

**Relevant Revised Interim Criteria for Consideration of Application for
NTEH/Small House in the New Territories
(promulgated on 7.9.2007)**

- (a) sympathetic consideration may be given if not less than 50% of the proposed NTEH/Small House footprint falls within the village 'environs' ('VE') of a recognized village and there is a general shortage of land in meeting the demand for Small House development in the "Village Type Development" ("V") zone of the village;
- (b) if more than 50% of the proposed NTEH/Small House footprint is located outside the 'VE', favourable consideration could be given if not less than 50% of the proposed NTEH/Small House footprint falls within the "V" zone, provided that there is a general shortage of land in meeting the demand for Small House development in the "V" zone and the other criteria can be satisfied;
- (c) development of NTEH/Small House with more than 50% of the footprint outside both the 'VE' and the "V" zone would normally not be approved unless under very exceptional circumstances (e.g. the application site has a building status under the lease, or approving the application could help achieve certain planning objectives such as phasing out of obnoxious but legal existing uses);
- (d) application for NTEH/Small House with previous planning permission lapsed will be considered on its own merits. In general, proposed development which is not in line with the criteria would normally not be allowed. However, sympathetic consideration may be given if there are specific circumstances to justify the cases, such as the site is an infill site among existing NTEHs/Small Houses, the processing of the Small House grant is already at an advance stage;
- (e) if an application site involves more than one NTEH/Small House, application of the above criteria would be on individual NTEH/Small House basis;
- (f) the proposed development should not frustrate the planning intention of the particular zone in which the application site is located;
- (g) the proposed development should be compatible in terms of land use, scale, design and layout, with the surrounding area/development;
- (h) the proposed development should not encroach onto the planned road network and should not cause adverse traffic, environmental, landscape, drainage, sewerage and geotechnical impacts on the surrounding areas. Any such potential impacts should be mitigated to the satisfaction of relevant Government departments;
- (i) the proposed development, if located within water gathering grounds, should be able to be connected to existing or planned sewerage system in the area except under very special circumstances (e.g. the application site has a building status under the lease or the applicant can demonstrate that the water quality within water gathering grounds will not be affected by the proposed development^);

- (j) the provision of fire service installations and emergency vehicular access, if required, should be appropriate with the scale of the development and in compliance with relevant standards; and
 - (k) all other statutory or non-statutory requirements of relevant Government departments must be met. Depending on the specific land use zoning of the application site, other Town Planning Board guidelines should be observed, as appropriate.
- ^i.e. the applicant can demonstrate that effluent discharge from the proposed development will be in compliance with the effluent standards as stipulated in the Water Pollution Control Ordinance Technical Memorandum.

Similar Planning Applications for Small Houses

Application No.	Location	Zoning	Date of Consideration	Decision of the RNTPC/TPB	Reasons for Rejection/Approval Conditions
A/SK-HC/150 Proposed House (New Territories Exempted House- Small House)	Lots 448 and 449sA in D.D. 244, Ho Chung, Sai Kung	“AGR”	28.9.2007	Approved with conditions	(a) and (b)
A/SK-HC/151 Proposed Two Houses (New Territories Exempted Houses- Small Houses)	Lots 485 S.A and 485 S.B in D.D. 244, Ho Chung, Sai Kung	“AGR”	28.9.2007	Approved with conditions	(a) and (b)
A/SK-HC/153 Proposed Two Houses (New Territories Exempted Houses- Small Houses)	Lots 435 S.D ss.6, 436 S.C ss.8, 435 S.D RP and 436 S.C ss.7 in D.D. 244, Ho Chung, Sai Kung	“AGR”	12.10.2007	Approved with conditions	(b) and (c)
A/SK-HC/154 Proposed Two Houses (New Territories Exempted Houses- Small Houses)	Lots 373 S.H, 373 S.I and 627 S.A ss.1 in D.D. 244, Ho Chung, Sai Kung	“AGR”	2.11.2007	Approved with conditions	(a) and (b)
A/SK-HC/155 Proposed Two Houses (New Territories Exempted Houses- Small Houses)	Lots 373 S.J, 373 S.K, 373 S.L, 627 S.A ss.2, 627 S.A ss.3, and 627 S.C in D.D. 244, Ho Chung, Sai Kung	“AGR”	2.11.2007	Approved with conditions	(a) and (b)
A/SK-HC/156 Proposed Two Houses (New Territories Exempted Houses- Small Houses)	Lots 373 S.F and 373 S.G in D.D. 244, Ho Chung, Sai Kung	“AGR”	16.11.2007	Approved with condition	(a)
A/SK-HC/158 Proposed Two Houses (New Territories Exempted Houses- Small Houses)	Lots 373 S.D and 373 S.E in D.D. 244, Ho Chung, Sai Kung	“AGR”	7.3.2008	Approved with conditions	(a) to (c)
A/SK-HC/159 Proposed House (New Territories Exempted House- Small House)	Lots 627 S.A ss.4 and 627 S.D in D.D. 244, Ho Chung, Sai Kung	“AGR”	7.3.2008	Approved with conditions	(a) to (c)
A/SK-HC/162 Proposed House (New Territories Exempted House- Small House)	Lot 373 S.C in D.D. 244, Ho Chung, Sai Kung	“AGR”	20.6.2008	Approved with conditions	(a) to (c)

Application No.	Location	Zoning	Date of Consideration	Decision of the RNTPC/TPB	Reasons for Rejection/ Approval Conditions
A/SK-HC/164 Proposed House (New Territories Exempted House- Small House)	Lots 496 S.H and 497 S.R in D.D. 244, Ho Chung, Sai Kung	“AGR”	19.9.2008	Approved with conditions	(a) and (c)
A/SK-HC/165 Proposed House (New Territories Exempted House- Small House)	Lot 509 S.A ss.1 in D.D. 244, Ho Chung, Sai Kung	“AGR”	20.2.2009	Rejected	(3) and (4)
A/SK-HC/166 Proposed House (New Territories Exempted House- Small House)	Lots 378 S.A ss.1 and 426 S.A in D.D. 244, Ho Chung, Sai Kung	“AGR”	7.11.2008	Approved with conditions	(a) to (c)
A/SK-HC/167 Proposed House (New Territories Exempted House- Small House)	Lot 429 R.P and adjoining Government land in D.D. 244, Ho Chung, Sai Kung	“AGR”	7.11.2008	Approved with conditions	(a) to (c)
A/SK-HC/171 Proposed House (New Territories Exempted House- Small House)	Lots 385 R.P and 386 R.P in D.D. 244, Ho Chung, Sai Kung	“AGR”	6.11.2009	Approved with conditions	(a) and (c)
A/SK-HC/172 Proposed House (New Territories Exempted House- Small House)	Lots 563 S.A, 563 S.C and 564 R.P in D.D. 244, Ho Chung, Sai Kung	“AGR”	6.11.2009	Approved with conditions	(a) and (c)
A/SK-HC/173 Proposed House (New Territories Exempted House- Small House)	Lots 546 S.A, 546 R.P and adjoining Government land in D.D. 244, Ho Chung, Sai Kung	“AGR”	20.11.2009	Approved with conditions	(a) and (c)
A/SK-HC/174 Proposed House (New Territories Exempted House- Small House)	Lots 389 S.A, 390 S.A, 390 S.B and adjoining Government land in D.D. 244, Ho Chung, Sai Kung	“AGR”	18.12.2009	Rejected	(1), (3) and (4)
A/SK-HC/179 Proposed House (New Territories Exempted House- Small House)	Lots 389 S.A (part), 389 RP (part), 390 S.A (part), 390 S.B (part) and 390 RP and adjoining Government land in D.D. 244, Ho Chung, Sai Kung	“AGR”	23.4.2010	Approved with condition	(c)
A/SK-HC/183 Proposed House (New Territories Exempted House- Small House)	Lot 681 RP in D.D. 244, Ho Chung, Sai Kung	“AGR”	12.11.2010	Approved with conditions	(a) and (c)

Application No.	Location	Zoning	Date of Consideration	Decision of the RNTPC/TPB	Reasons for Rejection/Approval Conditions
A/SK-HC/184 Proposed One New Territories Exempted House- Small House	Lot 482 in D.D. 244, Ho Chung, Sai Kung	“AGR”	24.9.2010	Approved with conditions	(a) and (c)
A/SK-HC/190 Proposed Two Houses (New Territories Exempted Houses- Small Houses)	Lot 409 in D.D. 244, Ho Chung, Sai Kung	“AGR”	6.5.2011	Rejected	(3)
A/SK-HC/194 Proposed House (New Territories Exempted House- Small House)	Lot 481 S.A ss.5 in D.D. 244, Ho Chung, Sai Kung	“AGR”	8.7.2011	Approved with conditions	(a) and (c)
A/SK-HC/195 Proposed House (New Territories Exempted House- Small House)	Lot 481 S.A ss.4 in D.D. 244, Ho Chung, Sai Kung	“AGR”	8.7.2011	Approved with conditions	(a) and (c)
A/SK-HC/196 Proposed House (New Territories Exempted House- Small House)	Lot 481 S.A ss.1 in D.D. 244, Ho Chung, Sai Kung	“AGR”	8.7.2011	Approved with conditions	(a) and (c)
A/SK-HC/198 Proposed House (New Territories Exempted House- Small House)	Lot 552 S.B in D.D. 244, Ho Chung, Sai Kung	“AGR”	5.8.2011	Approved with conditions	(a) and (c)
A/SK-HC/199 Proposed House (New Territories Exempted House- Small House)	Lot 556 S.A in D.D. 244, Ho Chung, Sai Kung	“AGR”	5.8.2011	Approved with conditions	(a) and (c)
A/SK-HC/200 Proposed House (New Territories Exempted House- Small House)	Lot 569 RP in D.D. 244, Ho Chung, Sai Kung	“AGR” & “V”	5.8.2011	Approved with conditions	(a) and (c)
A/SK-HC/201 Proposed House (New Territories Exempted House- Small House)	Lot 677 S.A in D.D. 244, Ho Chung, Sai Kung	“AGR”	19.8.2011	Approved with conditions	(a) and (c)
A/SK-HC/202 Proposed House (New Territories Exempted House- Small House)	Lots 552 S.D and 556 S.B in D.D. 244, Ho Chung, Sai Kung	“AGR”	19.8.2011	Approved with conditions	(a) and (c)

Application No.	Location	Zoning	Date of Consideration	Decision of the RNTPC/TPB	Reasons for Rejection/ Approval Conditions
A/SK-HC/203 Proposed House (New Territories Exempted House- Small House)	Lots 425 S.A, 426 S.B ss.1, 426 S.C ss.1 and 426 S.D in D.D. 244, Ho Chung, Sai Kung	"AGR"	2.9.2011	Approved with conditions	(a) and (c)
A/SK-HC/204 Proposed House (New Territories Exempted House- Small House)	Lot 504 S.A in D.D. 244, Ho Chung, Sai Kung	"AGR"	18.11.2011	Rejected	(2) and (3)
A/SK-HC/206 Proposed House (New Territories Exempted House- Small House)	Lots 678 S.B RP and 678 S.C ss.1 in DD 244, Ho Chung, Sai Kung	"AGR"	20.1.2012	Approved with conditions	(a) and (c)
A/SK-HC/207 Proposed House (New Territories Exempted House- Small House)	Lots 678 S.A and 678 S.B ss.1 in D.D. 244, Ho Chung, Sai Kung	"AGR"	10.2.2012	Approved with conditions	(a) and (c)
A/SK-HC/208 Proposed Two Houses (New Territories Exempted Houses- Small Houses)	Lots 546 S.F, 546 S.G, 548 S.C, 548 S.D and 549 S.C in D.D. 244, Ho Chung, Sai Kung	"AGR"	24.2.2012	Approved with conditions	(a) and (c)
A/SK-HC/209 Proposed House (New Territories Exempted House- Small House)	Lots 678 S.C ss.2 and 678 S.D in D.D. 244, Ho Chung, Sai Kung	"AGR"	30.3.2012	Approved with conditions	(a) and (c)
A/SK-HC/210 Proposed Two Houses (New Territories Exempted Houses- Small Houses)	Lots 546 S.D, 546 S.E, 548 S.A, 548 S.B, 549 S.A and 549 S.B in D.D. 244, Ho Chung, Sai Kung	"AGR"	20.4.2012	Approved with conditions	(a) and (c)
A/SK-HC/211 Proposed House (New Territories Exempted House- Small House)	Lots 679 S.C and 680 RP in D.D. 244, Ho Chung, Sai Kung	"AGR"	18.5.2012	Approved with conditions	(a) and (c)
A/SK-HC/212 Proposed House (New Territories Exempted House- Small House)	Lot 555 in D.D. 244, Ho Chung, Sai Kung	"AGR"	18.5.2012	Approved with conditions	(a) and (c)
A/SK-HC/214 Proposed House (New Territories Exempted House- Small House)	Lot 483 in D.D. 244, Ho Chung, Sai Kung	"AGR"	1.6.2012	Approved with conditions	(a) and (c)

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A/SK-HC/215 Proposed House (New Territories Exempted House- Small House)	Lot 481 S.A ss.2 in D.D. 244, Ho Chung, Sai Kung	“AGR”	1.6.2012	Approved with conditions	(b) and (c)
A/SK-HC/217 Proposed House (New Territories Exempted House- Small House)	Lots 548 RP (Part), 548 S.D (Part), 549 S.D (Part) and 549 RP (Part) and Adjoining Government Land in D.D. 244, Ho Chung, Sai Kung	“AGR”	7.9.2012	Approved with condition	(c)
A/SK-HC/218 Proposed House (New Territories Exempted House- Small House)	Lots 679 S.B and 680 S.B in D.D. 244, Ho Chung, Sai Kung	“AGR”	21.9.2012	Approved with conditions	(a) and (c)
A/SK-HC/222 Proposed House (New Territories Exempted House- Small House)	Lot 481 S.A. ss3 in D.D. 244, Ho Chung, Sai Kung	“AGR”	8.2.2013	Approved with condition	(a)
A/SK-HC/228 Proposed House (New Territories Exempted House- Small House)	Lot 554 S.A. in D.D. 244, Ho Chung, Sai Kung	“AGR”	3.1.2014	Approved with condition	(a)
A/SK-HC/229 Proposed House (New Territories Exempted House- Small House)	Lot 554 RP in D.D. 244, Ho Chung, Sai Kung	“AGR”	3.1.2014	Approved with condition	(a)
A/SK-HC/230 Proposed House (New Territories Exempted House- Small House)	Lot 552 S.A. in D.D. 244, Ho Chung, Sai Kung	“AGR”	7.3.2014	Approved with condition	(a)
A/SK-HC/237 Proposed House (New Territories Exempted House- Small House)	Government Land in D.D. 244, Ho Chung, Sai Kung	“AGR”	14.11.2014	Approved with conditions	(a) and (d)
A/SK-HC/238 Proposed House (New Territories Exempted House- Small House)	Lots No. 439, 440 S.A. 440 RP, 442 RP in D.D. 244, Nam Pin Wai, Sai Kung	“AGR”	12.12.2014	Approved with conditions	(a) and (d)
A/SK-HC/240 Proposed House (New Territories Exempted House- Small House)	Lots 378 S.A. ss.1 and 426 S.A. in D.D. 244, Ho Chung, Sai Kung	“AGR”	16.1.2015	Approved with conditions	(a) and (d)

Application No.	Location	Zoning	Date of Consideration	Decision of the RNTPC/TPB	Reasons for Rejection/Approval Conditions
A/SK-HC/243 Proposed House (New Territories Exempted House- Small House)	Lot No. 482 in D.D. 244, Ho Chung, Sai Kung	"AGR"	5.6.2015	Approved with conditions	(a) and (d)
A/SK-HC/246 Proposed House (New Territories Exempted House- Small House)	Lot No. 679 RP in D.D. 244, Nam Pin Wai, Sai Kung	"AGR"	21.8.2015	Approved with conditions	(a) and (d)
A/SK-HC/254 Proposed House (New Territories Exempted House- Small House)	Lot 374 RP (Part) in D.D. 244 and Adjoining Government Land, Ho Chung, Sai Kung	"AGR"	8.1.2016	Approved with condition	(d)
A/SK-HC/255 Proposed House (New Territories Exempted House- Small House)	Lot 374 S.B (Part) in D.D. 244 and Adjoining Government Land, Ho Chung, Sai Kung	"AGR"	8.1.2016	Approved with condition	(d)
A/SK-HC/258 Proposed House (New Territories Exempted House- Small House)	Lot 388 S.A in D.D. 244, Ho Chung, Sai Kung	"AGR"	12.8.2016	Approved with condition	(d)
A/SK-HC/259 Proposed House (New Territories Exempted House- Small House)	Lots 378 S.A ss.2 S.A, 425 S.C and 426 S.G in D.D. 244, Ho Chung, Sai Kung	"AGR"	12.8.2016	Approved with condition	(d)
A/SK-HC/260 Proposed House (New Territories Exempted House- Small House)	Lots 388 S.B, 425 S.B and 426 S.F in D.D. 244, Ho Chung, Sai Kung	"AGR"	12.8.2016	Approved with condition	(d)
A/SK-HC/261 Proposed Three Houses (New Territories Exempted Houses- Small Houses)	Lots 425 S.A RP, 425 S.E, 426 S.B ss.1, 426 S.B ss.2, 426 S.C ss.1 S.A, 426 S.C ss.2, 426 S.D ss.2 and 426 S.E ss.1 in D.D. 244, Ho Chung, Sai Kung	"AGR"	12.8.2016	Approved with condition	(d)
A/SK-HC/263 Proposed House (New Territories Exempted House- Small House)	Lot 676 S.A in D.D. 244, Ho Chung, Sai Kung	"AGR"	30.9.2016	Approved with condition	(d)
A/SK-HC/267 Proposed Houses (New Territories Exempted Houses (NTEHs) –	Government Land in D.D. 244, Ho Chung, Sai Kung	"AGR"	12.5.2017	Approved with condition	(d)

Application No.	Location	Zoning	Date of Consideration	Decision of the RNTPC/TPB	Reasons for Rejection/ Approval Conditions
Small Houses)					
A/SK-HC/268 Proposed Houses (New Territories Exempted Houses (NTEHs) – Small Houses)	Government Land in D.D. 244, Ho Chung, Sai Kung	“AGR”	12.5.2017	Approved with condition	(d)
A/SK-HC/270 Proposed House (New Territories Exempted House – Small House)	Lots 627 S.A ss4 and 627 S.D in D.D. 244, Ho Chung, Sai Kung	“AGR”	25.8.2017	Approved with conditions	(d)
A/SK-HC/272 Proposed House (New Territories Exempted House – Small House)	Lots 546 S.D, 548 S.A and 549 S.A in D.D. 244, Ho Chung, Sai Kung, New Territories	“AGR”	27.10.2017	Approved with conditions	(d)
A/SK-HC/273 Proposed House (New Territories Exempted House – Small House)	Lots 546 S.F, 546 S.G, 548 S.C, 548 S.D and 549 S.C in D.D. 244, Ho Chung, Sai Kung, New Territories	“AGR”	27.10.2017	Approved with conditions	(d)
A/SK-HC/274 Proposed House (New Territories Exempted House – Small House)	Lots 548 RP (Part) in D.D. 244 and Adjoining Government Land, Ho Chung, Sai Kung, New Territories	“AGR”	27.10.2017	Approved with conditions	(d)
A/SK-HC/275 Proposed House (New Territories Exempted House – Small House)	Lots 678 S.A and 678 S.B ss.1 in D.D. 244, Ho Chung, Sai Kung, New Territories	“AGR”	27.10.2017	Approved with conditions	(d)
A/SK-HC/276 Proposed House (New Territories Exempted House – Small House)	Lots 425 S.A ss.1, 425 S.D, 426 S.D ss.1 and 426 S.H in D.D. 244, Ho Chung, Sai Kung, New Territories	“AGR”	27.10.2017	Approved with conditions	(d)
A/SK-HC/277 Proposed House (New Territories Exempted House – Small House)	Lots 678 S.C ss.2 and 678 S.D in D.D. 244, Ho Chung, Sai Kung, New Territories	“AGR”	27.10.2017	Approved with conditions	(a) and (d)
A/SK-HC/280 Proposed House (New Territories Exempted House – Small House)	Lots 677 S.A in D.D. 244, Ho Chung, Sai Kung, New Territories	“AGR”	22.12.2017	Approved with conditions	(d)

Approval Conditions:

- (a) Submission and implementation of landscaping and tree preservation proposals
- (b) Submission of archaeological survey and undertaking rescue excavation
- (c) Provision of fire fighting access, water supplies and fire service installations
- (d) The provision of septic tank, as proposed by the applicant, at a satisfied location

Reasons for Rejection:

- (1) Not in line with the planning intention
- (2) Undesirable precedent
- (3) Adverse impact on water gathering grounds and stream course
- (4) Electrical safety and electricity supply reliability problems

Comments from Relevant Government Departments

1. Land Administration

Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) the subject lot is held under Block Government Lease (demised for agricultural use);
- (b) the footprint of the proposed Small House is within the Village Environs ('VE') of Ho Chung;
- (c) the 10-year Small House demand forecast for Ho Chung is 235, the number of outstanding Small House applications in Ho Chung is 92;
- (d) the number of outstanding Small House applications is 38 within the "V" zone and 54 outside the "V" zone in Ho Chung;
- (e) the applicant, CHAN Kwok Wai, has submitted Small House application on Lot Nos. 407 and 408 in D.D. 244. He was certified as an indigenous villager by the Indigenous Inhabitant Representative of Ho Chung in Sai Kung Heung. The Small House application has been circulated to concerned departments for comments. Chief Engineer/New Territories East of Water Supplies Department (CE/NTE, WSD) has advised that the proposed Small House site is located within WSD Lower Indirect Gathering Ground (WGG). Under WSD's current policy, permission granted for Small House development depends on an assessment of the possible effect of pollution or erosion. One of the criteria for assessment is that there should be no material increase in pollution effect resulting from the proposed use. Unless the applicant can demonstrate to WSD's satisfaction that the proposed septic tank will not cause any material increase in pollution effect, WSD would object to the proposed development at this location;
- (f) he has no comment on the planning application; and
- (g) notwithstanding the planning permission may be given, there is no guarantee that the Small House application will be approved.

2. Traffic

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

- (a) he has reservation on the application and considers that such type of development should be confined within the "V" zone as far as possible. Although additional traffic generated by the proposed development is not expected to be significant, such type of development outside the "V" zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial; and

- (b) notwithstanding the above, the application only involves construction of one NTEH – Small House, he considers that the application can be tolerated unless it is rejected on other grounds.

3. Environment

Comments of the Director of Environmental Protection (DEP):

the Site is located within WGG where no public sewer is available. He concurs with WSD's advice and objects to the application as it is necessary to avoid contamination of water resources designated for portable water supply. The submitted information has not demonstrated the compliance with the Water Pollution Control Ordinance.

4. Landscape

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

- (a) no objection to the application from landscape planning point of view;
- (b) the Site is located in an area of rural landscape character dominated by farmland (with some active farming), grassland with scattered trees and village houses nearby the Site. Other landscape resource, i.e. natural stream exists to northwest boundary of the Site. According to site photos taken in May 2018, vegetation cover, where active farming do not observed, is found within the Site. Established tree is not observed within boundary of the Site. Vehicular access locates at approximately 20m to the north-east of the Site, and village houses are located at approximately 40m to the east of the Site. The application is not entirely incompatible with the landscape character of the surrounding environment. Significant changes and further disturbance to the existing landscape character are not anticipated. Therefore, she has no objection to the application from landscape planning point of view;
- (c) according to Item 7 (Development Proposal) of the application form submitted by the applicant, "circulation area for the one house" is proposed in the uncovered area. According to the proposed small house plan, in this submission, it is noted that there is reasonable space available for planting. Moreover, an existing natural stream is observed closed to the Site, appropriate landscape treatment shall be considered as a means of buffer; and
- (d) should the application be approved, the following approval condition is recommended to be included in the planning permission:

the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or the Town Planning Board.

5. Drainage

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

provided that adequate stormwater drainage facilities would be provided in association with the proposed development not causing adverse drainage impact to the areas in the vicinity, he has no in-principle objection to the application from a drainage maintenance viewpoint. The Site is within an area where neither stormwater nor sewerage connections maintained by DSD is available in the vicinity at present.

6. Building Matters

Comments of the Chief Building Surveyor/NTE2 & Rail, Buildings Department (CBS/NTE2&Rail, BD):

- (a) no comment under the Buildings Ordinance (BO);
- (b) all non-exempted ancillary site formation and/or communal drainage works are subject to compliance with BO; and
- (c) Authorized Person must be appointed for the site formation and communal drainage works.

7. Agriculture

Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

the Site is considered to possess potential for agricultural rehabilitation. As such, the application is not supported from agricultural point of view.

8. Fire Safety

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

- (a) no objection in-principle to the application; and
- (b) the applicant is reminded to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by Lands Department. Detailed fire safety requirements will be formulated upon receipt of formal application referred by Lands Department.

9. Water Supply

Comments of Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD):

- (a) he objects to the application;
- (b) the Site is located within the lower indirect WGG. There is a high risk of pollution to the

WGG; and

- (c) existing water mains are affected.

10. Archaeological Aspect

Comments of the Antiquities and Monuments Office, Leisure and Cultural Services Department (AMO, LCS D):

the Site falls within Ho Chung Site of Archaeological Interest. In view of the location of the Site and according to the findings of previous archaeological surveys, she has no objection to the application. Nevertheless, the applicant should inform AMO of LCS D immediately in case of discovery of antiquities or supposed antiquities in the subject site in the course of the construction works.

11. Risk Aspect

Comments of the Director of Electrical and Mechanical Services (DEMS):

he has no objection to the application. The applicant shall approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within or in the vicinity of the application site. Based on the cable plans and the relevant drawings obtained, if there is underground cable and/or overhead line within or in the vicinity of the Site, the applicant shall carry out the following measures:

- (i) for Site within the preferred working corridor of high voltage overhead lines at transmission voltage level 132kV or above as stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG) published by the Planning Department, prior consultation and arrangement with CLP Power is necessary;
- (ii) prior to establishing any structure within the Site, the applicant and/or his contractors shall liaise with the electricity supplier and, if necessary, ask CLP Power to divert the underground cable and/or overhead line away from the vicinity of the proposed structure; and
- (iii) the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation shall be observed by the applicant when carrying out works in the vicinity of the electricity supply lines.

13. Demand and Supply of Small House Sites

According to DLO/SK, LandsD, the number of outstanding Small House applications in Ho Chung is about 92 while the 10-year Small House Demand Forecast for Ho Chung is 235. According to the latest estimate by PlanD, it is estimated that about 3.13 ha of land (equivalent to about 125 Small House sites) is available within “V” zone of Ho Chung Village. Therefore, the land available in Ho Chung cannot fully meet the future Small House demand for 327 Small House sites.

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) that the Small House application has been circulated to concerned departments for comments. Chief Engineer/New Territories East of Water Supplies Department (CE/NTE, WSD) has advised that the proposed Small house site is located within WSD Lower Indirect Gathering Ground. Under WSD's current policy, permission granted for Small House development depends on an assessment of the possible effect of pollution or erosion. One of the criteria for assessment is that there should be no material increase in pollution effect resulting from the proposed use. Unless the applicant can demonstrate to WSD's satisfaction that the proposed septic tank will not cause any material increase in pollution effect, WSD would object to the proposed development at this location. Notwithstanding the planning permission may be given, there is no guarantee that the Small House application will be approved;
- (b) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD) that the applicant should ensure adequate stormwater drainage facilities will be provided in association with the proposed development not causing adverse drainage impact to the areas in the vicinity;
- (c) to note the comments of the Chief Building Surveyor/NTE2 & Rail, Building Department (CBS/NTE2&Rail, BD) that all non-exempted ancillary site formation and/or communal drainage works are subject to compliance with the Buildings Ordinance, and Authorized Person must be appointed for the aforesaid site formation and communal drainage works;
- (d) to note the comments of the Director of Fire Services (D of FS) that the applicant is reminded to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by Lands Department. Detailed fire safety requirements will be formulated upon receipt of formal application referred by Lands Department;
- (e) to note the comments of the Director of Leisure and Cultural Services (Antiquities and Monuments Office) (LCSD (AMO)) that the applicant should inform AMO immediately in case of discovery of antiquities or supposed antiquities at the Site in the course of the construction works; and
- (f) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that the applicant shall approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within or in the vicinity of the application site. Based on the cable plans and the relevant drawings obtained, if there is underground cable and/or overhead line within or in the vicinity of the Site, the applicant shall carry out the following measures:
 - (i) for Site within the preferred working corridor of high voltage overhead lines at transmission voltage level 132kV or above as stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG) published by the Planning Department, prior consultation and arrangement with CLP Power is necessary;
 - (ii) prior to establishing any structure within the Site, the applicant and/or his contractors shall liaise with the electricity supplier and, if necessary, ask CLP Power to divert the underground cable and/or overhead line away from the vicinity of the proposed structure; and

(iii) the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation shall be observed by the applicant when carrying out works in the vicinity of the electricity supply lines.