

Previous Applications Covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1.	A/YL-TYST/553	Proposed Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 5 Years	11.5.2012 [on review] Approved for a period of 1 year	(1), (2)
2.	A/YL-TYST/635	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 2 Years	19.4.2013 Approved for a period of 1 year	(1), (2)
3.	A/YL-TYST/669	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 1 Year	21.3.2014	(1), (2)
4	A/YL-TYST/720	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 1 Year	27.3.2015	(1), (2)
5	A/YL-TYST/780	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 1 Year	4.3.2016	(1), (2)
6	A/YL-TYST/834	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 1 Year	28.4.2017	(1), (2)
7	A/YL-TYST/886	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 1 Year	20.4.2018	(1), (2)
8	A/YL-TYST/949	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 1 Year	22.3.2019	(1), (2)

Approval Condition(s):

- (1) No night-time operation between 10:30p.m. and 9:00a.m., as proposed by the applicant, is allowed on the application site during the planning approval period.
- (2) Revocation of planning approval if condition is not complied with during the approval period.

Advisory clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department that the Site is covered by a Land Licence YLOSA No. 37 issued by her office on 8.7.2013 for the purpose of outdoor restaurant seating accommodation for a period of one year certain commencing on 12.5.2013 and thereafter from year to year subject to valid planning permission and other terms and conditions as provided in the Licence;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that you shall at your own cost and to the satisfaction of his department make good of any damage to the public carriageway, footpaths and other street furniture arising from your works. Initial photos of the concerned footpath should be submitted for his record. If his department needs to carry out any maintenance works on or adjacent to the Site, all installations and objects at the Site shall be removed as necessary at your own costs;
- (d) to note the comments of the Director of Food and Environmental Hygiene that the outside seating accommodation (OSA) with 17.26m² (1.2m in width x 14.385m in length) at shopfront of the premises was approved since the year 2011. When a restaurant licensee/licence applicant wishes to use any OSA outside the restaurant premises for alfresco dining, he/she should take notice of the main licensing criteria for OSA, covering matters such as legal right to use the land concerned, planning, building safety, fire safety, and traffic requirements, etc. as well as to obtain her approval before commencement. The boundary of the OSA was properly delineated and clearly shown on approved plan (**Drawing A-1** of the RNTPC paper) and on site. Restaurateurs operating OSA business without approval may be subject to prosecution pursuant to the Food Business Regulation (Cap. 132X). Repeated convictions may lead to suspension or cancellation of their licences;
- (e) to note the comments of the Director of Environmental Protection that the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department should be followed to minimise any potential environmental nuisances on the surrounding areas; and
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that if the applied use under application is related to issue of OSA of a Licensed Restaurant from the licensing authority, any existing structures on or above the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.