required to consult MTRCL with respect to the design and construction of the proposed works, whether it would affect the NOL Spur Line. Deep foundation such as piling is not permitted at the Site unless MTRCL's agreement is sought;
- (e) to note the comments of the Director of Environmental Protection (DEP) that the applicant should follow the relevant mitigation measures and requirements in the latest as recommended in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" and the following guidelines in order to minimise the potential environmental impacts on the adjacent areas:

- (i) to control the only fume and cooking odour emissions from the applied use, please follow “Control of Oily Fume and Cooking Odour from Restaurant and Food Business” issued by EPD –
https://www.epd.gov.hk/epd/sites/default/files/epd/english/environmentinhk/air/guide_ref/files/pamphlet_oilfume_eng.pdf ; and
 - (ii) all wastewater collected from the kitchen, including that from basins, sinks and floor drains, should be discharged via a grease trap in accordance with ProPECC PN 5/93 “Drainage Plans subject to Comment by Environmental Protection Department” and effluent discharges from the applied use are subject to the control under the Water Pollution Control Ordinance; and
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- (i) the drainage proposal should demonstrate how the applicant will collect, convey and discharge rain water falling onto or flowing to the Sites. A clear drainage plan showing full details of the existing drains and the proposed drains (e.g. cover and invert levels of pipes/catchpits/outfalls and ground levels justifying waterflow, etc.) with supporting design calculations and charts should be included. For preparation of the proposal, the Guideline on preparation of the drainage proposal is available in DSD homepage at:
http://www.dsd.gov.hk/EN/Files/Technical_Manual/dsd_guideline/Drainage_Submission.pdf
 - (ii) approval of the drainage proposal must be sought prior to the implementation of drainage works on the Sites;
 - (iii) after completion of the required drainage works, the applicant shall provide DSD sets of record photographs showing the completed drainage works with corresponding photograph locations marked clearly on the approved drainage plans for reference. DSD will inspect the completed drainage works jointly with the applicant with reference to the set of photographs;
 - (iv) the applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas;
 - (v) 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;
 - (vi) the applicant should consult DLO/YL, LandsD regarding all the proposed drainage works to be carried out outside the site boundary in order to ensure the unobstructed discharge from the Sites in future;
 - (vii) no public sewerage maintained by CE/MN, DSD is currently available for connection. No sewerage collected from the Sites should be discharged to the drainage system. For sewage disposal and treatment, agreement from DEP shall be obtained; and

- (viii) 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 facilities on the Sites under proper maintenance during occupancy of the Sites; and
- (g) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and the location of the proposed FSIs should be clearly marked on the layout plans; and
 - (ii) if the structure(s) on the Sites are 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 requirement will be formulated upon receipt of formal application via relevant licensing authority;
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) the Sites 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;
 - (ii) the Sites do not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at the building plan submission stage;
 - (iii) for UBW erected on leased land, enforcement action may be taken by BA to effect their removal in accordance with BD's 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 Sites under BO;
 - (iv) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Sites, prior approval and consent of BA should be obtained, otherwise they are UBW under BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with BO;
 - (v) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings and are subject to the control of Part VII of B(P)R;
 - (vi) if the use under applications is subject to issue of a licence, the applicant should be reminded that any existing structures on the Sites intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority; and
 - (vii) detailed checking under BO will be carried out at the building plans submission stage; and

- (i) to note the comments of the Director of Food and Environmental Hygiene (DFEH) as follows:
- (i) no FEHD's facilities should be affected;
 - (ii) proper licence / permit issued by FEHD is required if there is any food business / catering service / activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. The operation of any eating place should be under a food licence issued by FEHD. If the operator intends to operate a restaurant business in the territory, a restaurant licence should be obtained from FEHD in accordance with 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 FEHD 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;
 - (iii) whenever restaurant licensees wish to include an OSA into their licensed premises, they are required to submit application to FEHD by filling in the application form together with 8 copies of proposed layout cum OSA plan and 5 copies of 1:1000 location map for approval. If the application of OSA is acceptable for further processing, FEHD will refer it to the relevant departments including such as LandsD, BD, FSD, Transport Department, Planning Department and Home Affairs Department for clearance. A Letter of Requirements on the captioned would be issued if no objection was raised by the departments concerned and the OSA licence will be issued upon full compliance of all the requirements;
 - (iv) no shelters other than movable sunshades in the form of parasol/umbrella/ furniture would be allowed in the OSA; and
 - (v) 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 Sites 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.