

MPC Paper No. A/H6/90
for Consideration by the
Metro Planning Committee
on 4.12.2020

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H6/90

<u>Applicant</u>	: CHU Wai Lim, William represented by Prosper Consultant Engineering Company Limited
<u>Premises</u>	: Shop B3, G/F, 16 Tai Hang Road, Hong Kong
<u>Floor Area</u>	: 17.63m ²
<u>Lease</u>	: Inland Lot (IL) No. 3454 Sub-Section 1 of Section B - Restricted for houses of a European Type or a Free School and Buddhist Church or Temple
<u>Plan</u>	: Approved Causeway Bay Outline Zoning Plan (OZP) No. S/H6/17
<u>Zoning</u>	: "Residential (Group B)" ("R(B)") - Restricted to a maximum plot ratio (PR) of 5.0 and a maximum building height of 30 storeys including carports, or the PR and height of the existing building, whichever is the greater
<u>Application</u>	: Proposed Shop & Services

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application premises (the Premises) for shop and services use for selling snack foods. The Premises falls within the "R(B)" zone on the approved Causeway Bay OZP No. S/H6/17 (Plans A-1 and A-2). According to the Notes of the OZP, 'Shop and Services' is a Column 2 use which requires planning permission from the Town Planning Board (the Board).
- 1.2 The Premises is located on part of the ground floor of an existing 5-storey building and has been renovated for the applied use. The total floor area of the Premises is 17.63m². The floor layout plan of the Premises for the applied use submitted by the applicant is at **Drawing A-1**.
- 1.3 In support of the application, the applicant has submitted the following document
 - Application form with attachments received on 16.10.2020 (**Appendix I**)

2. Justifications from the Applicant

The justification put forth by the applicant in support of the application are detailed in Part 10 of the application form at **Appendix I** which could be summarised as follows:

- (a) there is no shop selling snack foods in the neighbourhood. The proposed food business would not generate pollution problems (e.g. lampblack). It is supported by the nearby residents; and
- (b) the applicant has submitted food factory licence for the applied use to the Food and Environmental Hygiene Department, but to no avail. The applicant therefore submits the current application to obtain planning permission.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by obtaining consent of one “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Previous Applications

There is no previous application in respect of the Premises.

5. Similar Applications

There is no similar application for ‘Shop and Services’ use in “R(B)” zone within the Causeway Bay OZP.

6. The Premises and its Surrounding Areas (Plans A-1 to A-3)

6.1 The Premises:

- (a) is situated on the ground floor of an existing 5-storey building in Tai Hang Road. The ground floor of the subject building comprises of some shops (including the Premises) which have no valid planning permissions, while the upper floors are residential flats; and
- (b) has been renovated for the applied use.

6.2 The surrounding areas have the following characteristics

- (a) the northern side of Tai Hang Road is mainly a residential neighbourhood under “R(A)1” zone where eating places and shops can be found on the lower floors of the buildings and the southern side of Tai Hang Road is also a residential neighbourhood under “R(B)” zone with no shop on the ground floor of the buildings;

- (b) Wun Sha Street Children's Playground and a school, namely Li Sing Tai Hang School, are located to its northeast across Tai Hang Road at Wun Sha Street. True Light Middle School of Hong Kong is located to its further east of Tai Hang Road; and
- (c) to the further northeast uphill is Lai Tak Tsuen where some eating places and convenience stores selling fast food are located to serve the nearby residents.

7. Planning Intention

The "R(B)" zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

8. Comments from Relevant Government Departments

- 8.1 The following government departments have been consulted and their views on the application and the public comments received are summarised as follows:

Land Administration

- 8.1.1 Comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):

- (a) The Premises is located within Sub-section 1 of Section B of Inland Lot No. 3454 (i.e. IL 3454 s.B ss.1). According to the relevant Conditions of Sale No. 3275 for IL 3454 with lease term commenced on 23.5.1932, the lot is restricted for house of a European Type or a Free School and Buddhist Church or Temple. The proposed shops and services use does not conflict with the lease conditions governing the Premises.
- (b) With regard to the public comments concerning the deed of mutual covenant (DMC), in general the DMC is a private contractual agreement among the owners, manager and developer of a building, to stipulate the rights and obligations of the parties to the agreement. The Government is not a party to that DMC. The applicant may need to take into consideration any possible implication of the relevant DMC for the proposed change of use of the subject premises to a use permitted under the planning permission.

Building Aspect

- 8.1.2 Comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department (CBS/HKE&H, BD):

- (a) Means of escape for the shop and services use in compliance with regulation 41(1) of the Building (Planning) Regulations (B(P)R) should be demonstrated.

- (b) Adequate fire separation between the proposed shop and services use and the rest of the building in compliance with regulation 90 of the Building (Construction) Regulation should be demonstrated.
- (c) Access and facilities for persons with a disability should be provided in compliance with regulation 72 of the B(P)R.
- (d) Sanitary fitments should be provided in compliance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations.
- (e) Detailed comments on compliance with the Buildings Ordinance will be given upon formal building plans submission.

Fire Safety Aspect

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

- (a) he has no in principle objection to the application subject to fire service installations (FSI) and water supplies for firefighting being provided to his satisfaction;
- (b) as no details of the emergency vehicular access (EVA) have been provided, comments could not be offered at the present stage. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, part D of the Code of Practice for Fire Safety in Building 2011 which is administered by BD; and
- (c) detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans.

Internal Transport Facilities

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

On the ground that there was no previous requirements on the parking provision in the available record (building plans and occupation permit) and the anticipated traffic impact arising from the application is minimal, he has no comment on the application from traffic point of view.

Others

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

- (a) proper licence/permit issued by her department is required if there is any food business/catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap.132) and other relevant legislation for the public; and
- (b) no environmental nuisance should be generated to the surroundings. The applicant should arrange proper disposal of any waste generated from the commercial/trading activities at their own expenses.

District Officer's Comments

8.1.6 Comments of the District Officer (Wan Chai):

He has no comments on the application and his office has not received any comments from members of the public.

8.2 The following departments has no objection to/no comment on the application:

- (a) Director of Environmental Protection (DEP);
- (b) Commissioner for Police (C of P);
- (c) Chief Engineer/Construction, Water Services Department (CE/C,WSD);
- (d) Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD); and
- (e) Director of Electrical and Mechanical Services.

9. Public Comments Received During Statutory Publication Period

The application was published for public inspection on 23.10.2020. During the first three weeks of the statutory public inspection period, which ended on 13.11.2020, a total of 25 valid public comments were received from the residents and the owners' corporation of the subject building, nearby residents, members of the public. Seven of the 25 public comments were conveyed by a member of the Wan Chai District Council (**Appendix II**). Amongst the public comments, 11 indicated support mainly because the shop can provide services to the nearby residents. The remaining 14 were objecting comments and their main grounds are summarised as follows:

- (a) the food and beverage nature of the proposed business will create nuisance and problems of crime, traffic, pedestrian safety, health and environmental hygiene;
- (b) the DMC stipulates that the subject building is for residential use; and
- (c) since the use of the Premises was garage/car park according to the occupation permit (OP), it should be reverted to carpark given the shortage in parking space. There is also concern that it will be a precedent case for similar conversion as ground floor car park is common in tenement buildings in the area.

10. Planning Considerations and Assessments

10.1 The application is to seek planning permission for shop and services use at the Premises for selling snack foods. The Premises falls within an area zoned "R(B)", which is primarily for medium-density residential developments where commercial use serving the residential neighbourhood may be permitted on application to the Board.

10.2 The Premises is located on the ground floor of an existing residential building fronting Tai Hang Road. Based on the OP, the ground floor of the building (including the Premises) were intended to be used as garage, but have been converted into shops (mainly real estate agents) without valid planning permission. All buildings around the Premises within the same "R(B)" zone are

without any retail shop on ground floor and, therefore the neighbourhood is generally of a pure residential nature. The proposed shop is not in keeping with the residential character of the neighbourhood. Besides, there are eating places or convenience stores selling fast food located at Lai Tak Tsuen to the northeast uphill or area around Wun Sha Street to the north downhill (**Plan A-1**). The approval of the application will set an undesirable precedent; in particular the remaining part of the ground floor of the subject building. The cumulative impact of other similar applications will result in changing the residential character of the neighbourhood. There is no strong planning justification for the change of uses in the area which is primarily for residential uses.

- 10.3 There are public comments supporting the retail use and raising concerns over the nuisance, environmental hygiene, traffic impact, pedestrian safety as well as the issue of DMC and OP, the planning assessments above and comments of the government departments in paragraph 8 are relevant.

11. Planning Department's Views

- 11.1 Based on the assessment made in paragraph 10 and having taken into account the public comments mentioned in paragraph 9, the Planning Department does not support the application for the following reason:

There is no strong planning justification for the change of uses in the area which is primarily for residential uses. The approval of the application would set an undesirable precedent for other similar applications, the cumulative effect of approving such applications would result in changing the residential character of the neighbourhood.

- 11.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 4.12.2024, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following condition of approval and advisory clauses are also suggested for Members' reference:

- the submission and implementation of fire service installations and equipment in the application premises to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix III**.

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

- 12.3 Alternatively, should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

13. Attachments

Appendix I	Application form and attachments
Appendix II	Public comments
Appendix III	Recommended advisory clauses
Drawing A-1	Floor plan submitted by the Applicant
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2020**

16 OCT 2020

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

Form No. S16-1
表格第 S16-1 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

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/H6/90
	Date Received 收到日期	16 OCT 2020

- 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)

CHU WAI LIM, WILLIAM

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)

PROSPER CONSULTANT ENGINEERING COMPANY 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)	SHOP B3, G/F., 16 TAI HANG ROAD, HONG KONG.
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input type="checkbox"/> Site area 地盤面積sq.m 平方米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積17.63 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) 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	港島規劃區第6區 銅鑼灣分區計劃大綱核准圖編號 S/H6/17
(e) Land use zone(s) involved 涉及的土地用途地帶	R(B)
(f) Current use(s) 現時用途	SHOP (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 2020 年 9 月 2 日的記錄，這宗申請共牽涉 1 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 1 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)
1	SHOP B3, G/F., 16 TAI HANG ROAD, HONG KONG.	2.9.2020

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"[#]
已通知 名「現行土地擁有人」[#]。

Details of the "current land owner(s)" [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)^{#&}
於 _____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於 _____ (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

- ☒ Type (i) Change of use within existing building or part thereof
第(i)類 更改現有建築物或其部分內的用途
- ☐ Type (ii) Diversion of stream / excavation of land / filling of land / filling of pond as required under Notes of Statutory Plan(s)
第(ii)類 根據法定圖則《註釋》內所要求的河道改道／挖土／填土／填塘工程
- ☐ Type (iii) Public utility installation / Utility installation for private project
第(iii)類 公用事業設施裝置/私人發展計劃的公用設施裝置
- ☐ Type (iv) Minor relaxation of stated development restriction(s) as provided under Notes of Statutory Plan(s)
第(iv)類 略為放寬於法定圖則《註釋》內列明的發展限制
- ☐ Type (v) Use / development other than (i) to (iii) above
第(v)類 上述的(i)至(iii)項以外的用途／發展

Note 1: May insert more than one 「✓」.

註 1: 可在多於一個方格內加上「✓」號

Note 2: For Development involving columbarium use, please complete the table in the Appendix.

註 2: 如發展涉及靈灰安置所用途, 請填妥於附件的表格。

(i) For Type (i) application 供第(i)類申請

(a) Total floor area involved 涉及的總樓面面積	17.63 sq.m 平方米		
(b) Proposed use(s)/development 擬議用途/發展	SHOPS & SERVICES (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)		
(c) Number of storeys involved 涉及層數	G/F	Number of units involved 涉及單位數目	1
(d) Proposed floor area 擬議樓面面積	Domestic part 住用部分 sq.m 平方米 <input type="checkbox"/> About 約		
	Non-domestic part 非住用部分 17.63 sq.m 平方米 <input type="checkbox"/> About 約		
	Total 總計 17.63 sq.m 平方米 <input type="checkbox"/> About 約		
(e) Proposed uses of different floors (if applicable) 不同樓層的擬議用途(如適用) (Please use separate sheets if the space provided is insufficient) (如所提供的空間不足, 請另頁說明)	Floor(s) 樓層	Current use(s) 現時用途	Proposed use(s) 擬議用途

(ii) For Type (ii) application 供第(ii)類申請

(a) Operation involved 涉及工程	<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 <p>(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) (請用圖則顯示有關土地/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))</p>
(b) Intended use/development 有意進行的用途/發展	

(iii) For Type (iii) application 供第(iii)類申請

(a) Nature and scale 性質及規模	<input type="checkbox"/> Public utility installation 公用事業設施裝置 <input type="checkbox"/> Utility installation for private project 私人發展計劃的公用設施裝置 Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量, 包括每座建築物/構築物(倘有)的長度、高度和闊度		
	Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米)(長 x 闊 x 高)
(Please illustrate on plan the layout of the installation 請用圖則顯示裝置的布局)			

(iv) For Type (iv) application 供第(iv)類申請

(a) Please specify the proposed minor relaxation of stated development restriction(s) and also fill in the proposed use/development and development particulars in part (v) below –

請列明擬議略為放寬的發展限制並填妥於第(v)部分的擬議用途/發展及發展細節 –

- ☐ Plot ratio restriction 地積比率限制 From 由 to 至
☐ Gross floor area restriction 總樓面面積限制 From 由sq. m 平方米 to 至sq. m 平方米
☐ Site coverage restriction 上蓋面積限制 From 由% to 至 %
☐ Building height restriction 建築物高度限制 From 由m 米 to 至 m 米
 From 由 mPD 米 (主水平基準上) to 至mPD 米 (主水平基準上)
 From 由 storeys 層 to 至 storeys 層
☐ Non-building area restriction 非建築用地限制 From 由m to 至 m
☐ Others (please specify) 其他 (請註明)

(v) For Type (v) application 供第(v)類申請

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

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

(b) Development Schedule 發展細節表

Proposed gross floor area (GFA) 擬議總樓面面積 sq.m 平方米	<input type="checkbox"/> About 約
Proposed plot ratio 擬議地積比率	<input type="checkbox"/> About 約
Proposed site coverage 擬議上蓋面積 %	<input type="checkbox"/> About 約
Proposed no. of blocks 擬議座數	
Proposed no. of storeys of each block 每座建築物的擬議層數 storeys 層	
	<input type="checkbox"/> include 包括.....storeys of basements 層地庫	
	<input type="checkbox"/> exclude 不包括.....storeys of basements 層地庫	
Proposed building height of each block 每座建築物的擬議高度 mPD 米(主水平基準上)	<input type="checkbox"/> About 約
 m 米	<input type="checkbox"/> About 約

☐ Domestic part 住用部分GFA 總樓面面積 sq. m 平方米 ☐ About 約

number of Units 單位數目

average unit size 單位平均面積sq. m 平方米 ☐ About 約

estimated number of residents 估計住客數目

☐ Non-domestic part 非住用部分GFA 總樓面面積☐ eating place 食肆 sq. m 平方米 ☐ About 約☐ hotel 酒店 sq. m 平方米 ☐ About 約

(please specify the number of rooms

請註明房間數目)

☐ office 辦公室 sq. m 平方米 ☐ About 約☐ shop and services 商店及服務行業 sq. m 平方米 ☐ About 約☐ Government, institution or community facilities (please specify the use(s) and concerned land
政府、機構或社區設施 area(s)/GFA(s) 請註明用途及有關的地面面積/總
樓面面積).....
.....
.....☐ other(s) 其他 (please specify the use(s) and concerned land
area(s)/GFA(s) 請註明用途及有關的地面面積/總
樓面面積).....
.....
.....☐ Open space 休憩用地 (please specify land area(s) 請註明地面面積)☐ private open space 私人休憩用地 sq. m 平方米 ☐ Not less than 不少於☐ public open space 公眾休憩用地 sq. m 平方米 ☐ Not less than 不少於

(c) Use(s) of different floors (if applicable) 各樓層的用途 (如適用)

[Block number] [座數]	[Floor(s)] [層數]	[Proposed use(s)] [擬議用途]
.....
.....
.....
.....
.....

(d) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途

.....

.....

.....

.....

.....

7. Anticipated Completion Time of the Development Proposal**擬議發展計劃的預計完成時間**

Anticipated completion time (in month and year) of the development proposal (by phase (if any)) (e.g. June 2023)

擬議發展計劃預期完成的年份及月份 (分期 (倘有)) (例: 2023 年 6 月)

(Separate anticipated completion times (in month and year) should be provided for the proposed public open space and Government, institution or community facilities (if any))

(申請人須就擬議的公眾休憩用地及政府、機構或社區設施 (倘有) 提供個別擬議完成的年份及月份)

2021年1月

8. Vehicular Access Arrangement of the Development Proposal**擬議發展計劃的行車通道安排**

Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物?	Yes 是 No 否	<input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) 大坑道 <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)
Any provision of parking space for the proposed use(s)? 是否有為擬議用途提供停車位?	Yes 是 No 否	<input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示) 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) _____ _____ _____
Any provision of loading/unloading space for the proposed use(s)? 是否有為擬議用途提供上落客貨車位?	Yes 是 No 否	<input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示) 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) _____ _____ _____

9. Impacts of Development Proposal 擬議發展計劃的影響

If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures.

如需要的話，請另頁表示可盡量減少可能出現不良影響的措施，否則請提供理據/理由。

<p>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?</p>	<p>Yes 是 No 否</p>	<p><input type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>																																								
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程? (Note: where Type (ii) application is the subject of application, please skip this section. 註：如申請涉及第(ii)類申請，請跳至下一條問題。)</p>	<p>Yes 是 No 否</p>	<p><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)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><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</p> <p><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</p> <p><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</p>																																								
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<p>On environment 對環境 On traffic 對交通 On water supply 對供水 On drainage 對排水 On slopes 對斜坡 Affected by slopes 受斜坡影響 Landscape Impact 構成景觀影響 Tree Felling 砍伐樹木 Visual Impact 構成視覺影響 Others (Please Specify) 其他 (請列明)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	<table border="0"> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> </table> <p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>
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10. 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。

物業由購入至今已超過20年，均是出租為商業用途，本人於11.3.2020向食環署申請一
食物製造廠牌照作外賣魚蛋、腸粉及雞蛋仔等食物予附近街坊，這些食物不會產生油
煙，街坊亦十分支持，附近也未有食店可提供此類輕食，但申請至今，食環署的
答覆是仍未收到貴署的回應，故特遞交此申請表，希貴署能儘快審批，謝謝！

11. Declaration 聲明

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

I hereby grant a permission to the Board to copy all the materials submitted in an application to the Board and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會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



WONG HON PING

Name in Block Letters
姓名（請以正楷填寫）

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

MANAGER

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

Others 其他

on behalf of
代表

PROSPER CONSULTANT ENGINEERING COMPANY LIMITED

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

Date 日期

2.9.2020

(DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

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

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

Statement on Personal Data 個人資料的聲明

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

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

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

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

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

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

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

For Developments involving Columbarium Use, please also complete the following:
如發展涉及靈灰安置所用途，請另外填妥以下資料：

Ash interment capacity 骨灰安放容量^⑥

Maximum number of sets of ashes that may be interred in the niches

在龕位內最多可安放骨灰的數量

Maximum number of sets of ashes that may be interred other than in niches

在非龕位的範圍內最多可安放骨灰的數量

Total number of niches 龕位總數

Total number of single niches

單人龕位總數

Number of single niches (sold and occupied)

單人龕位數目 (已售並佔用)

Number of single niches (sold but unoccupied)

單人龕位數目 (已售但未佔用)

Number of single niches (residual for sale)

單人龕位數目 (待售)

Total number of double niches

雙人龕位總數

Number of double niches (sold and fully occupied)

雙人龕位數目 (已售並全部佔用)

Number of double niches (sold and partially occupied)

雙人龕位數目 (已售並部分佔用)

Number of double niches (sold but unoccupied)

雙人龕位數目 (已售但未佔用)

Number of double niches (residual for sale)

雙人龕位數目 (待售)

Total no. of niches other than single or double niches (please specify type)

除單人及雙人龕位外的其他龕位總數 (請列明類別)

Number of niches (sold and fully occupied)

龕位數目 (已售並全部佔用)

Number of niches (sold and partially occupied)

龕位數目 (已售並部分佔用)

Number of niches (sold but unoccupied)

龕位數目 (已售但未佔用)

Number of niches (residual for sale)

龕位數目 (待售)

Proposed operating hours 擬議營運時間

^⑥ Ash interment capacity in relation to a columbarium means --

就靈灰安置所而言，骨灰安放容量指：

- the maximum number of containers of ashes that may be interred in each niche in the columbarium;
每個龕位內可安放的骨灰容器的最高數目；
- the maximum number of sets of ashes that may be interred other than in niches in any area in the columbarium; and
在該靈灰安置所並非龕位的範圍內，總共最多可安放多少份骨灰；以及
- the total number of sets of ashes that may be interred in the columbarium.
在該靈灰安置所內，總共最多可安放多少份骨灰。

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 deposited at the Planning Enquiry Counters of the Planning Department for general information.)

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

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	SHOP B3, G/F., 16 TAI HANG ROAD, HONG KONG.		
Site area 地盤面積	sq. m 平方米 <input type="checkbox"/> About 約 (includes Government land of 包括政府土地 sq. m 平方米 <input type="checkbox"/> About 約)		
Plan 圖則	S/H6/17		
Zoning 地帶	R(B)		
Applied use/ development 申請用途/發展	SHOPS AND SERVICES (FAST FOOD SHOP)		
(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	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	17.63 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input 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		
	Composite 綜合用途		

(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)
			mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
			Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Non-domestic 非住用	17.63	m 米 <input type="checkbox"/> (Not more than 不多於)
			mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
			Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Composite 綜合用途		m 米 <input type="checkbox"/> (Not more than 不多於)
			mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
			Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
(iv) Site coverage 上蓋面積	% <input type="checkbox"/> About 約		
(v) No. of units 單位數目	1		
(vi) Open space 休憩用地	Private 私人	sq.m 平方米 <input type="checkbox"/> Not less than 不少於	
	Public 公眾	sq.m 平方米 <input type="checkbox"/> Not less than 不少於	

(vii) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____	
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____	

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

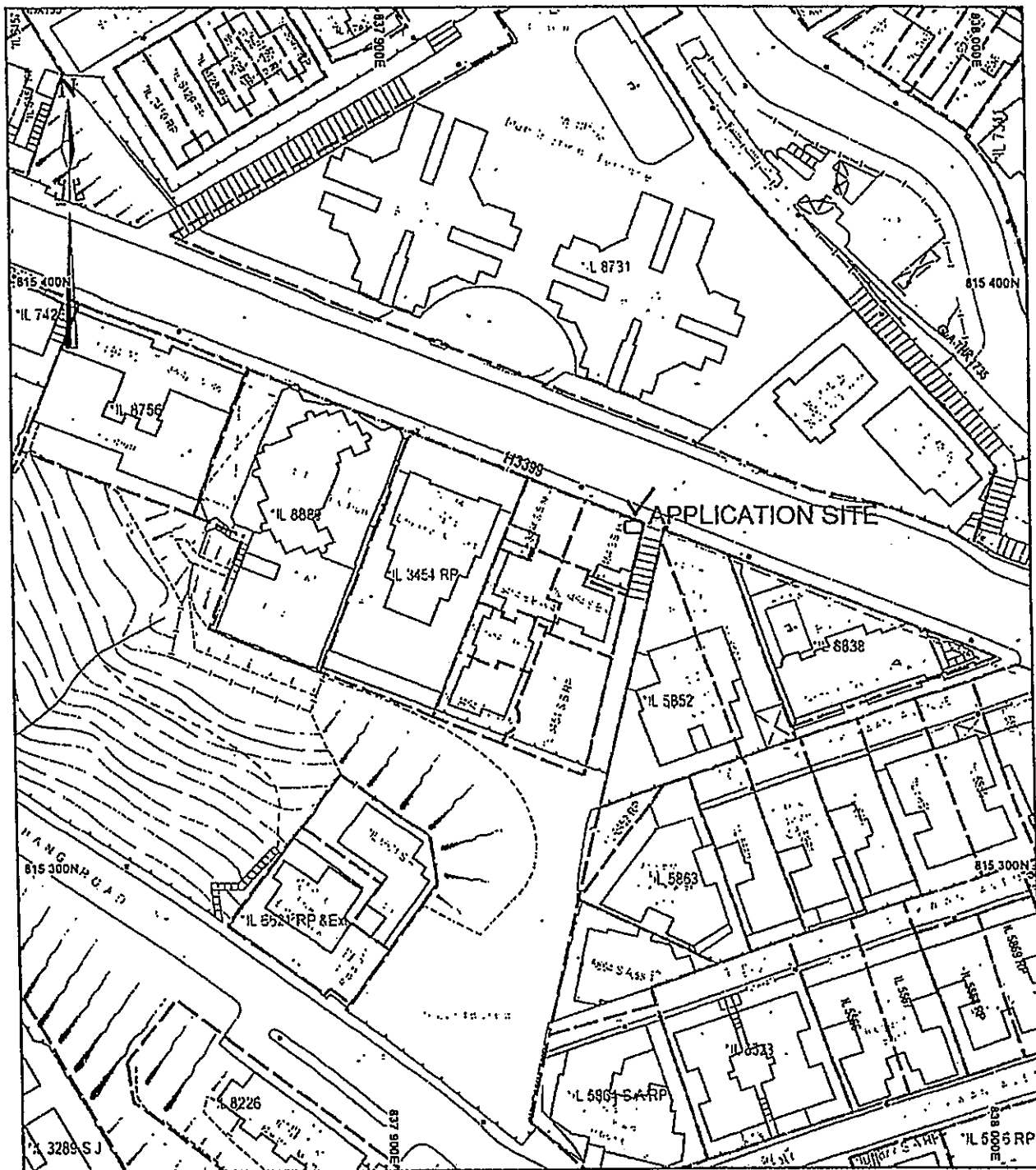
	<u>Chinese</u> 中文	<u>English</u> 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input checked=""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

Note: May insert more than one '✓', 註：可在多於一個方格內加上「✓」號

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

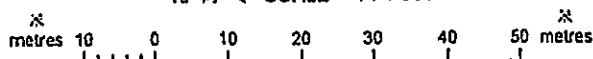
註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

地段索引圖 LOT INDEX PLAN



地政總署測繪處 Survey and Mapping Office, Lands Department

比例尺 SCALE 1:1 000



Locality : _____

Lot Index Plan No. : LIP701137P

District Survey Office : DSOYL

Date : 28-Sep-2020

Reference No. : 11-SE-11A

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SMO-P01 20200928092057 10

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免責聲明：仰賴使用本地棕索引圖，或因圖中採納的不充分索引資料而招致，或因該圖有誤差而引致任何損失或損害，該圖概不承擔任何法律責任。

Explanatory notes : This plan shows the graphical boundaries of different kinds of permanent and temporary land holdings with the topographic map in the backdrop. The land holdings as shown may include private lots, government land allocations, short term tenancies and other permitted uses of land. It must be noted that: (1) the information shown on this plan is subject to update without prior notification; (2) there may be time lag between an update and the related changes taken place; and (3) the graphical boundaries as shown are for identification purpose only and interpretation of their accuracy and reliability requires the advice from professional land surveyor.

Disclaimer : The Government shall not be responsible for any loss or damage howsoever arising from the use of this plan or in reliance upon its correctness, completeness, timeliness or accuracy.

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

參考編號

Reference Number:

201026-104404-01063

提交限期

Deadline for submission:

13/11/2020

提交日期及時間

Date and time of submission:

26/10/2020 10:44:04

有關的規劃申請編號

The application no. to which the comment relates:

A/H6/90

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. LAU CHUN KIT

意見詳情

Details of the Comment :

本人支持A/H6/90的規劃申請，該規劃申請有望能為附近居住的市民提供方便生活的服務。

tpbpd@pland.gov.hk

5-3

寄件者: [REDACTED]
寄件日期: 2020年11月06日星期五 15:22
收件者: tpbpd@pland.gov.hk
主旨: [Possible SPAM] Re: A/H6/90

Dear town planning board,

I oppose to the change of the captioned being changed especially to F&B nature.

Thank you.

Get Outlook for Android

5-4

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

參考編號

201109-120423-77858

Reference Number:

提交限期

13/11/2020

Deadline for submission:

提交日期及時間

09/11/2020 12:04:23

Date and time of submission:

有關的規劃申請編號

A/H6/90

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. 許家鴻

Name of person making this comment:

意見詳情

Details of the Comment :

本人為大坑道16號A-D業主立案法團主席, 現代表法團強烈反對A/H6/90之有關申請, 因在本廈入伙紙及大廈公契已訂為本廈是住宅用途, 而該申請位置為車位用途, 現懇請 貴署拒絕有關改變上述位置用途之申請。

5-5

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



16 Taihang Road
10/11/2020 09:13

From:

[REDACTED]

To:

tpbpd@pland.gov.hk

FileRef:

To Whom it may concern:

This is a statement that Howard Yeh, the legal owner of [REDACTED]
[REDACTED], Strongly oppose the planning application of A/H6/90.

That plan, alone with few others at the same level, was built to be used as a garage only.

Best regards

Howard Yeh

5-6

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

參考編號

Reference Number:

201111-141004-43521

提交限期

Deadline for submission:

13/11/2020

提交日期及時間

Date and time of submission:

11/11/2020 14:10:04

有關的規劃申請編號

The application no. to which the comment relates:

A/H6/90

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 許

意見詳情

Details of the Comment :

這類唐樓地下停車場在大坑道和跑馬地很常見，如果其他業主也將停車場改為店舖出租，對於城市規劃很大障礙。

5-6 附加

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

參考編號

Reference Number:

201110-155853-73613

提交限期

Deadline for submission:

13/11/2020

提交日期及時間

Date and time of submission:

10/11/2020 15:58:53

有關的規劃申請編號

The application no. to which the comment relates: A/H6/90

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 許

意見詳情

Details of the Comment :

反對

屋宇署證實16A-16D地庫層主要為車房用途，檔號 EB/3863/53/N03 PTIII。

現在做了店舖已經有以下問題

1. 店舖吸引對面路人，亂過馬路問題，易生意外
2. 店舖垃圾放在16號和22號中間行人樓梯，吸引野豬
3. 車位短缺問題更嚴重

還原做車位是最佳

寄件者: [REDACTED]
寄件日期: 2020年11月11日星期三 15:51
收件者: tpbpd@pland.gov.hk
主旨: Application no. A/H6/90 (Shop B3, G/F, 16 Tai Hang Road, Hong Kong)

Dear Sir/Madam

Objection to change original carpark to other use

With reference to the above application, I am writing to object to change the carpark space to shop and please restore all these so called shops to carpark. Over the past years and present, these so called shops - their owner, tenants or customers has been and continue to be causing nuisance behavior, posing health and environment risk and danger and inflicting on our enjoyment of property. Below are a few points to support the objection:

1) Crime – we found our flat was listed for sale in Midland property in 2018 and prior without our consent and the case was reported to the police. (ERC 1806272000044). These so called shops(car parks) seem to have invited strangers who grew to become familiar with the environment and invite crime.

2) Public nuisance and impinge on our enjoyment of property – over all the years, tenants of the so called shops(car parks) in #16 renovates and disposes their large junk, bags of garbage(lunch boxes, empty pop can) on the stairs leading to #18, using it as a garbage dump. The property agents who work in the so called shops(car parks) were seen smoking on the stairs which has regularly cause nuisance to residents of #18. Previous back in 1980's dog owners of the so-called shops let their dogs trespass our land(private garden of #18), exploiting our garden as their dog toilet, brutally killed our pet chick. These behavior of the tenants/owners of the so-called shops(car park) seriously affected and continue to affect enjoyment of our property.

3) Environment Hygiene problem/Wild animal attack risk - The garbage left by so called shops owners on the public stairs is an act of negligence and invited huge "wild boar" and its family to come scavenge on the garbage, scattering garbage all over the place. The huge wild boar is a danger threat to our community especially children. The garbage not only cause public nuisance and also invite rats and cockroaches, seriously affecting public health and environmental health.

4) Increase traffic/pedestrian danger risk – there are no safe pedestrian crossing to the opposite side of the road, so those customers from Illumination terrace, school children cross the street for convenience and thus increases chance of car accident. Drivers driving up this section of Tai Hang Road speed day and night. This was reported to the police(ERC 1806272000016).

My family and I have lived in Tai Hang Road for many years and some continue to reside in the area, thus we are very familiar with the environment and hope to contribute to making the neighbourhood safe and pleasant to live in. Please feel free to contact the undersigned for further inquiries or discussion.

I sincerely asked your kind assistance to restore these so-called shops to their original use as car parks to maintain a tranquil residential environment for our neighbor. Kindly return the safe, clean, calm and tranquil neighborhood to us!

Sincerely yours
Stephanie Chang
[REDACTED]

5-9

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

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

By Fax : 2877 0245 or 2522 8426

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

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

A/H6/90

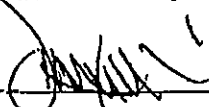
意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

本人為大坑西 16 號 A-D 業主立案法團主席，現代表法團強烈反對 A/H6/90 之有關申請，因有本樓入伙紙及大廈公契已訂為在樓是作住宅用途，而該申請位實為車位用途，現懇請貴署拒絕有關改變上述位置用途之申請。

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

簽署 Signature



日期 Date

08.11.2020

大坑西 16A, 16B, 16C 及 16D 座
THE INCORPORATED OWNERS OF NOS. 16A, 16B, 16C & 16D THE WEST KOW

tpbpd@pland.gov.hk

5-9 附加

寄件者: [REDACTED]
寄件日期: 2020年11月13日星期五 12:19
收件者: tpbpd@pland.gov.hk
主旨: 反對意見書-「反對大坑道16號B3車房改為商用舖和「食店」
附件: PHOTO-2020-11-12-15-03-14.jpg; 未命名的附件 00068.txt

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

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

By Fax : 2877 0245 or 2522 8426

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

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

A/H6/90

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

本人為大坑前道16號A-D業主立案法團主席，現代表法團強烈反對A/H6/90之有關申請，因有才閣入伙後及大廈公契已訂為車房及停車用途，而該申請位為車位用途，現懇請貴署拒絕有關改寫止成位置用途之申請。

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

簽署 Signature _____

日期 Date

08-11-2020

5-10

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

201112-191221-18098

提交限期**Deadline for submission:**

13/11/2020

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

12/11/2020 19:12:21

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

A/H6/90

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

女士 Ms. Chang chia yuen

意見詳情**Details of the Comment :**

The commercial activities on ground floor of 16 tai hang road has long caused great nuisance to its neighbours and residents. The real estate agencies who occupied the shops were inconsiderate as their employees often block the entrance to 18 tai hang road and smoke incessantly in front of the entrance and stairway. They also litter and pollute the environment by throwing cigarette butts on the ground.

The commercial and business activities have attracted strangers and invaded the privacy and safety of residents in the area. This is an upscale residential area and the activities are highly undesirable.

The installation of air conditioners in the car park spaces emits pollution and heat affecting the health and children of residents. If the space is allowed for eatery, the environment will be adversely affected. Hygiene will be worse with pest manifestation and fire hazard due to cooking activities. Moreover air pollution will occur due to cooking smoke emission.

The original design of the parking space does not cater to any kind of commercial or business activities as they are enclosed area. I hereby express my objection to the proposed change of use and urge your consideration on the same based on the overall benefit of all residents instead of the self interests of a few individual owners and business operators. Thank you.

tpbpd@pland.gov.hk

寄件者: andré fu / andré fu studio <andrefu@andrefustudio.com>
寄件日期: 2020年11月13日 星期五 13:56
收件者: tpbpd@pland.gov.hk
主旨: A/H6/90

dear officer,

i am writing to express my full support for the captioned application no A/H6/90.

it is great to have a venue that offers food and beverage service in the neighbourhood.

mr fu
founder

tpbpd@pland.gov.hk

12

寄件者: [REDACTED]
寄件日期: 2020年11月13日星期五 14:18
收件者: tpbpd@pland.gov.hk
主旨: A/H6/90

Re : shop B3, 16 Tai Hang Road, Hong Kong

What a great news to know there is a little food shop opening soon in this area . The shop looks so chic and I totally find the convenience that it can provide to the neighbours around.

Best Regards,
Mr Tong

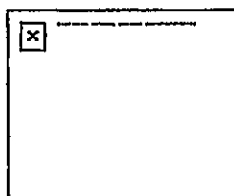
tpbpd@pland.gov.hk

13

寄件者: jonathan wang <jonathan.wang@alvanon.com>
寄件日期: 2020年11月13日星期五 15:16
收件者: tpbpd@pland.gov.hk
主旨: Regarding Application #A/H6/90

To Whom it may concern,

Regarding application #A/H6/90 I approve of having a new shop in the area, I believe that this would be a great addition to the neighbourhood as it will bring added convenience to the aforementioned zone.



Jonathan Wang
Executive Director, Research & Development
HK +852.2423.6786
NY +1.212.868.4318
UK +44.207.792.5977
[alvanon.com](mailto:jonathan.wang@alvanon.com)

tpbpd@pland.gov.hk

14

寄件者: Peter Tong / Pneumec <peter@pneumec.com>
寄件日期: 2020年11月13日星期五 14:07
收件者: tpbpd@pland.gov.hk
主旨: A/H6/90 大坑道16號地下B3號舖位

我十分贊成這個申請，不但方便我們街坊有個好地方買些小食，令到附近環境更有朝氣。

Best Regards,
Peter

tpbpd@pland.gov.hk

15

寄件者: [REDACTED]
寄件日期: 2020年11月13日星期五 15:26
收件者: tpbpd@pland.gov.hk
主旨: Application A/H6/90

給城市規劃委員會,

本人贊成 A/H6/90 之商店規劃申請，在上指地區開店會為本人及家人帶來方便。謝謝。

劉小姐留

tpbpd@pland.gov.hk

16

寄件者: [REDACTED]
寄件日期: 2020年11月13日星期五 15:17
收件者: tpbpd@pland.gov.hk
主旨: 有關A/H6/90 規劃申請

致城市規劃委員會：

有關 A/H6/90 之商店規劃申請，本人十分贊成，認為會為該地區帶來方便生活、有利於該區或其他路經市民。

Thank you,
Jobi Ng

--
Regards,
Jobi

tpbpd@pland.gov.hk

17

寄件者: [REDACTED]
寄件日期: 2020年11月13日星期五 14:43
收件者: tpbpd@pland.gov.hk
主旨: A/H6/90 - 香港大坑道16號地下B3號鋪位

本人姓麥，

是住在大坑道附近，近日得知，將在大坑道 16 號 B3 位置，設一小食店，本人及全體家人一致贊成，不但方便日常的便食，更可增添該附近環境的一點生氣。
本人極力贊成。

如有問題，請聯絡本人 [REDACTED]

麥小姐

tpbpd@pland.gov.hk

18

寄件者: [REDACTED]
寄件日期: 2020年11月13日星期五 12:44
收件者: tpbpd@pland.gov.hk
主旨: Re: 贊成A/H6/90

本人贊成 A/H6/90 為小食外賣店，絕對能為附近街坊帶來方便，亦不會影響街坊居住環境、交通和衛生問題。

William
13 Nov., 2020

tpbpd@pland.gov.hk

19

寄件者: [REDACTED]
寄件日期: 2020年11月13日星期五 14:11
收件者: tpbpd@pland.gov.hk
主旨: [Possible SPAM] A/H6/90 大坑道16號地下B3號舖位

真的好好啊，好方便我們這些老人家有地方買東西吃，應該早就有這些店舖啦！

從我的 iPhone 傳送

tpbpd@pland.gov.hk

19 附加

寄件者: [REDACTED]
寄件日期: 2020年11月13日星期五 14:12
收件者: Tak Hang Wong
副本: tpbpd@pland.gov.hk
主旨: Re: A/H6/90 大坑道16號地下B3號舖位

> 真的好好啊，好方便我們這些老人家有地方買東西吃，應該早就有這些店舖啦！

>

黃女士

> 從我的 iPhone 傳送

tpbpd@pland.gov.hk

5-20

寄件者: [REDACTED]
寄件日期: 2020年11月13日星期五 20:37
收件者: tpbpd
主旨: 大坑道16號地下B3舖擬設食店諮詢 (A/H6/90)
附件: 大坑道16號地下B3舖擬設食店諮詢 - Sheet1.pdf

楊雪盈議員辦事處 Office of Clarisse Young,
District Councillor

香港銅鑼灣高士威道16-22號高威樓9樓F室
Unit F, 9/F, Causeway Tower, 16-22 Causeway Road, Causeway Bay, Hong Kong

☎ [REDACTED] ✉ [REDACTED] 📠 楊雪盈 Clarisse Young



致 城市規劃委員會：

本辦就題述規劃收到七份意見，現轉交城規會（見附件）。

楊雪盈議員辦事處
總幹事
鄧建達

二零二零年十一月十三日

大坑道16號地下B3舖擬設食店諮詢

#	日期	姓名	聯絡	立場	來源	意見
21	2020/11/8	Kazumi Chidachi		反對	whatsapp	1. Hygiene issue 2. Road safety with potential danger - customers waiting outside on the narrow street.
22	2020/11/10	Nancy Li		反對	email	/
23	2020/11/10	Anthony Yeung		反對	whatsapp	疫情和清潔問題
24	2020/11/10	楊梓		反對	whatsapp	我係[redacted]住戶。反對設食店主要因為衛生問題。因為地唔係廿四小時有人清潔，都係每日有人清潔垃圾，如果開食肆怕負荷唔到個衛生情況，謝謝！
25	2020/11/12	Melina Tse		反對	email	I'm one of the owners of Harmony Court. I oppose the application because it will create the Hygiene and smelly problems.
26	2020/11/12	邱小姐		贊成	whatsapp	/
27	2020/11/12	Winnie Cheng		反對	whatsapp	1. 食材入貨、落貨會造成交通不便 2. 雜貨保固圍衛生及油煙排放不對附近有不良影響 (大坑道10號居民)






Select column first...

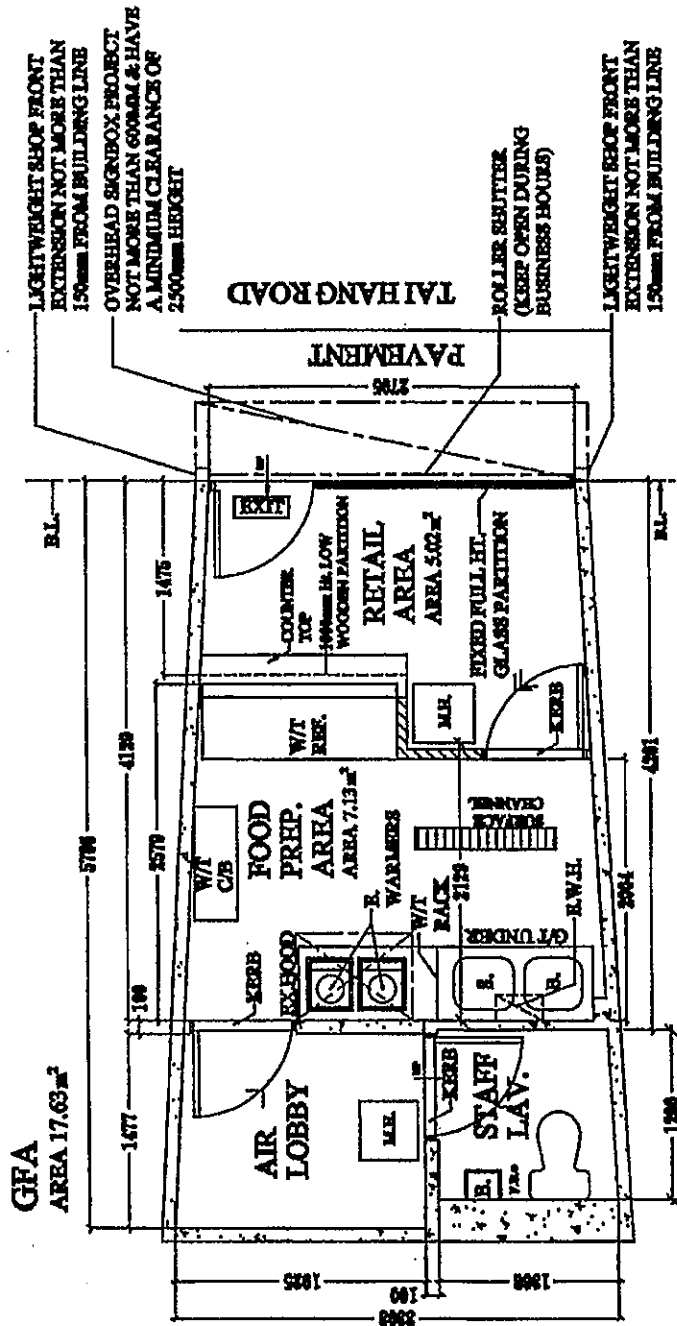
Advisory Clauses

- (a) to note the comments of the District Lands Officer/Hong Kong East, Lands Department that the deed of mutual covenant (DMC) is a private contractual agreement among the owners, manager and developer of a building, stipulating the rights and obligations of the parties to the agreement. The Government is not a party to that DMC. The applicant may need to take into consideration any possible implication of the relevant DMC for the proposed change of use of the subject premises to a use permitted under the planning permission.
- (b) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department that (i) means of escape for the shop and services use in compliance with regulation 41(1) of the Building (Planning) Regulations (B(P)R) should be demonstrated; (ii) adequate fire separation between the proposed shop and services use and the rest of the building in compliance with regulation 90 of the Building (Construction) Regulation should be demonstrated; (iii) access and facilities for persons with a disability should be provided in compliance with regulation 72 of the B(P)R; (iv) sanitary fitments should be provided in compliance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations; and (v) detailed comments on compliance with the Buildings Ordinance will be given upon formal building plans submission.
- (c) to note the comments of the Director of Fire Services (D of FS) that fire service installations and water supplies for fire fighting shall be provided to D of FS's satisfaction. The applicant is advised to observe the requirements of emergency vehicular access as stipulated in Section 6, part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the Buildings Department. Detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans.
- (d) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that proper licence/permit issued by Food and Environmental Hygiene Department is required if there is any food business/catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap.132) and other relevant legislation for the public. No environmental nuisance should be generated to the surroundings. The applicant should arrange proper disposal of any waste generated from the commercial/trading activities at their own expenses.

SHOP B3, G/F, 16 TAI HANG ROAD, HONG KONG

LEGEND:

-  1100mm HT. S.C. WOODEN DOOR 750mm (w)
-  FULL HT. S.C. WOODEN DOOR 750mm (w)
-  FULL HT. GLASS DOOR 800mm (w)
-  EXISTING BLOCK WALL
-  1100mm HT. LIGHTWEIGHT WOODEN PARTITION WALL



FOOD FACTORY LAYOUT PLAN

FUEL: ELECTRICITY ONLY

PROSPER CONSULTANT ENGINEERING COMPANY LIMITED

萬昌顧問工程有限公司

ROOM 47, CH. 1, NO. 16 TAI HANG ROAD, HONG KONG

新界元朗新界大馬路16號地下47號

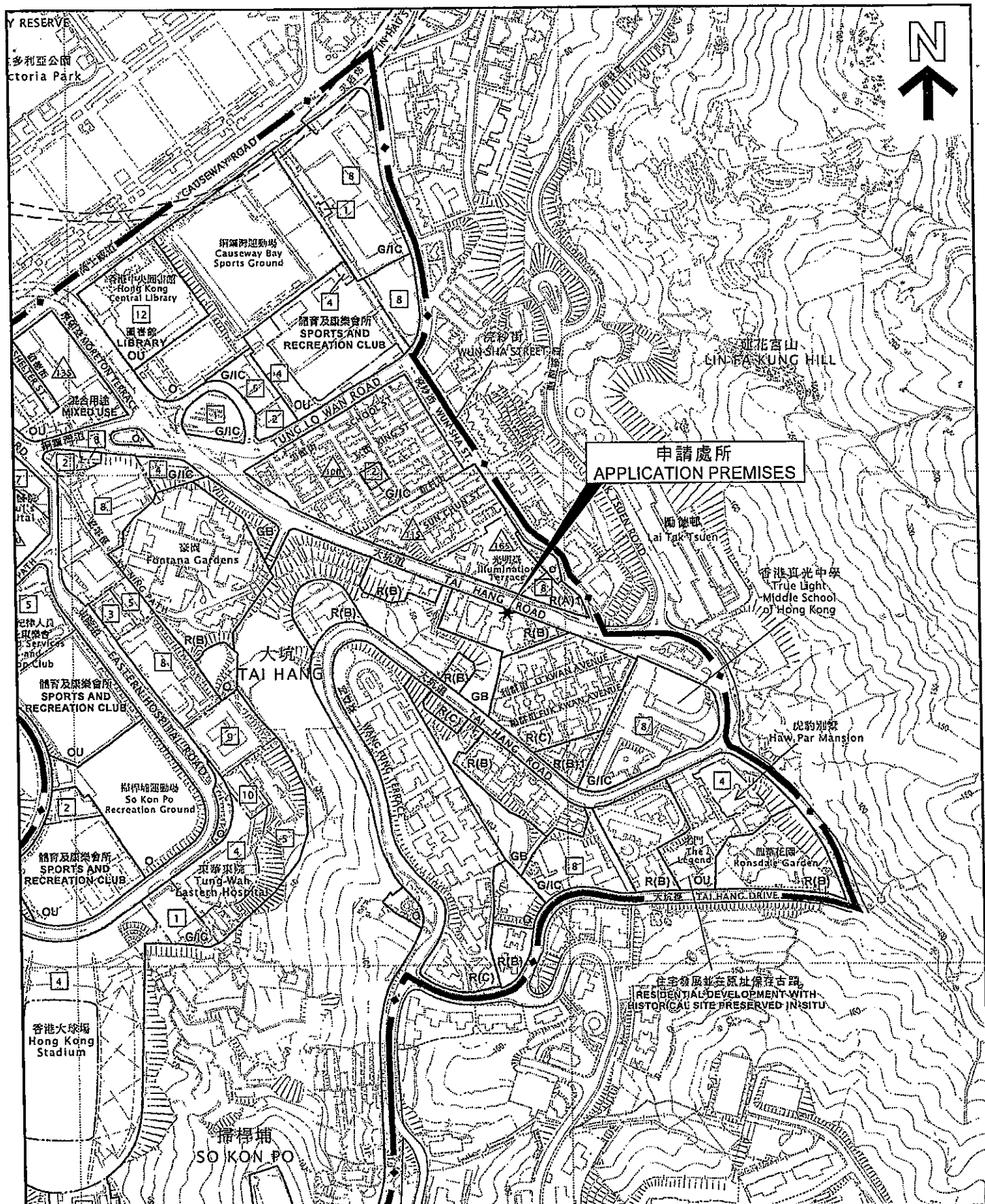
E-mail: [REDACTED]

TYPE OF WORK:	FOOD FACTORY	TITLE:	LAYOUT PLAN	PROJECT NO.:	
SCALE:	1:50 (A4)	DATE:	11-05-2020	PROJECT NO.:	
DATE:	11-05-2020	PROJECT NO.:	0523-001	PROJECT NO.:	
DATE:	11-05-2020	PROJECT NO.:	0523-001	PROJECT NO.:	
DATE:	11-05-2020	PROJECT NO.:	0523-001	PROJECT NO.:	

參考編號
REFERENCE No.
A/H6/90

繪圖
DRAWING
A-1

資料來源：由申請人提供
SOURCE: SUBMITTED BY THE APPLICANT



位置圖 LOCATION PLAN

本摘要圖於2020年11月17日擬備，
所根據的資料為於2019年1月8日
核准的分區計劃大綱圖編號S/H6/17
EXTRACT PLAN PREPARED ON 17.11.2020
BASED ON OUTLINE ZONING PLAN No.
S/H6/17 APPROVED ON 8.1.2019

商店及服務行業
香港大坑道16號地下B3號舖位
Shop and Services
Shop B3, G/F., 16 Tai Hang Road, Hong Kong

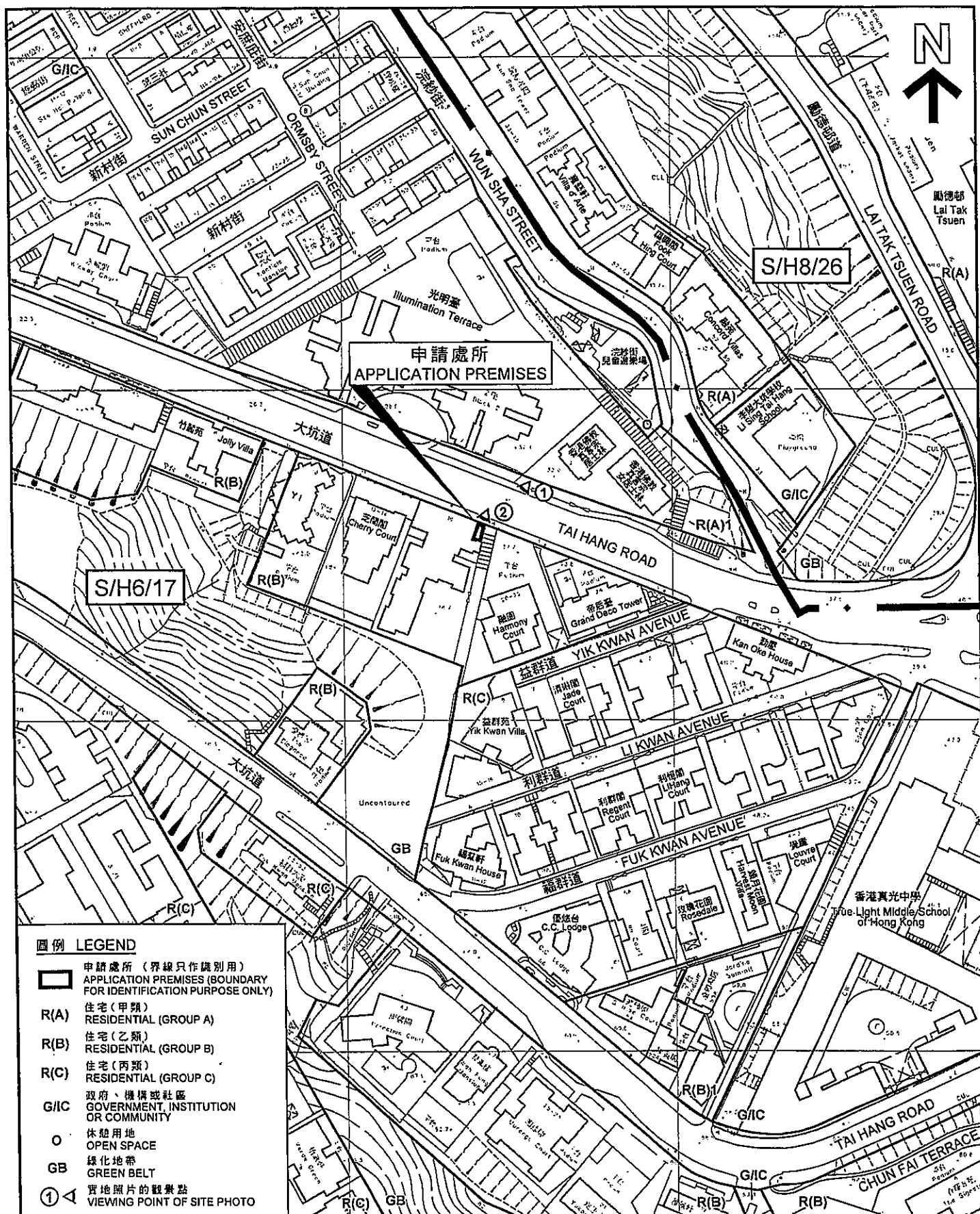
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100 0 100 200
METRES METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H6/90

圖 PLAN
A - 1



圖例 LEGEND

- 申請處所 (界線只作識別用)
APPLICATION PREMISES (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)
- R(A) 住宅 (甲類)
RESIDENTIAL (GROUP A)
- R(B) 住宅 (乙類)
RESIDENTIAL (GROUP B)
- R(C) 住宅 (丙類)
RESIDENTIAL (GROUP C)
- G/C 政府、機構或社區
GOVERNMENT, INSTITUTION OR COMMUNITY
- O 休憩用地
OPEN SPACE
- GB 綠化地帶
GREEN BELT
- ① 實地照片的觀景點
VIEWING POINT OF SITE PHOTO

平面圖 SITE PLAN

本摘要圖於2020年11月19日擬備，
所根據的資料為測量圖編號
11-SE-11A

EXTRACT PLAN PREPARED ON 19.11.2020
BASED ON SURVEY SHEET No.
11-SE-11A

商店及服務行業
香港大坑道16號地下B3號舖位
Shop and Services
Shop B3, G/F., 16 Tai Hang Road, Hong Kong

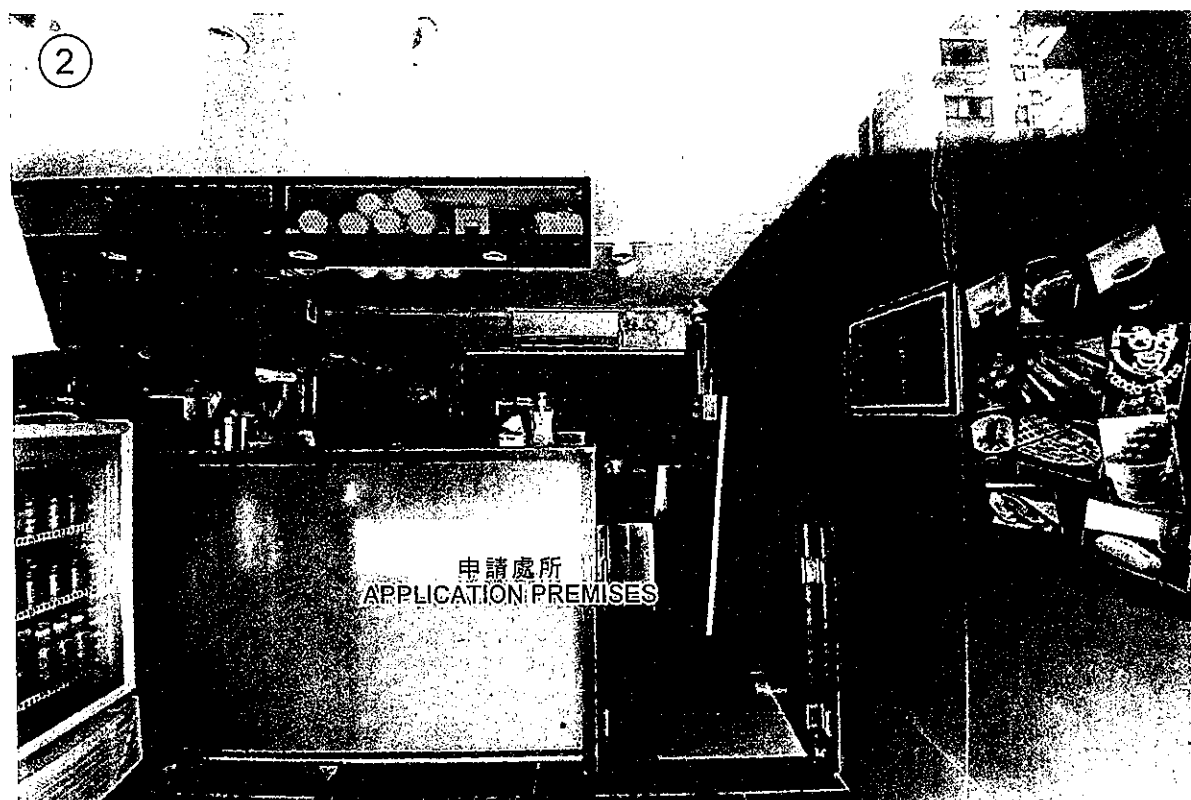
SCALE 1:1500 比例尺
METRES 20 0 20 40 METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H6/90

圖 PLAN
A - 2



界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

本圖於2020年11月4日擬備，
所根據的資料為攝於
2020年10月23日的實地照片
PLAN PREPARED ON 4.11.2020
BASED ON SITE PHOTOS
TAKEN ON 23.10.2020

商店及服務行業
香港大坑道16號地下B3號舖位
Shop and Services
Shop B3, G/F., 16 Tai Hang Road, Hong Kong

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H6/90

圖 PLAN
A - 3

Extract From Minutes of 661st MPC Meeting Held On 4.12.2020

- 21 -

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H6/90 Proposed Shop and Services in "Residential (Group B)" Zone, Shop B3,
G/F., 16 Tai Hang Road, Hong Kong
(MPC Paper No. A/H6/90)

Presentation and Question Sessions

24. The Secretary reported that the application site was located in Tai Hang. Ms Sandy H.Y. Wong had declared an interest on the item as she was self-occupying a flat on Tai Hang Road. The Committee agreed that Ms Sandy H.Y. Wong should be invited to leave the meeting temporarily for the item.

[Ms Sandy H.Y. Wong left the meeting temporarily at this point.]

25. With the aid of a PowerPoint presentation, Mr Anthony K.O. Luk, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, 25 public comments, with 11 supporting comments from nearby residents and individuals and 14 opposing comments from the owners' corporation (OC) of the subject building, nearby residents and individuals, were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment made in paragraph 10 of the Paper. The ground floor (G/F) of the building (including the subject premises) was

intended to be used as garage, but had been converted into shops without valid planning permission. There was no strong planning justification for the change of uses in the area which was primarily for residential uses. There were eating places or convenience stores selling fast food located at Lai Tak Tsuen to the northeast uphill or area around Wun Sha Street to the north downhill. Approval of the application would set an undesirable precedent for other similar applications, in particular in the remaining part of the G/F of the subject building. The cumulative impact of approving such applications would result in changing the residential character of the neighbourhood. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

26. Some Members raised the following questions:

- (a) details of the public comments, in particular the one submitted by the OC of the subject building;
- (b) whether submission of general building plans (GBP) was required for change of use in the subject premises;
- (c) whether shops selling snack food were found in the vicinity;
- (d) types of shops located next to the subject premises;
- (e) whether the proposed shop and services use at the subject premises could continue to be operated without a valid planning permission; and
- (f) whether the real estate agency shops at the remaining part of the G/F were subject to enforcement action or in contravention with the existing legislations.

27. In response, Mr Anthony K.O. Luk, STP/HK, made the following main points:

- (a) a total of 25 public comments, with 11 supporting comments from nearby residents and individuals and 14 opposing comments from the OC of the subject building, nearby residents and individuals, were received during the statutory publication period. The OC of the subject building objected to the application mainly on the grounds that the proposed shop and services use would breach the Deed of Mutual Covenant (DMC) of the subject building which was restricted for residential use. In that regard, the Lands Department advised that the applicant might take into consideration any possible implication of the relevant DMC for the proposed change of use of the subject premises to the proposed use;
- (b) with reference to the comments from the Buildings Department (BD), the applicant would be required to submit a set of GBP on compliance with the Buildings Ordinance (BO) upon obtaining planning permission;
- (c) some eating places and convenience stores selling fast food were located at Lai Tak Plaza and Wun Sha Street which were about 263m and 388m away respectively from the subject premises to serve the nearby residents;
- (d) the subject premises, which was a snack food shop, along with the real estate agencies located on the ground floor of the subject building were operating without valid planning permissions;
- (e) proper licence/permit issued by the Food and Environmental Hygiene Department (FEHD) was required if there was any food business/catering service/activities for the public under the Public Health and Municipal Services Ordinance and other relevant legislation for the public. In order to obtain a food factory licence (FFL) from FEHD to legally operate the snack food shop at the subject premises, a valid planning permission must first be obtained by the applicant. Should the application be rejected by the Committee, the FEHD would be notified and the applicant might not be able to obtain a FFL; and
- (f) changes in use of land and buildings were mainly regulated by the Town Planning Ordinance (TPO), land leases, BO and other relevant regulatory

legislations. As far as the subject application was concerned, enforcement action could be taken under the BO. In gist, the TPO did not provide the Planning Authority with enforcement power against unauthorised developments in area covered by outline zoning plans in the urban and new town areas. Besides, the Lands Department commented that the proposed shop and services use was not in conflict with the lease condition governing the subject premises. BD advised that the subject premises did not have immediate building safety and fire hazard concerns, and they had been following the established policies to tackle unauthorised building works (UBWs) and accord priority to those requiring immediate enforcement, covering mainly UBWs which constituted obvious or imminent danger to life or property. However, BD stressed that although no immediate enforcement action was taken at the subject premises, it should not be taken to imply that no UBWs were found within the subject premises.

Deliberation Session

28. A Member did not support the proposed shop and services use at the subject premises and agreed with PlanD's assessment that there was no strong planning justification for the change of uses in the area which was primarily for residential uses and the cumulative effect of approving such applications would result in changing the residential character of the neighbourhood. Another Member did not support the application and considered that the subject premises should be reverted back to car parking use. Regarding some Members' concern on the enforcement action against the existing snack food shop at the subject premises without valid planning permission, the Chairman explained that since the Planning Authority did not have direct enforcement power in urban areas, the change of use in such areas could be regulated through land leases, GBP submissions and relevant licensing requirements. As far as the subject case was concerned, shop and services use at the concerned premises could be enforced under the BO, though BD might only accord priority to cases which constituted obvious hazard or imminent danger. In addition, operation of the snack food shop would be regulated by the licensing requirement of FEHD.

29. After deliberation, the Committee decided to reject the application. The reason was:

“there is no strong planning justification for the change of uses in the area which is primarily for residential uses. The approval of the application would set an undesirable precedent for other similar applications. The cumulative effect of approving such applications would result in changing the residential character of the neighbourhood.”

[The Chairman thanked Mr Anthony K.O. Luk, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Ms Sandy H.Y. Wong returned to join the meeting at this point.]

[Ms Johanna W.Y. Cheng, District Planning Officer/Kowloon (DPO/K), and Miss Helen H.Y. Chan, Senior Town Planner/Kowloon (STP/K), were invited to the meeting at this point.]

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳真 Fax: 2877 0245 / 2522 8426

電話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/H6/90

By Post & Fax

18 December 2020

Prosper Consultant Engineering Co. Ltd.

Dear Sir/Madam,

**Proposed Shop and Services in
"Residential (Group B)" Zone, Shop B3, G/F., 16 Tai Hang Road, Hong Kong**

I refer to my letter to you dated 22.10.2020.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reason is:

- there is no strong planning justification for the change of uses in the area which is primarily for residential uses. The approval of the application would set an undesirable precedent for other similar applications. The cumulative effect of approving such applications would result in changing the residential character of the neighbourhood.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 4.12.2020, in both English and Chinese, are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 8.1.2021). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Town Planning Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Town Planning Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Mr. Anthony Luk of Hong Kong District Planning Office at 2231 4917.

Yours faithfully,



(Raymond KAN)
for Secretary, Town Planning Board

(With Chinese Translation)



城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/H6/90

郵遞及傳真函件

高昌顧問工程有限公司

先生／女士：

擬在劃為「住宅(乙類)」地帶的
香港大坑道 16 號地下 B3 號鋪
經營商店及服務行業

我曾於二零二零年十月二十二日發信給你。

城市規劃委員會(下稱「城規會」)在考慮這宗申請後，
決定拒絕這宗申請，理由是：

- (a) 申請人沒有提出有力的規劃理據，以支持改變該區以住宅為主的用途。批准這宗申請會為其他同類申請立下不良先例，倘這些申請均獲得批准，累積影響所及，會改變周邊一帶的住用特色。

隨函付上就這宗申請擬備的城規會文件(補充規劃綱領／技術報告(如有的話)除外)及二零二零年十二月四日城規會會議記錄的相關摘錄的中英文本，以供參閱。

根據《城市規劃條例》第 17(1)條，申請人如因城規會的決定而感到不滿，可向城規會申請對有關決定進行覆核。如欲提出覆核申請，你須在本信發出日期起計 21 天內(即二零二一年一月八日或之前)通知我。其後，我會與你聯絡，邀請你及／或你授權的代表出席城規會的聆聽會。城規會須在收到覆

核申請的日期起計三個月內考慮覆核申請。所有覆核申請均須予公布，為期三個星期，讓公眾提出意見。

根據《城市規劃條例》，城規會在覆核聆聽會上，只可因應申請人的進一步書面及／或口頭申述，重新考慮原來的申請。如你在現階段決定對原來的建議作出重大修改，便應根據《城市規劃條例》第 16 條的規定，就修改建議向城規會提交新的申請。

如對上述決定有任何疑問或需要進一步資料，請與港島規劃處陸國安先生聯絡(電話：2231 4917)。

城市規劃委員會秘書
(簡志陶代行)

二零二零年十二月十八日

致城市規劃委員會：

本人是申請編號 A/H6/90 的申請人，現根據城市規劃條例第17(1)條提出覆核申請，並附有申請理據。

申請人
朱衛廉

5/1/2021

致都會規劃小組委員：

A/H6/90

本人是大坑道16號B3舖租客，這舖位前身是經營多年的地產公司。

由2020年3月，前租客約滿後，我租用這舖位作外賣小食店用途，而小食店主要用電廚具，沒有明火，因店舖電力不足夠電廚具應用，需要向電燈公司申請三相電，當時得到大廈管理公司和大廈業主立案法團同意和簽署申請，之後開始裝修同時向食環署申請牌照，打算可在6月開始營業，但因疫情問題，所有程序都拖延至9月份才知道申請先要經規劃署批准。

在10月份規劃署進行諮詢期間，收到大廈業主立案法團反對申請，但在安裝三相電和裝修期間的幾個月內，法團和管理公司都沒有對本舖作出任何問題或意見。後來問店舖業主原因，才得知可能因店舖業主和法團因在6月加管理費的問題上未能解決，而導致法團反對申請。

在裝修的數個月中，其實有很多街坊經過本店都會問經營甚麼和何時開業，告知是小食店後他們都說很期待和會為他們帶來方便。據他們說如要買飲品或小食，最近都要步行約300米上圓德樓或來回行三百多級樓梯到浣沙街才能買到，對他們來說非常不便，而對一些年紀較大的街坊更覺吃力，而我的小店也可以為他們帶來多一個選擇。在裝修期間，我也親身體驗要走上走落才可以買到飲料給裝修師傅飲用，夏天時候更覺難

至於有反對關於交通問題，本店舖內同時可容納6-8人購買，不會阻礙門口或街道。

A/H6/90

他們反對其中一個原因是街坊會不遵守交通燈過馬路，但我發現原因是在光明臺對出和對面都有專線小巴站，交通燈距離上落車站太遠而導致他們選擇直接橫過馬路，基本上與我店鋪營業無關。(附圖片)

另關於油煙問題，本店主要售賣蒸煮的小食和飲品，不會產生任何油煙，相比樓上或附近住宅的廚房煮食所產生的油煙，一定比本店多，衛生方面本店會遵守食環署指引，絕對不會影響街道和舖內外的衛生問題。

街坊曾告知鄰近幾間店鋪在大坑道曾經營各類商店服務行業有30多年，如洗衣店、電器舖、士多、室內設計公司、外賣PIZZA店等，近年多是地產公司。

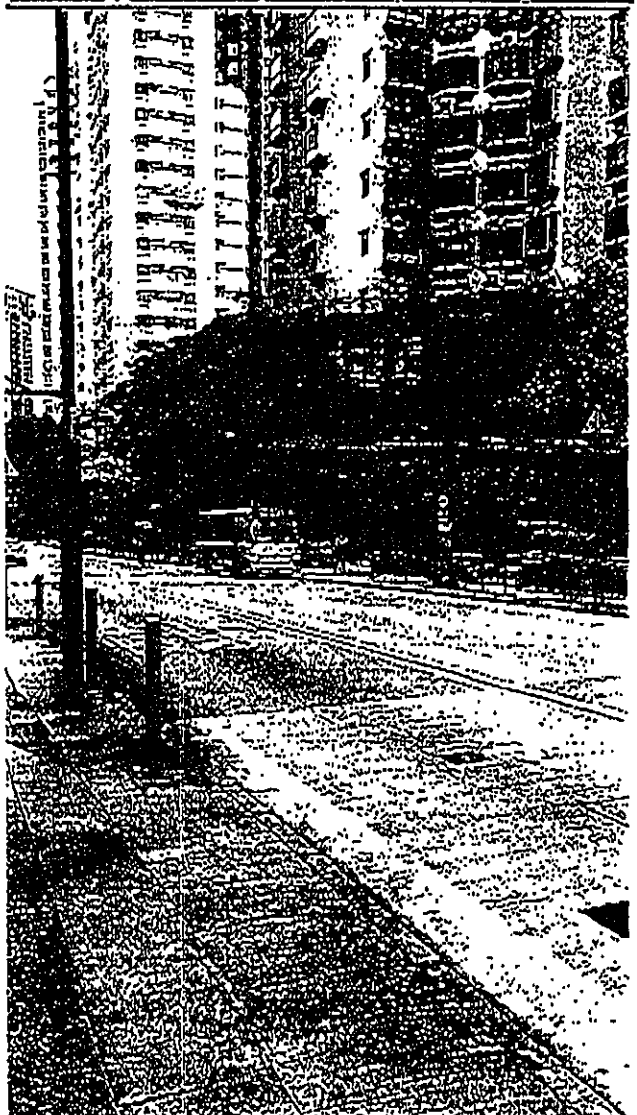
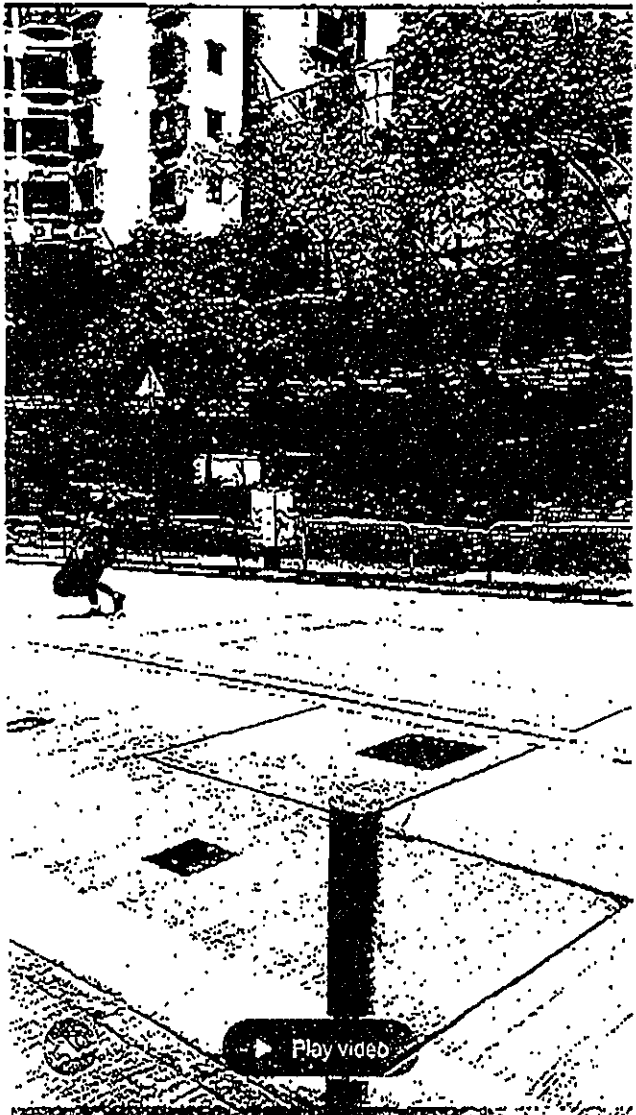
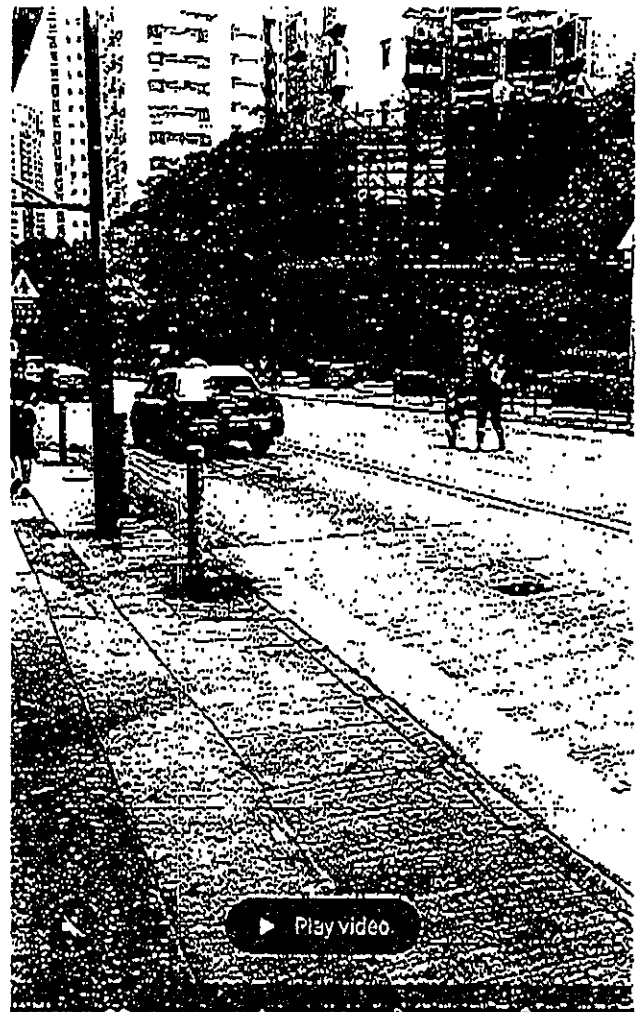
而本店鋪外觀和裝修有別於一般街頭小食店，在開始裝修前已經考慮到外觀問題，而不會影響該區原貌。(附店鋪內外圖片)

店鋪已於6月份完成裝修，但在不能營業下一頁交租至今，十分吃力，我失業後已拍大部份積蓄放在這店鋪上，希望能做一點小生意，在這疫情下經營已經十分艱辛，希望各委員能接受我的申請。

租客申請人

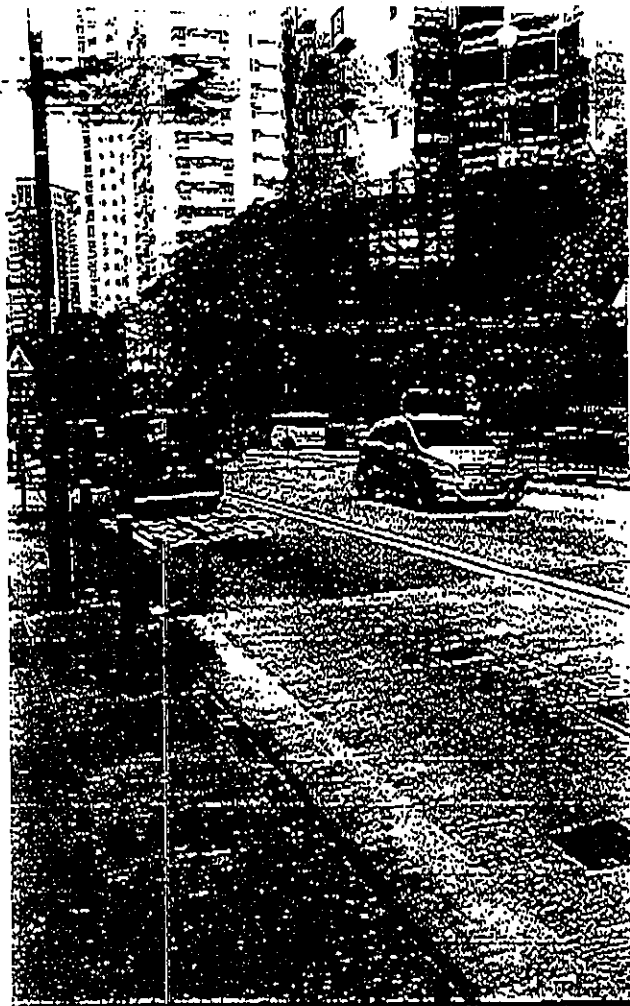
朱衛廉

5/1/2021

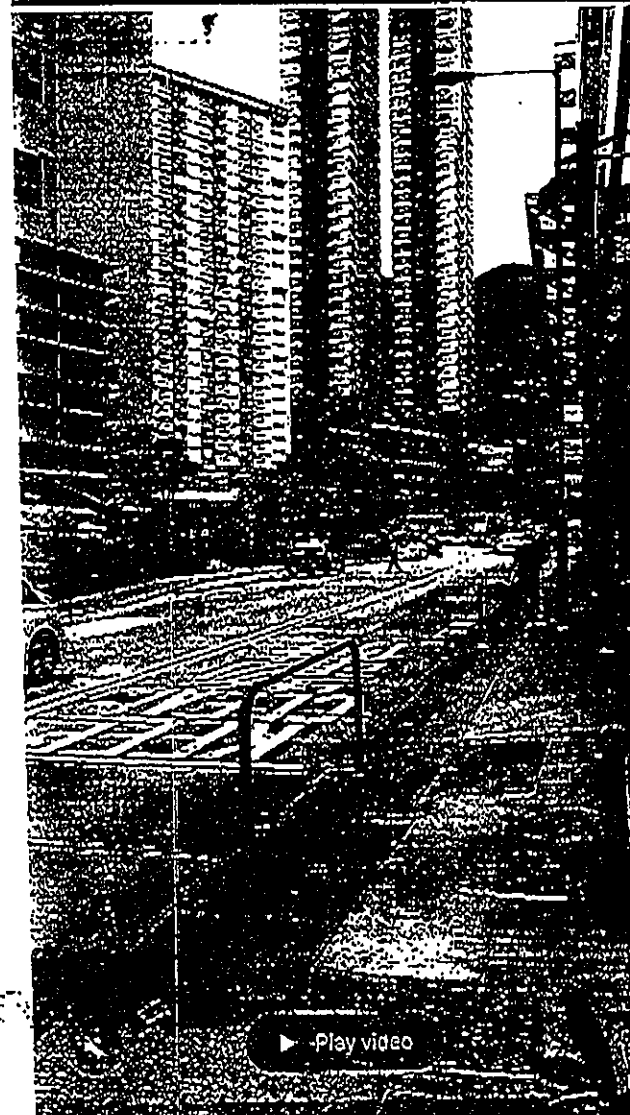




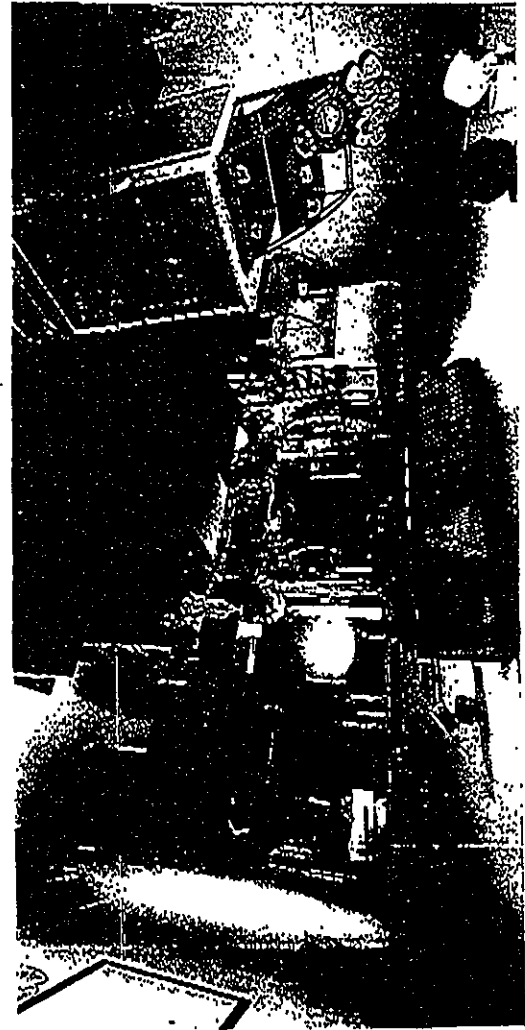
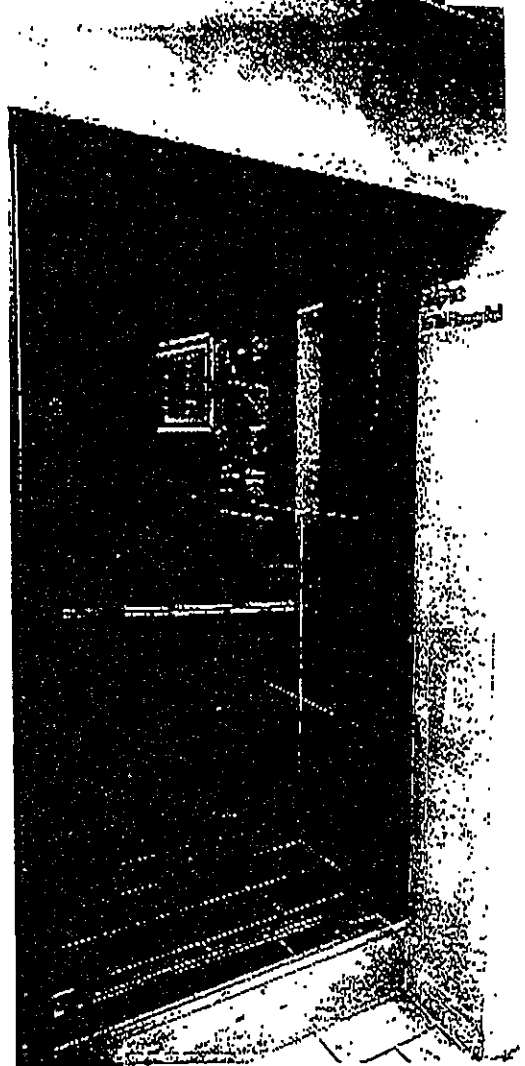
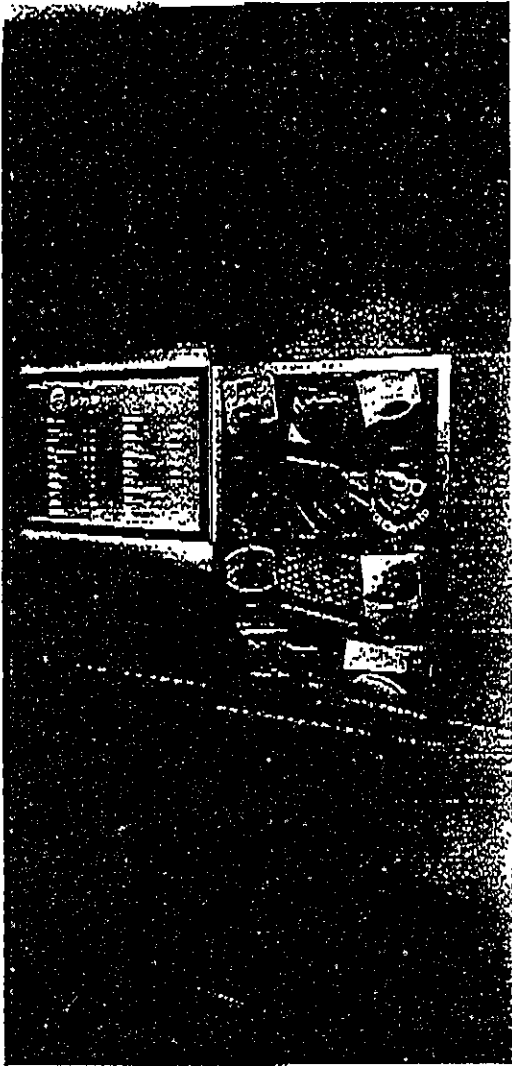
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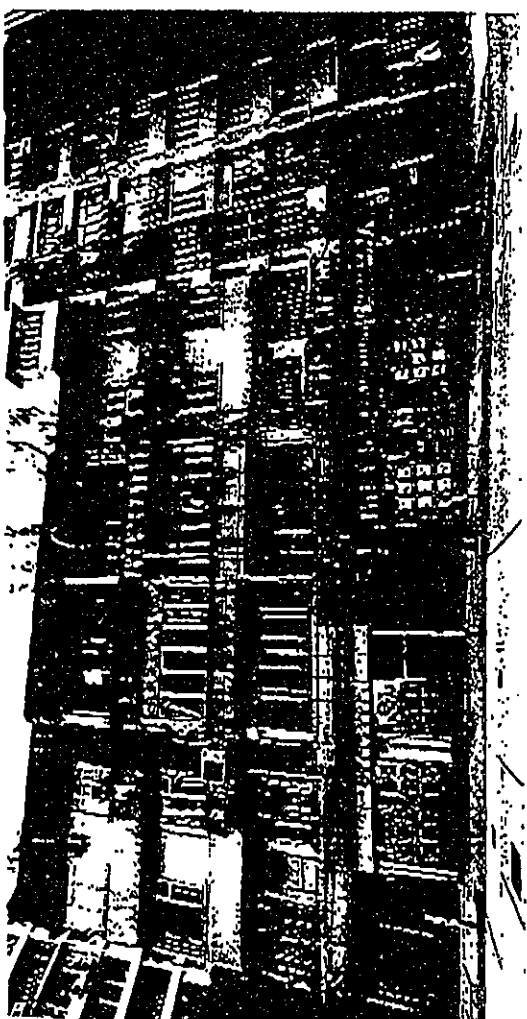
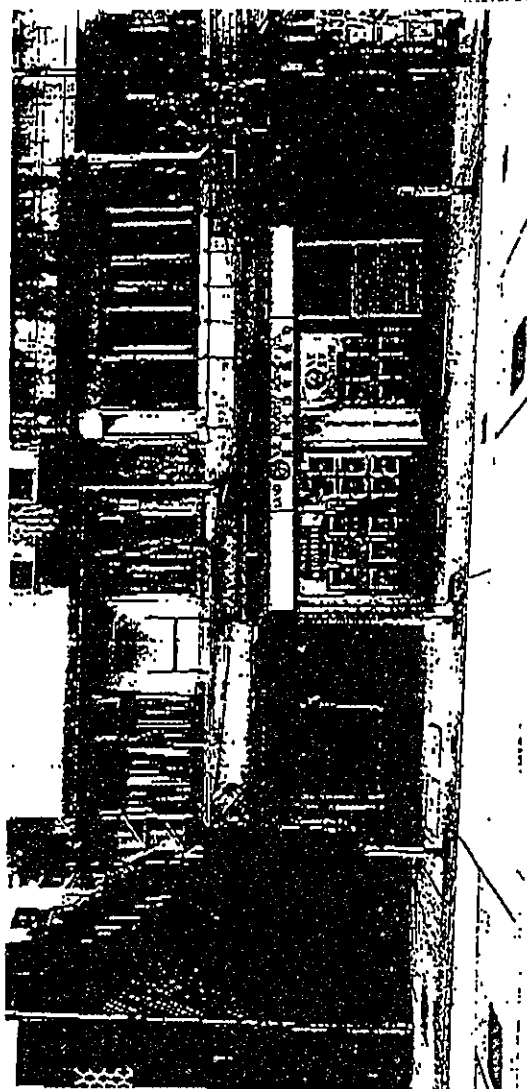
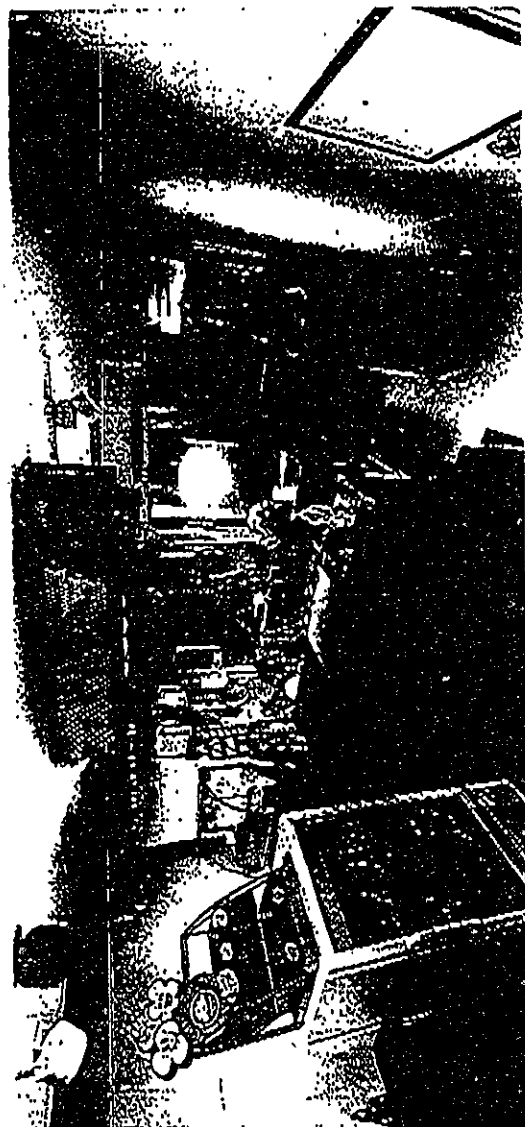


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就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

210122-145031-46088

B5-1

提交限期

Deadline for submission:

05/02/2021

提交日期及時間

Date and time of submission:

22/01/2021 14:50:31

有關的規劃申請編號

The application no. to which the comment relates:

A/H6/90

「提意見人」姓名/名稱

Name of person making this comment:

夫人 Mrs. 唐

意見詳情

Details of the Comment:

請問城市規劃不是需要考慮長遠和全局嗎？

1. 已經將車位用作非車位用途，現在改為舖，如果可以，16A-16D地庫層車位可以照做嗎？香港其它類似情況車位也可以嗎？

2. 長實集團將天水圍嘉湖海逸酒店改為住宅，需要補地價。根據地政總署，補地價的基本原則是，土地經改變用途或增加地積比率等條款後，如價值有所上升，業主便須向政府補回兩者的差價。車位用作非車位用途，或改為舖，請問是價值上升或下降？

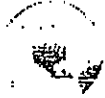
3. 為香港長遠發展，發展局努力搵地起新樓，市區重建局積極重建舊樓，將車位改為舖，請問會幫助或障礙發展？

4. 大坑道 4號已經向城市規劃處申請發展，該發展商會否用這案例，申請其它更改用途？

總結，今日的決定可以係將來的德政或計時炸彈。為了社區、政府、香港發展和法治，本人反對。

A5-2

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



Fw: A/H6/90, Shop B3, 16 Tai Hang Road
28/01/2021 11:18

From:

To:

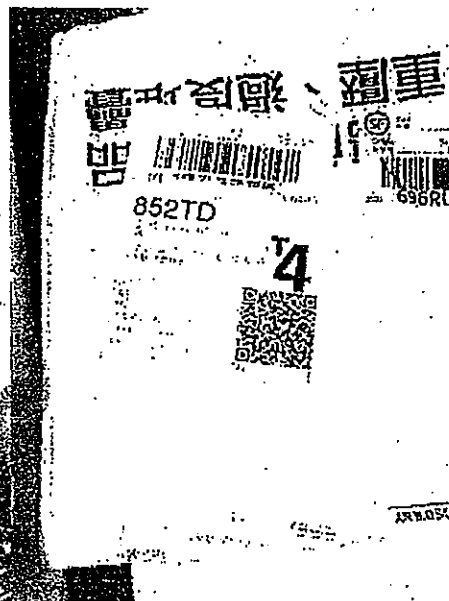
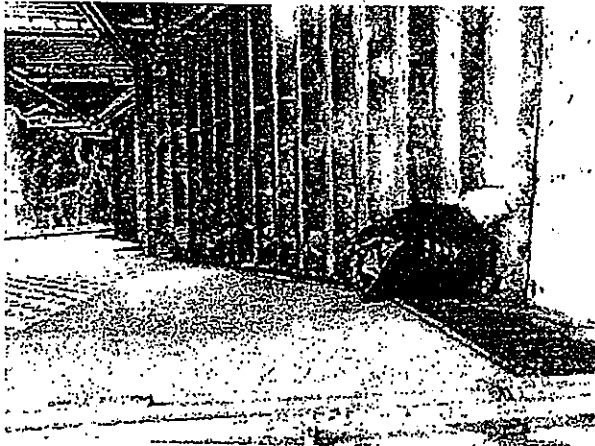
FileRef:

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

Dear Sir/Madam

I would like to voice again to OBJECT the change of car parks to shops . All so called shops (shop B3 and others in 16 Tai Hang Road) should revert back to original car parks. Our neighbourhood has been affected for about 50 years by the irresponsible behaviour of the owners/tenants of these shops :

1)Environmental hygiene - continuous leaving junk and garbage, cigarette buds on the stairs between no. 18 and 20. (please refer to photos - junk left by the shops, cigarette buds all over the stairs, and many more large pieces of junk inviting cockroaches, rats and wild boar)





2) Safety/traffic/pedestrian risk - invite unwanted outsider to come to our neighborhood; pedestrian especially school children crossing the street to the shops pose high risk of traffic accident
(please refer to photos - risk of more pedestrian illegally crossing the street)



3) Community responsibility - the neighbourhood should pay respect to each other and should not exploit the right of others by changing car parks to shops. Car parks should remain as car parks. (please refer to pictures of how it should be in other neighbourhood)



4) Responsible to pay your share - the owner of these car parks who has changed them into shops should pay the money (taxes, stamp duty, management fees, charges) whatever is incurred (if not paid) back to the government/ people of HK

I wish the all carpark owners who has changed their car parks to shops learn to become responsible citizens of HK. They should revert the shops back to car parks and in the meantime manage their tenants properly, and learn to respect the neighbourhood. I hope they understand how much damage they have done to the neighbourhood in the past years and they never seem to have any remorse. I am so sorry for their behavior.

I sincerely ask town planning to reflect to the government of HK to seriously look into how the problem arose from of changing of car parks to shop in 16 Tai Hang Road and take steps to revert the so called shops back to original car parks.

Sincerely
SC

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

R5-3

參考編號

Reference Number:

210131-084039-21051

提交限期

Deadline for submission:

05/02/2021

提交日期及時間

Date and time of submission:

31/01/2021 08:40:39

有關的規劃申請編號

The application no. to which the comment relates: A/H6/90

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Lau Chun Kit

意見詳情

Details of the Comment :

本人支持就 A/H6/90 的規劃申請，該規劃申請有望能為附近市民提供日常生活上的便利。

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

R5-H

參考編號

Reference Number:

210127-124322-08758

提交限期

Deadline for submission:

05/02/2021

提交日期及時間

Date and time of submission:

27/01/2021.12:43:22

有關的規劃申請編號

The application no. to which the comment relates:

A/H6/90

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Mr. Hui

意見詳情

Details of the Comment :

強烈反對大坑道16號B3車房申請改變用途，因大廈入伙紙及大廈公契已訂為本大廈為住宅用途，而該申請位置為車房用途，現懇請 貴署拒絕有關申請。

致：上訴委員(城市規劃)

R5-5

我們是香港大坑道~~道~~之業主。
現對「香港大坑^道16號地下B3號車房」
申請(申請編號A/H6/90)，把原本車房
改變為「商店及服務行業」，提出
「強烈反對」，原因上述之地址在
公契及入伙紙已定為「住宅」及「車房」，
絕不能作商業用途。
請貴署拒絕此不合法之申請。

李生 *Li*
李太 *Li*
Jan. 30, 2021



Advisory Clauses

- (a) to note the comments of the District Lands Officer/Hong Kong East, Lands Department that the deed of mutual covenant (DMC) is a private contractual agreement among the owners, manager and developer of a building, stipulating the rights and obligations of the parties to the agreement. The Government is not a party to that DMC. You may need to take into consideration any possible implication of the relevant DMC for the proposed change of use of the subject premises to a use permitted under the planning permission;
- (b) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department that (i) means of escape for the shop and services use in compliance with regulation 41(1) of the Building (Planning) Regulations (B(P)R) should be demonstrated; (ii) adequate fire separation between the proposed shop and services use and the rest of the building in compliance with regulation 90 of the Building (Construction) Regulation should be demonstrated; (iii) access and facilities for persons with a disability should be provided in compliance with regulation 72 of the B(P)R; (iv) sanitary fitments should be provided in compliance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations; and (v) detailed comments on compliance with the Buildings Ordinance will be given upon formal building plans submission;
- (c) to note the comments of the Director of Fire Services (D of FS) that to observe the requirements of emergency vehicular access as stipulated in Section 6, part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the Buildings Department. Detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans; and
- (d) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that proper licence/permit issued by his department is required if there is any food business/catering service/activities regulated by him under the Public Health and Municipal Services Ordinance (Cap.132) and other relevant legislation for the public. No environmental nuisance should be generated to the surroundings. Proper disposal of any waste generated from the commercial/trading activities should be arranged at their own expenses.