

**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

Rejected Application

| Application No. | Zoning(s) | Proposed Development | Date of Consideration | Rejection Reasons |
|------------------------|------------------|-------------------------------------|----------------------------------|--------------------------|
| A/NE-TK/559 | “GB” | Proposed House (NTEH – Small House) | 22/3/2017 (Appeal dismissed)* | R1- R4 |

* Appeal dismissed by the Town Planning Appeal Board

Rejection Reasons

- R1. The proposed development was not in line with the planning intention of the “GB” 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.
- R2. The proposed development did not comply with the TPB Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve extensive clearance of existing natural vegetation and affect the existing natural landscape on the surrounding environment.
- R3. The proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in New Territories in that the proposed development would cause adverse landscape impacts on the surrounding areas.
- R4. Land was still available within the “V” zone of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

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

Approved Applications

| Application No. | Zoning(s) | Proposed Development | Date of Consideration | Approval Conditions |
|------------------------|------------------|--|------------------------------|----------------------------|
| A/NE-TK/140 | “GB” | Proposed House (NTEH – Small House) | 31/5/2002 | A1 – A2 |
| A/NE-TK/177 | “GB” | Proposed House (NTEH – Small House) | 15/10/2004 | A2, A3 |
| A/NE-TK/179 | “GB” | Proposed Two Houses (NTEH – Small House) | 17/12/2004 | A2, A3, A7 |
| A/NE-TK/192 | “GB” | Proposed House (NTEH – Small House) | 24/6/2005 | A2 |
| A/NE-TK/204 | “GB” and “V” | Proposed 37 Houses (NTEH – Small House) | 7/4/2006 | A1 – A3, A8 |
| A/NE-TK/211 | “GB” | Proposed House (NTEH – Small House) | 4/8/2006 | A2, A3 |
| A/NE-TK/213 | “GB” | Proposed House (NTEH – Small House) | 4/8/2006 | A2, A3 |
| A/NE-TK/217 | “GB” and “V” | Proposed Two Houses (NTEH – Small House) | 15/9/2006 | A1, A3, A9 |
| A/NE-TK/226 | “GB” | Proposed House (NTEH – Small House) | 9/3/2007 | A1 – A2 |
| A/NE-TK/243 | “GB” | Proposed House (NTEH – Small House) | 14/12/2007 | A1 – A4 |
| A/NE-TK/259 | “GB” | Proposed House (NTEH – Small House) | 5/9/2008 | A1 – A3 |
| A/NE-TK/260 | “GB” | Proposed House (NTEH – Small House) | 5/9/2008 | A1 – A3 |
| A/NE-TK/261 | “GB” | Proposed House (NTEH – Small House) | 5/9/2008 | A1 – A3 |
| A/NE-TK/262 | “GB” | Proposed House (NTEH – Small House) | 5/9/2008 | A1 – A3 |
| A/NE-TK/275 | “GB” and “V” | Proposed House (NTEH – Small House) | 8/5/2009 | A1 – A4 |
| A/NE-TK/276 | “GB” and “V” | Proposed House (NTEH – Small House) | 8/5/2009 | A1 – A4 |
| A/NE-TK/277 | “GB” and “V” | Proposed House (NTEH – Small House) | 8/5/2009 | A1 – A4 |

| Application No. | Zoning(s) | Proposed Development | Date of Consideration | Approval Conditions |
|------------------------|------------------|--|----------------------------------|----------------------------|
| A/NE-TK/278 | "GB" | Proposed House (NTEH – Small House) | 8/5/2009 | A1 – A4 |
| A/NE-TK/294 | "GB" | Proposed Two Houses (NTEH – Small House) | 18/12/2009 | A1 – A3 |
| A/NE-TK/327 | "GB" | Proposed House (NTEH – Small House) | 26/11/2010 | A1 – A4 |
| A/NE-TK/328 | "GB" | Proposed House (NTEH – Small House) | 26/11/2010 | A1 – A4 |
| A/NE-TK/344 | "GB" | Proposed House (NTEH – Small House) | 4/3/2011 | A1 – A4 |
| A/NE-TK/362 | "GB" | Proposed House (NTEH – Small House) | 22/7/2011 | A1 – A3 |
| A/NE-TK/363 | "GB" | Proposed House (NTEH – Small House) | 22/7/2011 | A1 – A3 |
| A/NE-TK/367 | "GB" | Proposed House (NTEH – Small House) | 2/9/2011 | A1 – A3 |
| A/NE-TK/373 | "GB" | Proposed House (NTEH – Small House) | 16/12/2011 | A1 – A4 |
| A/NE-TK/375 | "GB" and "V" | Proposed House (NTEH – Small House) | 6/1/2012 | A1 – A3 |
| A/NE-TK/392 | "GB" | Proposed House (NTEH – Small House) | 19/10/2012 | A1 – A3 |
| A/NE-TK/393 | "GB" | Proposed House (NTEH – Small House) | 19/10/2012 | A1 – A3 |
| A/NE-TK/419 | "GB" | Proposed House (NTEH – Small House) | 21/12/2012 | A2, A3 |
| A/NE-TK/425 | "GB" and "V" | Proposed House (NTEH – Small House) | 25/1/2013 | A2 |
| A/NE-TK/432 | "GB" | Proposed House (NTEH – Small House) | 22/10/2015 (Appeal allowed) * | A2, A3, A10 |
| A/NE-TK/440 | "GB" | Proposed House (NTEH – Small House) | 3/5/2013 | A2, A3 |
| A/NE-TK/449 | "GB" | Proposed House (NTEH – Small House) | 19/7/2013 | A2, A3 |
| A/NE-TK/450 | "GB" | Proposed House (NTEH – Small House) | 19/7/2013 | A2, A3 |
| A/NE-TK/473 | "GB" and "V" | Proposed House (NTEH – Small House) | 25/10/2013 | A2, A3 |

| Application No. | Zoning(s) | Proposed Development | Date of Consideration | Approval Conditions |
|------------------------|------------------|-------------------------------------|------------------------------|----------------------------|
| A/NE-TK/476 | “GB” | Proposed House (NTEH – Small House) | 8/11/2013 | A2, A3 |
| A/NE-TK/521 | “GB” and “V” | Proposed House (NTEH – Small House) | 17/10/2014 | A2, A3, A5 |
| A/NE-TK/522 | “GB” and “V” | Proposed House (NTEH – Small House) | 17/10/2014 | A2, A3, A5 |
| A/NE-TK/531 | “GB” | Proposed House (NTEH – Small House) | 16/1/2015 | A2 – A6 |
| A/NE-TK/540 | “GB” | Proposed House (NTEH – Small House) | 27/2/2015 | A2 – A6 |
| A/NE-TK/545 | “GB” and “V” | Proposed House (NTEH – Small House) | 17/4/2015 | A2, A5 |
| A/NE-TK/573 | “GB” | Proposed House (NTEH – Small House) | 19/2/2016 | A2, A5 |
| A/NE-TK/580 | “GB” and “V” | Proposed House (NTEH – Small House) | 15/7/2016 | A2, A3, A5 |
| A/NE-TK/582 | “GB” | Proposed House (NTEH – Small House) | 29/7/2016 | A2, A3, A5 |
| A/NE-TK/585 | “GB” | Proposed House (NTEH – Small House) | 14/9/2016 | A2, A5 |
| A/NE-TK/618 | “GB” | Proposed House (NTEH – Small House) | 11/8/2017 | A2, A11 |
| A/NE-TK/654 | “GB” | Proposed House (NTEH – Small House) | 16/11/2018 | A2, A11 |

* Appeal allowed by the Town Planning Appeal Board on 22/10/2015

Approval Conditions

- A1. The provision of fire fighting access / water supplies for fire fighting / fire service installations and/or emergency vehicular access.
- A2. The submission and implementation/provision of drainage proposal/facilities.
- A3. The submission and implementation of landscape proposal and/or tree preservation proposal.
- A4. The submission of a Natural Terrain Hazard Study/Geotechnical Planning Review Report to assess the natural terrain hazard/geotechnical investigation report and the provision/implementation of mitigation measures/necessary geotechnical remedial works identified therein.
- A5. The connection of the foul water drainage system to the public sewers.

- A6. The diversion of the existing water mains within the site affected by the proposed development.
- A7. The provision of an emergency vehicular access with street fire hydrants or incorporation of residential sprinkler system.
- A8. The submission and provision of the proposed access road and footpath from Ting Kok Road to the proposed development.
- A9. The submission of a drainage impact assessment and implementation of measures to mitigate any adverse effects that might arise.
- A10. The submission and implementation of proposal to blend in the design, layout, color and materials of the proposed Small House with its surrounding environment and adjacent Small Houses.
- A11. The provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the Town Planning Board.

Rejected Applications

| Application No. | Zoning(s) | Proposed Development | Date of Consideration | Rejection Reasons |
|-----------------|--------------|---|-----------------------|-------------------|
| A/NE-TK/258 | “GB” | Proposed House (NTEH – Small House) | 2/1/2009 (Review) | R1- R2 |
| A/NE-TK/263 | “GB” | Proposed House (NTEH – Small House) | 2/1/2009 (Review) | R1- R2 |
| A/NE-TK/273 | “GB” | Proposed House (NTEH – Small House) | 8/5/2009 | R4, R9 |
| A/NE-TK/274 | “GB” | Proposed House (NTEH – Small House) | 8/5/2009 | R4, R9 |
| A/NE-TK/279 | “GB” | Proposed House (NTEH – Small House) | 8/5/2009 | R4, R9 |
| A/NE-TK/372 | “GB” | Proposed House (NTEH – Small House) | 6/12/2011 | R1, R5, R6 |
| A/NE-TK/401 | “GB” | Proposed Two Houses (NTEH – Small House) | 21/9/2012 | R7, R8, R10 |
| A/NE-TK/426 | “GB” and “V” | Proposed Eight Houses (NTEH – Small Houses) | 9/8/2013 (Review) | R1-R3 |
| A/NE-TK/443 | “GB” | Proposed House (NTEH – Small House) | 7/6/2013 | R1, R11, R13 |

| Application No. | Zoning(s) | Proposed Development | Date of Consideration | Rejection Reasons |
|------------------------|------------------|-------------------------------------|---------------------------------|--------------------------|
| A/NE-TK/444 | "GB" | Proposed House (NTEH – Small House) | 7/6/2013 | R1, R11, R13 |
| A/NE-TK/486 | "GB" | Proposed House (NTEH – Small House) | 15/8/2014 (Review) | R1, R2, R12 |
| A/NE-TK/487 | "GB" | Proposed House (NTEH – Small House) | 15/8/2014 (Review) | R1, R2, R12 |
| A/NE-TK/488 | "GB" | Proposed House (NTEH – Small House) | 15/8/2014 (Review) | R1, R2, R12 |
| A/NE-TK/489 | "GB" | Proposed House (NTEH – Small House) | 15/8/2014 (Review) | R1, R2, R12 |
| A/NE-TK/490 | "GB" | Proposed House (NTEH – Small House) | 15/8/2014 (Review) | R1, R2, R12 |
| A/NE-TK/491 | "GB" | Proposed House (NTEH – Small House) | 15/8/2014 (Review) | R1, R2, R12 |
| A/NE-TK/492 | "GB" | Proposed House (NTEH – Small House) | 15/8/2014 (Review) | R1, R2, R12 |
| A/NE-TK/493 | "GB" and "V" | Proposed House (NTEH – Small House) | 15/8/2014 (Review) | R1, R2, R12 |
| A/NE-TK/519 | "GB" | Proposed House (NTEH – Small House) | 17/10/2014 | R1, R4, R11, R13 |
| A/NE-TK/520 | "GB" | Proposed House (NTEH – Small House) | 17/10/2014 | R1, R4, R11, R13 |
| A/NE-TK/524 | "GB" | Proposed House (NTEH – Small House) | 31/10/2014 | R1, R2, R12 |
| A/NE-TK/555 | "GB" | Proposed House (NTEH – Small House) | 21/08/2015 | R1, R2, R3, R14 |
| A/NE-TK/557 | "GB" | Proposed House (NTEH – Small House) | 18/09/2015 | R1, R2, R3, R14 |
| A/NE-TK/558 | "GB" | Proposed House (NTEH – Small House) | 18/09/2015 | R1, R3, R13, R14 |
| A/NE-TK/570 | "GB" and "V" | Proposed House (NTEH – Small House) | 17/10/2017 (Appeal dismissed) # | R1, R14, R15 |

| Application No. | Zoning(s) | Proposed Development | Date of Consideration | Rejection Reasons |
|-----------------|--------------|-------------------------------------|---------------------------------|-------------------|
| A/NE-TK/571 | “GB” and “V” | Proposed House (NTEH – Small House) | 17/10/2017 (Appeal dismissed) # | R1,R14,R15 |
| A/NE-TK/577 | “GB” | Proposed House (NTEH – Small House) | 2/9/2016 (Review) | R1,R7,R10,R14 |
| A/NE-TK/578 | “GB” | Proposed House (NTEH – Small House) | 13/5/2016 | R1, R9, R14, R16 |
| A/NE-TK/598 | “GB” | Proposed House (NTEH – Small House) | 21/4/2017 (Review) | R1, R2, R9, R14 |
| A/NE-TK/622 | “GB” | Proposed House (NTEH – Small House) | 13/10/2017 | R1, R9, R10, R14 |
| A/NE-TK/635 | “GB” | Proposed House (NTEH – Small House) | 16/3/2018 | R1, R9, R14, R17 |

Appeal dismissed by the Town Planning Appeal Board on 17/10/2017

Rejection Reasons

- R1. The proposed development was not in line with the planning intention of the “GB” 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.
- R2. The proposed development did not comply with the TPB Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve extensive clearance of existing natural vegetation and affect the existing natural landscape on the surrounding environment.
- R3. The proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in New Territories in that the proposed development would cause adverse landscape and sewerage impacts on the surrounding areas.
- R4. The approval of the application 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.
- R5. The proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in New Territories as more than 50% of the footprint of the proposed Small House was outside the “V” zone and the village ‘environs’ of any recognized villages.

- R6. The approval of the application would set an undesirable precedent for other similar applications in the area.
- R7. The proposed development did not comply with the TPB Guidelines No. 10 for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' in that the proposed development would affect the existing natural landscape and adversely affect slope stability in the area.
- R8. There was no information in the submission to demonstrate that the proposed development would have no adverse landscape and geotechnical impacts on the surrounding areas.
- R9. The application did not comply with the TPB Guidelines No. 10 for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' in that it would likely involve site formation and slope stabilization works resulting in clearance of natural vegetation and damage of the existing landscape of the surrounding area. There was insufficient information in the submission to demonstrate that the proposed development would not have any adverse landscape impacts on the surrounding areas.
- R10. The proposed development did not comply with the Interim Criteria for Consideration of Application for the NTEH/Small House in New Territories in that the proposed development would cause adverse landscape and geotechnical impacts on the surrounding areas.
- R11. The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/ Small House in the New Territories in that the site was entirely outside the "V" zone and the village 'environs' of any recognized villages, and the proposed development would cause adverse sewerage and landscape impacts on the surrounding areas.
- R12. The proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in New Territories in that the proposed development would cause adverse landscape and water quality impacts on the surrounding areas.
- R13. The proposed development did not comply with the TPB Guidelines No. 10 for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' in that the proposed development would affect the existing natural landscape on the surrounding environment.
- R14. Land was still available within the "V" zone of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development within "V" zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.
- R15. The proposed development would have adverse impacts on the existing landscape of the area including the Banyan tree near the sites.
- R16. The proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in New Territories in that the proposed development would cause adverse landscape, sewerage and geotechnical impacts on the surrounding area.

- R17. The proposed development did not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas and be subject to adverse geotechnical impact.

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, claimed himself as an indigenous villager (IV) of Lung Mei. However, his eligibility of Small House grant has yet to be ascertained;
- (c) the application site (the Site) is not covered by any Modification of Tenancy or Building Licence and an application for Small House grant at the Site has been received;
- (d) the number of outstanding Small House applications and the number of 10-year Small House demand for the concerned villages are as follows:

| <u>Village</u> | <u>No. of outstanding Small House applications</u> | <u>No. of 10-year Small House demand *</u> |
|----------------|--|--|
| Lung Mei | 36 | 97 |
| Tai Mei Tuk | 33 | 150 |

(* The figure of 10-year Small House demand was estimated and provided by the IIRs of Lung Mei in 2016 and Tai Mei Tuk in 2017 respectively. The information so obtained is not verified in any way by DLO/TP.);

- (e) 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;
- (f) the Site falls partly (more than 50%) within the village 'environs' ('VE') of Lung Mei and Tai Mei Tuk. Lung Mei is a Recognized Village of Tai Po Heung;
- (g) with respect to the proposed septic tank of the application, it will be considered when the case is due for processing; and
- (h) the proposed development will affect existing trees and vegetation.

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. Nature Conservation

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

- the Site is partly covered with grasses and partly covered with trees near a wooded hill slope. He has no strong view on the application should there be no alternative site.

4. Environment

Comments of the Director of Environmental Protection (DEP):

- (a) the Site falls within "Green Belt" ("GB") zone and outside the water gathering grounds (WGG). There is existing sewerage at Lung Mei Village and the Small House is about 20m away from the public sewer. Sewer connection is feasible and capacity is available; and
- (b) he has no objection to the application provided that the applicant shall connect the house to the existing public sewer with consent from owners of nearby land lots in granting access rights for pipe laying and future maintenance works.

5. Water Supply

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

- (a) no objection to the application; and
- (b) 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.

6. Drainage

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

- (a) no in-principle objection to the application from public drainage viewpoint;
- (b) if the application is approved, an approval condition on submission and implementation of drainage proposal for the Site is recommended to ensure that it will not cause adverse drainage impact to the adjacent areas;
- (c) there is no existing DSD maintained public drain available for connection in the area. The proposed development should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The proposed development should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
- (d) for works to be undertaken outside the lot boundary, prior consent and agreement from DLO/TP, LandsD and/or relevant private lot owners should be sought; and
- (e) there is existing public sewerage in the vicinity of the Site. DEP should be consulted whether the sewage to be generated from the proposed Small House can be adequately catered by the existing public sewers located nearby. Otherwise, alternative sewage treatment/disposal methods for the proposed development should be devised.

7. Landscape

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

- (a) has reservation on the application from the landscape planning perspective;
- (b) the Site is located immediate next to existing woodland. The woodland contains diverse plant species including native trees and undergrowth forming a unique natural backdrop to the area;
- (c) the Site is vacant without significant vegetation. Although some previously approved Small Houses are found in close proximity within the "GB" zone, approval of the application would encourage similar Small House developments within the "GB" zone, the cumulative effect of such would result in further extension of the villages houses into the "GB" zone, which cause general degradation of the surrounding environment and undermine its function to contain urban sprawl; and
- (d) since the footprint of proposed house covers the entire site, there is no space for landscaping within the Site. No landscape condition is required should Town Planning Board approve the application.

8. **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.

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 Lung Mei and Tai Mei Tuk is 69 while the 10-year Small House demand forecast for the same village is 247. Based on the latest estimate by the PlanD, about 1.87 ha of land (equivalent to about 74 Small House sites) are available within the "V" zone of Lung Mei and Tai Mei Tuk. Therefore, the land available cannot fully meet the future Small House demand of 316 Small Houses (equivalent to about 7.9 ha of land).

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that 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;
- (b) to note the comments of the Director of Environmental Protection (DEP) that the applicant shall connect the house to the existing public sewer with consent from owners of nearby land lots in granting access rights for pipe laying and future maintenance works;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) there is no existing DSD maintained public drain available for connection in the area. The proposed development should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The proposed development should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems; and
 - (ii) for works to be undertaken outside the lot boundary, prior consent and agreement from DLO/TP, LandsD 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 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.