

**Relevant Revised Interim Criteria for Consideration of
Application for NTEH/Small House in 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) 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.

Previous s.16 Application at the Application Site

Approved Application

| Application No. | Proposed Development | Date of Consideration | Approval Conditions |
|------------------------|---|------------------------------|----------------------------|
| A/NE-TK/483 | Proposed House (New Territories Exempted House – Small House) | 17/01/2014 | A1 - A4 |

Approval Conditions

- A1. The submission and implementation of landscape proposal
- A2. The provision of drainage facilities
- A3. The connection of the foul water drainage system of the proposed house to the public sewers.
- A4. The provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds

**Similar Applications within the same “Agriculture” zone
on the Ting Kok Outline Zoning Plan**

Approved Applications

| Application No. | Proposed Development | Date of Consideration | Approval Conditions | Zoning(s) |
|------------------------|--|------------------------------|----------------------------|------------------|
| A/NE-TK/295 | Proposed House (New Territories Exempted House - Small House) | 18/12/2009 | A1 – A5 | AGR,V |
| A/NE-TK/299 | Proposed House (New Territories Exempted House – Small House) | 12/02/2010 | A1, A3–A5 | AGR,GB |
| A/NE-TK/305 | Proposed House (New Territories Exempted House – Small House) | 11/06/2010 | A1 – A5 | AGR |
| A/NE-TK/349 | Proposed House (New Territories Exempted House (NTEH) – Small House) | 15/04/2011 | A1 – A5 | AGR |
| A/NE-TK/358 | Proposed House (New Territories Exempted House (NTEH) - Small House) | 17/06/2011 | A1 – A5 | AGR,V |
| A/NE-TK/411 | Proposed House (New Territories Exempted House - Small House) | 09/11/2012 | A1 - A5 | AGR |
| A/NE-TK/416 | Proposed Two Houses (New Territories Exempted Houses - Small Houses) | 23/11/2012 | A2 - A5 | AGR,V |
| A/NE-TK/421 | Proposed Seven Houses (New Territories Exempted Houses - Small Houses) | 21/12/2012 | A2 - A5 | AGR,V |
| A/NE-TK/422 | Proposed House (New Territories Exempted House - Small House) | 11/01/2013 | A2 - A5 | AGR |
| A/NE-TK/423 | Proposed House (New Territories Exempted House – Small House) | 11/01/2013 | A2 - A5 | AGR |
| A/NE-TK/428 | Proposed Five Houses (New Territories Exempted Houses - Small Houses) | 08/02/2013 | A2 - A5 | AGR |
| A/NE-TK/431 | Proposed House (New Territories Exempted House - Small House) | 15/03/2013 | A2 – A5 | AGR |

| Application No. | Proposed Development | Date of Consideration | Approval Conditions | Zoning(s) |
|------------------------|--|------------------------------|----------------------------|------------------|
| A/NE-TK/434 | Proposed Two Houses (New Territories Exempted Houses - Small Houses) | 15/03/2013 | A2 – A5 | AGR,GB |
| A/NE-TK/439 | Proposed Two Houses (New Territories Exempted Houses - Small Houses) | 03/05/2013 | A2 – A5 | AGR |
| A/NE-TK/452 | Proposed House (New Territories Exempted House - Small House) | 05/07/2013 | A2 – A5 | AGR,V |
| A/NE-TK/463 | Proposed House (New Territories Exempted House – Small House) | 16/08/2013 | A2 – A5 | AGR |
| A/NE-TK/467 | Proposed House (New Territories Exempted House - Small House) | 27/09/2013 | A2 – A5 | AGR,V |
| A/NE-TK/468 | Proposed Two Houses (New Territories Exempted Houses - Small Houses) | 27/09/2013 | A2 – A5 | AGR,GB |
| A/NE-TK/471 | Proposed Two Houses (New Territories Exempted Houses - Small Houses) | 11/10/2013 | A3 – A5 | AGR |
| A/NE-TK/474 | Proposed House (New Territories Exempted House - Small House) | 08/11/2013 | A2 – A5 | AGR |
| A/NE-TK/477 | Proposed House (New Territories Exempted House - Small House) | 22/11/2013 | A2 – A5 | AGR,GB |
| A/NE-TK/510 | Proposed House (New Territories Exempted House - Small House) | 11/07/2014 | A2 – A5 | AGR |
| A/NE-TK/528 | Proposed House (New Territories Exempted House - Small House) | 02/01/2015 | A3 – A5 | AGR,GB |
| A/NE-TK/529 | Proposed House (New Territories Exempted House - Small House) | 02/01/2015 | A3 – A5 | AGR |
| A/NE-TK/561 | Proposed House (New Territories Exempted House - Small House) | 04/12/2015 | A2 – A5 | AGR |
| A/NE-TK/562 | Proposed House (New Territories Exempted House - Small House) | 04/12/2015 | A2 – A5 | AGR |

Approval Conditions

- A1. The provision of fire fighting access, water supplies and fire service installations
- A2. The submission and implementation of landscape proposal
- A3. The submission and implementation of drainage facilities
- A4. The connection of the foul water drainage system to the public sewers
- A5. The provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds

Rejected Applications

| Application No. | Proposed Development | Date of Consideration | Rejection Reason(s) | Zoning(s) |
|-----------------|--|------------------------|---------------------|-----------|
| A/NE-TK/167 | Proposed New Territories Exempted House (NTEH) (Small House) | 12/12/2003 (Review) | R1-R2 | AGR,V |
| A/NE-TK/183 | Proposed House (New Territories Exempted House) (NTEH) (Small House) | 10/06/2005 | R1, R2, R4 | AGR |
| A/NE-TK/272 | Proposed House (New Territories Exempted House - Small House) | 17/04/2009 | R3, R10 | AGR, V |
| A/NE-TK/288 | Proposed House (New Territories Exempted House - Small House) | 21/08/2009 | R3, R10 | AGR,V |
| A/NE-TK/318 | Proposed House (New Territories Exempted House - Small House) | 27/08/2010 | R3, R5, R6 | AGR,GB |
| A/NE-TK/329 | Proposed House (New Territories Exempted House - Small House) | 23/12/2011 (Review) | R3, R5-R7 | AGR,GB |
| A/NE-TK/357 | Proposed House (New Territories Exempted House (NTEH) - Small House) | 17/06/2011 | R3, R5, R6, R7 | AGR,GB |
| A/NE-TK/388 | Proposed House (New Territories Exempted House (NTEH) - Small House) | 22/02/2013 (Review) | R3, R5, R6, R7 | AGR,GB |
| A/NE-TK/390 | Proposed House (New Territories Exempted House - Small House) | 26/10/2013 (Review) | R3, R5, R6, R7 | AGR,GB |
| A/NE-TK/410 | Proposed House (New Territories Exempted House - Small House) | 10/05/2013 (Review) | R5, R6 | AGR,GB |
| A/NE-TK/414 | Proposed House (New Territories Exempted House - Small House) | 08/03/2013 (Review) | R5, R6 | AGR, GB |
| A/NE-TK/462 | Proposed House (New Territories | 16/08/2013 | R8, R9 | AGR |

| Application No. | Proposed Development | Date of Consideration | Rejection Reason(s) | Zoning(s) |
|------------------------|---|------------------------------|----------------------------|------------------|
| | Exempted House - Small House) | | | |
| A/NE-TK/509 | Proposed House (New Territories Exempted House - Small House) | 07/11/2014 (Review) | R11 | AGR |
| A/NE-TK/525 | Proposed House (New Territories Exempted House - Small House) | 06/03/2015 (Review) | R8 | AGR |
| A/NE-TK/526 | Proposed House (New Territories Exempted House - Small House) | 06/03/2015 (Review) | R8 | AGR |

Rejection Reasons

- R1. The proposed New Territories Exempted House (NTEH) (Small House) did not comply with the interim criteria for consideration of application for NTEH/Small House in the New Territories in that the proposed Small House, located within Water Gathering Grounds (WGGs), was not able to be connected to the existing or planning/planned sewerage in the area and there was insufficient information in the submission to demonstrate that the proposed development located within the WGGs would not cause adverse impact on water quality in the area.
- R2. The approval of the application would set an undesirable precedent for similar developments within the WGGs. The cumulative effect of approving such applications would result in a general degradation of the water quality and the natural/rural environment of the area.
- R3. The approval of the applications would set an undesirable precedent for other similar applications in the area. The cumulative impacts of approving such applications would result in a general degradation of the environment and landscape quality of the area.
- R4. There was insufficient information in the submission to demonstrate that the proposed developments would not have adverse landscape impacts.
- R5. The proposed development did not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories as the site was entirely outside the "Village Type Development" zone and the village 'environs' of any recognised villages/Shan Liu Village.
- R6. The applicant failed to demonstrate that the proposed development located within the lower indirect water gathering ground would not cause adverse impact on the water quality in the area.
- R7. The proposed development was not in line with the planning intention of the "Green Belt" zoning for the area which was to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone.
- R8. The application did not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in New Territories in that more than

50% of the footprint of the proposed Small House fell outside “Village Type Development” zone or the village ‘environs’.

- R9. There was no information in the submission to demonstrate that the proposed development would not cause adverse drainage impact on the surrounding area.
- R10. The proposed developments did not comply with the interim criteria for assessing planning application for New Territories Exempted House/NTEH/Small House development as the proposed developments could not be connected to the planned sewerage system in the area. There was insufficient information in the submissions to demonstrate that the proposed developments located within the Water Gathering Ground would not cause adverse impact on the water quality in the area.
- R11. The proposed development did not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in the New Territories in that less than 50% of the proposed Small House footprint fell within the village 'environs.'

Detailed Comments from Relevant Government Departments

1. Land Administration

Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) no objection to the application;
- (b) the applicant claims himself as an indigenous villager (IV) of Shan Liu. However, his eligibility of Small House grant has yet to be ascertained;
- (c) the application site (the Site) involves Government land and Lot No. 671 S.B in D.D.15 which is held under Block Government Lease (demised for agricultural use). The applicant is the registered owner of the subject lot but the Small House application on this site from him has not been received so far;
- (d) the Site falls within the village 'environs' ('VE') of Shan Liu;
- (e) the number of outstanding Small House applications and the number of 10-year Small House demand for the village concerned are as follows:

| <u>Village</u> | <u>No. of outstanding Small House applications</u> | <u>No. of 10-year Small House demand *</u> |
|----------------|--|--|
| Shan Liu | 28 | 250 |

(* The figure of 10-year Small House demand was estimated and provided by the IIR of Shan Liu in 2017. The information so obtained is not verified in any way by DLO/TP);

- (f) the Site is not covered by any Modification of Tenancy or Building Licence;
- (g) if and after planning approval has been given by the Board, LandsD will process the Small House application. However, there is no guarantee at this stage that the Small House application would be approved. If the Small House application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD. There is no guarantee to the grant of a right of way to the Small House concerned or approval of the emergency vehicular access thereto; and
- (h) the proposed sewerage connection will be considered when the Small House application is due for processing. Taking into consideration that the Site falls within the Water Gathering Ground (WGG), the applicant may be required to connect the sewerage system to the Government sewer.

2. Traffic

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

- (a) in general, he has reservation on the application. 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 "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 development of a Small House and he considers that this application can be tolerated unless it is rejected on other grounds.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- (a) the Site is located in WGG and is zoned "AGR" completely outside the "V" zone. In general, he does not support Small House application outside "V" zone and within WGG. However, for this individual case, there is an existing trunk sewer in the vicinity of the proposed house. Sewer connection is feasible and capacity is available. Therefore he has no objection to the application provided that the applicant shall connect the house to the existing public sewer with consents from nearby land lot owners in granting access rights for pipe laying and future maintenance works; and
- (b) as the main purpose of the WGG is to protect water resources for the reservoirs, views from WSD should be considered.

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 the landscape planning perspective;
- (b) the Site is situated in an area of rural landscape character comprising of natural woodland and abandoned farmlands. Although the proposed development is not in line with the planning intention of "AGR" zone, it is not incompatible with the surrounding environment. The Site is vacant with no existing tree. Adverse impact arising from the proposed development on significant landscape resources within the Site is not anticipated; and
- (c) since the footprint of the proposed house covers most of the Site, there is inadequate space for landscaping within the Site. Should the application be approved by the Board, approval condition on submission and implementation of landscape proposal is not recommended.

5. Drainage

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

- (a) no in-principle objection to the application;
- (b) according to the site visit on 30 October 2018, it was observed that a major watercourse draining down to the north of the “V” zone of Shan Liu was curtailed at a nearby temporary structure. Its downstream flow pattern/alignment could not be identified/ traced on site. In the absence of such information on whether this watercourse was adequately and safely conveyed elsewhere, overflow of floodwater from this curtailed watercourse is anticipated during inclement weather which will endanger all proposed Small Houses (including the Site) located at the downhill side. The applicant is required to clarify the actual underground drainage path downstream of this watercourse and devise a scheme covering all affected proposed Small Houses to the satisfaction of DSD in such manner that the overland flow or runoff from this watercourse will be safely and adequately conveyed to the downhill side;
- (c) it was also observed that large-scale site formation works were being carried out in the “V” and “AGR” zones. The flow regime within such areas was altered, and floodwater, if any, overflowing from the curtailed watercourse will run downhill (southward) and endanger all proposed Small Houses (including the Site) located at its downhill side. The applicant is required to formulate a master stormwater drainage network with supporting drainage design calculation such that each branch and trunk drainage facilities shall possess adequate flow capacity to convey the flow from its upstream Small Houses and the overland flow likely to be encountered;
- (d) as the proposed Small House is located within an important WGG for Plover Clove Reservoir, the applicant is required to comply with any water protection requirements to be imposed by WSD for allowing considerable numbers of Small Houses to be constructed there without causing water quality impact;
- (e) there is no DSD’s public stormwater drains in this area. The proposed Small House should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from the surrounding of the Site. Any existing flow path affected should be re-provided. The proposed development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas. The applicant should maintain such systems properly and rectify the systems if found to be inadequate or ineffective during operation. The applicant should also be liable for and indemnify claims and demands arising out of damage or nuisance caused by failure of the systems. Furthermore, the new system will not be managed nor maintained by DSD;
- (f) there are DSD’s public sewers in the area, with no stud pipe reserved for the proposed Small House development. DEP’s view should be sought whether the existing public sewer still have spare flow capacity to cater for

the sewage discharge from the proposed Small House application. Otherwise, alternative sewage treatment/ disposal method shall be suitably devised;

- (g) to ensure the sustainability of the public sewerage network, should the proposed development be connected to the public sewerage network, the applicant will be required to demonstrate to the satisfaction of DSD in such manner that the runoff within the subject premises will be served by a designated stormwater collection and discharge system and shall not be drained to the public sewerage network, and the applicant/owner will be required to submit details of the proposed sewerage connection works and concurrently provide further information on the runoff collection and discharge system;
- (h) the applicant should take all precautionary measures to prevent any disturbance, damage, and pollution from the development to any parts of the existing drainage facilities in the vicinity of the Site. In the event of any damage to the existing drainage facilities, the applicant should be responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom. For works to be undertaken outside the lot boundary, prior consent and agreement from DLO/TP and/or relevant private lot owners should be sought; and
- (i) should the application be approved by the Board, conditions should be included on the submission and implementation of the drainage proposal to the satisfaction of the Director of Drainage Services or of the Board to ensure that it will not cause adverse drainage impact to the adjacent area.

6. Agriculture

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

- the Site is overgrown with weeds. Nevertheless, there are active agricultural activities in the vicinity and agricultural infrastructure such as farm access and water source is available. The Site possesses potential for agricultural rehabilitation. As such, the application is not supported from agricultural development point of view.

7. Fire Safety

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

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

8. Water Supply

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

- (a) no objection to the application;
- (b) the Site is located within the lower indirect WGG and less than 30m away from the nearest stream. Since the footprint of the proposed house falls entirely within the 'VE' of Shan Liu and the proposed house would be able to be connected to the public sewerage system, the application meets items B(a) and B(i) of the Interim Criteria subject to the permission of the owners of the adjacent private lots for the sewer connection pipes to pass through;
- (c) it is noted that EPD has no objection to the application provided that the applicant shall connect the house to the existing public sewer with consents from nearby land lot owners in granting access rights for pipe laying and future maintenance works. He supports EPD's view by imposing the following condition:
 - the foul water drainage system of the proposed Small House can be connected to the public sewerage system in the area and the applicant shall connect the whole of the foul water drainage system to the public sewerage system;
- (d) in addition, the following conditions should be complied with:
 - (i) adequate protective and mitigation measures shall be taken to ensure that no pollution or siltation occurs to the WGG;
 - (ii) the applicant shall submit an executed Deed of Grant of Easement for each private lot through which the sewer connection pipes are proposed to pass to demonstrate that it is both technically and legally feasible to install sewerage pipes from the proposed Small House to the existing public sewerage system via the relevant private lots;
 - (iii) since the proposed Small House is less than 30m from the nearest watercourse, the house should be located as far away from the watercourse as possible; and
 - (iv) the whole of foul effluent from the proposed Small House shall be conveyed through cast iron pipes or other approved materials with sealed joints and hatchboxes;
- (e) Small Houses situated within the lower indirect WGG are always a concern to WSD in regard to the anticipated cumulative effect in polluting the water catchment notwithstanding a sewerage system in place to collect the sewage. As the number of Small Houses increases, the pollution loading increases in particular arising from pollutant such as surface runoffs from different sources including car washing, fertilisers/pesticides used in gardening, pet wastes, leakage from wastewater pipe, recreation or other human activities etc. The applicant needs to conduct a water pollution risk and impact assessment to demonstrate no potential loss of water yield, which shall be satisfied before the commencement of the construction of the proposed Small House; and

- (f) for provision of water supply to the proposed development, the applicant may need to extend the inside services to the nearest suitable Government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.

9. Electricity Supply

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

- (a) no comment on the application from electricity supply safety aspect; and
- (b) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

10. Demand and Supply of Small House Sites

According to the DLO/TP, LandsD's record, the total number of outstanding Small House applications for Shan Liu is 28 while the 10-year Small House demand forecast for the same villages is 250. Based on the latest estimate by the PlanD, about 1.03 ha (or equivalent to about 41 Small House sites) of land are available within the "V" zone of Shan Liu. Therefore, the land available cannot fully meet the future demand of 278 Small Houses (or equivalent to about 6.95 ha of land).

Recommended Advisory Clauses

- (a) no actual construction of the proposed Small House before the approval condition on the water pollution risk and impact assessment is satisfied by WSD;
- (b) to note the comments of District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that there is no guarantee at this stage that the Small House application would be approved. If the Small House application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD. There is no guarantee to the grant of a right of way to the Small House concerned or approval of the emergency vehicular access thereto;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) a major watercourse draining down to the north of the “V” zone of Shan Liu was curtailed at a nearby temporary structure. Its downstream flow pattern/alignment could not be identified/ traced on site. In the absence of such information on whether this watercourse was adequately and safely conveyed elsewhere, overflow of floodwater from this curtailed watercourse is anticipated during inclement weather which will endanger all proposed Small Houses (including the Site) located at the downhill side. The applicant should clarify the actual underground drainage path downstream of this watercourse and devise a scheme covering all affected proposed Small Houses to the satisfaction of DSD in such manner that the overland flow or runoff from this watercourse will be safely and adequately conveyed to the downhill side;
 - (ii) large-scale site formation works were observed in the “V” and “AGR” zones. The flow regime within such areas was altered, and floodwater, if any, overflowing from the curtailed watercourse will run downhill (southward) and endanger all proposed Small Houses (including the Site) located at its downhill side. The applicant should formulate a master stormwater drainage network with supporting drainage design calculation such that each branch and trunk drainage facilities shall possess adequate flow capacity to convey the flow from its upstream Small Houses and the overland flow likely to be encountered;
 - (iii) as the proposed Small House is located within an important WGG for Plover Clove Reservoir, the applicant should comply with any water protection requirements to be imposed by WSD for allowing considerable numbers of Small Houses to be constructed there without causing water quality impact;
 - (iv) there is no DSD’s public stormwater drains in this area. The proposed Small House should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from the surrounding of the Site. Any existing flow path affected should be re-provided. The proposed development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas. The applicant should maintain such systems properly and rectify the systems if found to be inadequate or ineffective during operation. The applicant should also be liable for and indemnify claims and demands arising out of damage or nuisance caused by failure of the systems. Furthermore, the new system will not be

managed nor maintained by DSD;

- (v) there are DSD's public sewers in the area, with no stud pipe reserved for the proposed Small House development;
 - (vi) to ensure the sustainability of the public sewerage network, should the proposed development be connected to the public sewerage network, the applicant will be required to demonstrate to the satisfaction of DSD in such manner that the runoff within the subject premises will be served by a designated stormwater collection and discharge system and shall not be drained to the public sewerage network, and the applicant/owner will be required to submit details of the proposed sewerage connection works and concurrently provide further information on the runoff collection and discharge system; and
 - (vii) the applicant should take all precautionary measures to prevent any disturbance, damage, and pollution from the development to any parts of the existing drainage facilities in the vicinity of the Site. In the event of any damage to the existing drainage facilities, the applicant should be responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom. For works to be undertaken outside the lot boundary, prior consent and agreement from DLO/TP and/or relevant private lot owners should be sought.
- (d) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C,WSD) that:
- (i) the applicant should submit an executed Deed of Grant of Easement for each private lot through which the sewer connection pipes are proposed to pass to demonstrate that it is both technically and legally feasible to install sewerage pipes from the proposed Small House to the existing public sewerage system via the relevant private lots;
 - (ii) since the proposed Small House is less than 30m from the nearest watercourse, the house should be located as far away from the watercourse as possible;
 - (iii) the whole of foul effluent from the proposed Small House shall be conveyed through cast iron pipes or other approved materials with sealed joints and hatch boxes; and
 - (iv) for provision of water supply to the proposed development, the applicant may need to extend the inside services to the nearest suitable Government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;
- (e) to note the comments of the Director of Fire Services (D of FS) that the applicant should observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD;
- (f) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that the parties concerned with planning, designing, organizing and supervising any activity near the underground cable under the application should approach the

electricity supplier (i.e. CLP Power) for the requisition of cable plans to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines; and

- (g) to note that the permission is only given to the development under application. If provision of an access road is required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complies with the provisions of the relevant statutory plan and obtain planning permission from Town Planning Board where required before carrying out the road works.

