

RNTPC Paper No. A/TP/662
For Consideration by the
Rural and New Town Planning
Committee on 3.5.2019

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TP/662

- Applicant** : Mr. CHANG Kam Lun represented by Mr. LAU Chee Sing
- Site** : Lots 83 S.C RP and 470 S.D in D.D.21, San Uk Ka Village, Tai Po, N.T.
- Site Area** : About 120.7m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Po Outline Zoning Plan (OZP) No. S/TP/28
- Zoning** : “Green Belt” (“GB”)
- Application** : Proposed House (New Territories Exempted House (NTEH) - Small House)

1. The Proposal

- 1.1 The applicant, an indigenous villager of Sha Lo Tung Cheung Uk Village of Tai Po Heung as confirmed by the Indigenous Inhabitant Representative (IIR) of the concerned village¹, seeks planning permission to build an NTEH (Small House) on the application site (the Site) (**Plan A-1**). According to the Notes of the OZP, ‘House (other than rebuilding of NTEH or replacement of existing domestic building by NTEH only)’ in the “GB” zone requires planning permission from the Town Planning Board (the Board).
- 1.2 Details of the proposed Small House development are as follows:
- | | | |
|------------------|---|----------------------|
| Total floor area | : | 195.09m ² |
| No. of storeys | : | 3 |
| Building height | : | 8.23m |
| Roofed over area | : | 65.03m ² |
- 1.3 Layout of the proposed Small House development with a septic tank is shown on **Drawing A-1**.
- 1.4 In support of the application, the applicant has submitted the following documents:

¹ As advised by DLO/TP, LandsD, the applicant’s eligibility of Small House grant has yet to be ascertained.

- (a) application form and attachments on 22.1.2019 (Appendix I)
- (b) further information received on 8.3.2019 providing a Geotechnical Planning Review Report (GPRR) (Appendix Ia)
(accepted but not exempted from publication and recounting requirements)
- (c) further information received on 9.4.2019 providing response to departmental comments and supplementary information on GPRR (Appendix Ib)
(accepted and exempted from publication and recounting requirements)

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in Part 9 of the application form at **Appendix I**. They can be summarized as follows:

- (a) the applicant is an indigenous villager of a recognized village of Tai Po and eligible to apply for a Small House grant under the current Small House policy;
- (b) the proposed Small House is located within the village ‘environs’ (‘VE’) of San Uk Ka Village and there is a general shortage of land in meeting the demand for Small House development in “V” zone at San Uk Ka Village;
- (c) the proposed development would not cause any visual and environmental impacts on the surrounding areas as the Site is now vacant with no trees or vegetation;
- (d) the proposed development is compatible with the surrounding area mainly occupied by Small House in terms of land use, scale, design and layout;
- (e) there are 34 similar applications (No. A/TP/266, 274, 278, 282, 286, 287, 300, 302, 303, 320, 347, 353, 363, 380, 401, 424, 425, 464 to 477, 525, 537 and 641) in the vicinity of San Uk Ka village approved by the Board. As such, approval of the application would not set a bad precedent in the “GB” zone; and
- (f) the uncovered area of the Site will be properly landscaped for the use of open space or garden purpose.

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

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Assessment Criteria

The set of Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria) was first promulgated on 24.11.2000 and had been amended four times on 30.3.2001, 23.8.2002, 21.3.2003 and 7.9.2007. The latest set of Interim Criteria promulgated on 7.9.2007 is at **Appendix II**.

5. Town Planning Board Guidelines

The Town Planning Board Guidelines No. 10 (TPB-PG No. 10) for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' is relevant to this application. The relevant assessment criteria are summarized below:

- (a) there is a general presumption against development in the "GB" zone;
- (b) applications for new development in "GB" zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas;
- (c) applications for NTEH with satisfactory sewage disposal facilities and access arrangements may be approved if the application site is in close proximity to existing villages and in keeping with the surrounding uses, and where the development is to meet the demand from indigenous villagers;
- (d) the design and layout of any proposed development should be compatible with the surrounding areas. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment;
- (e) the proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, road and water supply. It should not adversely affect drainage or aggravate flooding in the area;
- (f) the proposed development should not overstrain the overall provision of Government, institution and community facilities in the general area; and
- (g) any proposed development on a slope or hillside should not adversely affect slope stability.

6. Previous Application

There is no previous application at the Site.

7. **Similar Applications**

- 7.1 There are 41 similar applications (No. A/TP/266, 274, 278, 282, 286, 287, 300, 302, 303, 320, 353, 363, 380, 424, 425, 464 to 477, 525, 553 to 556, 561, 566, 570 to 572 and 641) in the vicinity of the Site and within the same “GB” zone since the first promulgation of the Interim Criteria on 24.11.2000 (**Plan A-1**), of which 40 were approved and one was rejected.
- 7.2 A total of 39 applications were approved with conditions by the Committee between 2000 and March 2015 before the Board’s adoption of a more cautious approach in approving applications for Small House development in August 2015. These applications were approved mainly on the grounds that the proposed developments were in line with the Interim Criteria in that more than 50% of the footprint of the proposed Small House was located within the ‘VE’/”V” zone; there was a general shortage of land in the concerned “V” zone to meet the demand for Small House development at that time; and/or the application site was the subject of previously approved application. Applications No. A/TP/571 and 572 situated to the northwest of the Site were also approved for the reasons of being in close proximity of existing Small Houses and a cluster of approved Small House applications; having no significant impact on the existing landscape resources in the area; and no encroachment onto the wooded slope of the “GB” zone.
- 7.3 For the two remaining applications (No. A/TP/562 and 641), they cover the same site which is situated to the immediate west of the current application site. Application No. A/TP/562 was rejected by the Committee in 2014 mainly on considerations of being not in line with the planning intention of the “GB” zone and the Interim Criteria in that the proposed development would cause adverse landscape impact on the surrounding area and geotechnical impact; and not complying with the TPB-PG No.10 in that the proposed development would affect the existing natural landscape of the surrounding environment and the stability of the adjacent slope. Subsequently, the same applicant submitted another application (No. A/TP/641) with the site area and disposition of the proposed Small House slightly amended. It was also supplemented with a GPRR to address the concerns on slope stability. This application was approved in 2018 mainly on the grounds that the proposed development was generally in line with the TPB-PG No.10 in that it would not cause adverse geotechnical impact; and in close proximity of existing Small Houses and a cluster of approved Small House applications.
- 7.4 Details of the above similar applications are summarized at **Appendix III** and their locations are shown on **Plans A-1** and **A-2a**.

8. **The Site and Its Surrounding Area** (Plans A-1, A-2a and photos on Plans A-3 and A-4)

- 8.1 The Site is:
- (a) vacant and covered with groundcovers and young trees of common species;

- (b) located at the bottom of an artificial slope with some trees and groundcovers on the slope surface;
- (c) situated to the immediate southwest of a cluster of village houses; and
- (d) accessible by a footpath leading to Wun Yiu Road.

8.2 The surrounding areas are predominantly rural in character occupied by cluster of village houses and tree groups. To the immediate south is a vegetated artificial slope upon which a platform and village houses are built. Existing village houses and a number of approved Small House applications can also be found in the close vicinity of the Site.

9. **Planning Intention**

The planning intention of the “GB” zone is primarily for defining 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 is a general presumption against development within this zone.

10. **Comments from Relevant Government Departments**

10.1 The application has been assessed against the assessment criteria in **Appendix II**. The assessment is summarized in the following table:

| | <u>Criteria</u> | <u>Yes</u> | <u>No</u> | <u>Remarks</u> |
|----|-----------------------------------------------------------------------------------------------------|-------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Within “V” zone? - Footprint of the Small House - Application site | - - | 100% 100% | - The Site and the Small House footprint fall entirely within the “GB” zone. |
| 2. | Within ‘VE’? - Footprint of the Small House - Application site | 100% 100% | - - | - The Site and the Small House footprint fall entirely within ‘VE’ of San Uk Ka. - District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) has no objection to the application. |
| 3. | Sufficient land in “V” zone to satisfy outstanding Small House applications and 10-year Small House | | ✓ | - Land required to meet Small House demand in San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu: about 7.95 ha (equivalent to 318 Small House |

| | <u>Criteria</u> | <u>Yes</u> | <u>No</u> | <u>Remarks</u> |
|----|-----------------------------------------------------------------------------------------|-------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | demand? | | | sites). The outstanding Small House applications are 44 ² while the 10-year Small House demand forecast for the same villages is 274. |
| | Sufficient land in “V” zone to meet outstanding Small House applications? | ✓ | | - Land available to meet Small House demand within the “V” zone of the villages concerned: about 2.99 ha (or equivalent to 119 Small House sites). |
| 4. | Compatible with the planning intention of “GB” zone? | | ✓ | - There is a general presumption against development within the “GB” zone. - The Director of Agriculture, Fisheries and Conservation (DAFC) has no strong view on the application. |
| 5. | Compatible with surrounding area/ development? | ✓ | | - The surrounding areas are predominantly rural in character mainly occupied by cluster of village houses and tree groups. |
| 6. | Within Water Gathering Ground (WGG)? | | ✓ | |
| 7. | Encroachment onto planned road networks and public works boundaries? | | ✓ | |
| 8. | Need for provision of fire services installations and emergency vehicular access (EVA)? | | ✓ | - The Director of Fire Services (D of FS) has no in-principle objection to the application. |

² Among the 44 outstanding Small House applications, 23 of them fall within the “V” zone and 21 straddle or outside the “V” zone. For those 21 applications straddling or being outside the “V” zone, 6 of them have obtained valid planning approval from the Board.

| | <u>Criteria</u> | <u>Yes</u> | <u>No</u> | <u>Remarks</u> |
|-----|------------------------|-------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9. | Traffic impact? | ✓ | | <ul style="list-style-type: none"> - The Commissioner for Transport (C for T) in general has reservation on the application but considers that the application only involving development of a Small House can be tolerated unless it is rejected on other grounds. |
| 10. | Drainage impact? | ✓ | | <ul style="list-style-type: none"> - The Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) has no in-principle objection to the application from public drainage viewpoint. - Approval condition on submission and implementation of drainage proposal is required. |
| 11. | Sewerage impact? | | ✓ | <ul style="list-style-type: none"> - The Director of Environmental Protection (DEP) has no objection to the application. |
| 12. | Landscape impact? | ✓ | | <ul style="list-style-type: none"> - The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) has reservation on the application from landscape planning point of view as the proposed development would inevitably involve site formation and/or slope works and the existing topography of the concerned “GB” area would therefore be changed irreversibly. - Since the footprint of the proposed Small House covers most of the Site and there is no adequate space for quality landscape to benefit the public realm, landscape condition is not recommended should the application be approved. |
| 13. | Geotechnical impact? | | ✓ | <ul style="list-style-type: none"> - Head of Geotechnical Engineering Office, Civil |

| | <u>Criteria</u> | <u>Yes</u> | <u>No</u> | <u>Remarks</u> |
|-----|----------------------------------|------------|-----------|----------------------------------------------------------------------------------------------------------------------------------|
| | | | | Engineering and Development Department (H(GEO), CEDD) has no in-principle objection to the application from geotechnical aspect. |
| 14. | Local objections conveyed by DO? | | ✓ | |

10.2 Comments from the following Government departments have been incorporated in paragraph 10.1 above. Other detailed comments are at **Appendix IV**.

- (a) District Lands Officer/Tai Po, Lands Department;
- (b) Commissioner for Transport;
- (c) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (d) Chief Engineer/Mainland North, Drainage Services Department;
- (e) Director of Agriculture, Fisheries and Conservation;
- (f) Director of Fire Services;
- (g) Director of Electrical and Mechanical Services;
- (h) Chief Engineer/Construction, Water Supplies Department; and
- (i) Head of Geotechnical Engineering Office, Civil Engineering and Development Department.

10.3 The following Government departments have no comment on / no objection to the application:

- (a) Chief Highway Engineer/New Territories East, Highways Department;
- (b) Project Manager (North), Civil Engineering and Development Department; and
- (c) District Officer(Tai Po), Home Affairs Department.

11. Public Comments Received During Statutory Publication Period (Appendix V)

On 29.1.2019 and 15.3.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection periods, two public comments were received from World Wide Fund For Nature Hong Kong and an individual objecting to the application mainly for the reasons of being not in line with the planning intention of the “GB” zone, not complying with the TPB-PG No. 10, setting of undesirable precedent and causing adverse landscape and environmental impacts on the surrounding area.

12. Planning Considerations and Assessments

- 12.1 The Site falls entirely within the “GB” zone (**Plan A-2a**). The proposed development is not in line with the planning intention of the “GB” zone, which is primarily for defining 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 is a general presumption against development within the “GB” zone.
- 12.2 According to DLO/TP, LandsD’s records, the total number of outstanding Small House applications for San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu is 44 while the 10-year Small House demand forecast is 274. Based on the latest estimate by the Planning Department, about 2.99 ha of land (equivalent to about 119 Small House sites) are available within the “V” zone of the concerned villages. As the footprint of the proposed Small House falls entirely within the ‘VE’ of the concerned villages, DLO/TP, LandsD has no objection to the application.
- 12.3 The Site, currently vacant and covered with groundcovers and young trees of common species, is located at the southwestern fringe of village proper of San Uk Ka and sandwiched between the cluster of village houses to the north and vegetated artificial slope to the south. Approved Small House applications can be found in the close vicinity and most of them had been granted Building Licences, and some of them are completed or under construction. The proposed development is not incompatible with the surrounding areas which are predominantly rural in character with cluster of village houses and tree groups. While DAFC has no strong view on the application, CTP/UD&L of PlanD has reservation on the application from the landscape planning point of view as the proposed development would inevitably involve site formation and/or slope works and the existing topography of the concerned “GB” area would therefore be changed irreversibly.
- 12.4 In response to H(GEO) of CEDD’s concern that the Site encroaches on an existing cut slope, the applicant has submitted a GPRR at **Appendix Ia**. H(GEO) of CEDD has no in-principle objection to the application and advises that the applicant shall submit the works proposal together with the prescribed plans for site formation works to the Building Authority for approval. Besides, C for T has general reservation on the application but considers that the application involving development of a Small House only can be tolerated. Other relevant Government departments including DEP, CE/MN of DSD, CE/C of WSD, CHE/NTE of HyD and D of FS have no objection to or no adverse comment on the application. As the proposed development is not expected to have significant adverse environmental, traffic, geotechnical, drainage and sewerage impacts, the application generally meets the TPB-PG No. 10.
- 12.5 Regarding the Interim Criteria (**Appendix II**), more than 50% of the proposed Small House footprint falls within the ‘VE’ of San Uk Ka. While land available within the “V” zone for Small House development (about 2.99 ha or equivalent to about 119 Small House sites) (**Plan A-2b**) is insufficient to fully

meet the future Small House demand, it is capable to meet the 44 outstanding Small House applications. It should be noted that the Board has adopted a more cautious approach in approving applications for Small House development in August 2015. Amongst others, in considering whether there is a general shortage of land in meeting Small House demand, more weighting has been put on the number of outstanding Small House applications provided by LandsD. In this regard, it is considered more appropriate to concentrate the proposed Small House development within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Nevertheless, the Site is bounded by the existing cluster of village houses in the north and south and approved applications for Small House developments in the west including application No. A/TP/641, which is located to the immediate west of the Site and was approved by the Committee in 2018. The implementation of those approved Small House applications are forming a new village cluster in the locality. Hence, sympathetic consideration might be given to the current application.

- 12.6 As shown on **Plan A-2a**, there are 30 similar applications for Small House development in close vicinity of the Site within the same “GB” zone. Except for Application No. A/TP/562, which was rejected on 17.10.2014 mainly on technical grounds, the other 29 applications were approved. The last application No. A/TP/641 was approved on 18.5.2018 after the Board’s adoption of a more cautious approach in approving applications for Small House development in August 2015 mainly on the grounds that the proposed development was generally in line with the TPB-PG No.10 in that it would not cause adverse geotechnical impact; and was in close proximity of existing Small Houses and a cluster of approved Small House applications. The circumstances of the current application is similar to that approved application.
- 12.7 Regarding the public comments objecting to the application mainly on the grounds as detailed in paragraph 11 above, Government departments’ comments and the planning assessment above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until **3.5.2023**, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) 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; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory Clauses

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

13.3 Alternatively, should the Committee decide to reject the application, the following reasons for rejection are suggested for Members' reference:

- (a) the proposed development is not in line with the planning intention of "GB" zone, which is primarily for defining 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 is a general presumption against development within this zone. There is no strong planning justification in the submission to justify a departure from the planning intention;
- (b) the proposed development does not comply with the Town Planning Board Guidelines for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape, and the applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas;
- (c) the proposed development does 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 impact on the surrounding areas; and
- (d) land is still available within the "V" zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the "V" zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

14. Decision Sought

14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval conditions and advisory clauses to be attached to the permission, and the date when the validity of the permission should expire.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

| | |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------|
| Appendix I | Application form and attachment received on 22.1.2019 |
| Appendix Ia | Further information received on 8.3.2019 |
| Appendix Ib | Further information received on 9.4.2019 |
| Appendix II | Relevant Revised Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (promulgated on 7.9.2007) |
| Appendix III | Similar applications |
| Appendix IV | Detailed comments from relevant Government departments |
| Appendix V | Public comments |
| Appendix VI | Recommended advisory clauses |
| Drawing A-1 | Site plan submitted by the applicant |
| Plan A-1 | Location plan |
| Plan A-2a | Site plan |
| Plan A-2b | Estimated amount of land available for Small House development within “V” zone |
| Plan A-3 | Aerial photo |
| Plan A-4 | Site photos |

**PLANNING DEPARTMENT
MAY 2019**

**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 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
- (j) 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.

**Appendix III of RNTPC
Paper No. A/TP/662**

Similar Applications

Approved Application

| Application No. | Proposed Development | Date of Consideration | Approval Conditions |
|------------------------|----------------------------------------------------------------|------------------------------|----------------------------|
| A/TP/266 | Proposed House (Small House) | 8/12/2000 | A1 |
| A/TP/274 | Proposed New Territories Exempted House (NTEH) (Small House) | 20/07/2001 | A1-A3 |
| A/TP/278 | Proposed Seven Houses (Small House) | 21/09/2001 | A1-A2 |
| A/TP/282 | Proposed Five Houses (Small House) | 16/11/2001 | A1-A3 |
| A/TP/286 | Proposed Six Houses (Small House) | 08/02/2002 | A1-A3 |
| A/TP/287 | Proposed Two Houses (Small House) | 01/03/2002 | A1-A2 |
| A/TP/300 | Proposed Eight Houses (Small House) | 11/10/2002 | A1, A4 |
| A/TP/302 | Proposed New Territories Exempted House (NTEH) (Small House) | 25/10/2002 | A1-A2 |
| A/TP/303 | Proposed New Territories Exempted House (NTEH) (Small House) | 25/10/2002 | A1-A2 |
| A/TP/320 | Proposed New Territories Exempted House (NTEH) (Small House) | 09/01/2004 | A1-A2 |
| A/TP/353 | Proposed 2 New Territories Exempted House (NTEH) (Small House) | 29/07/2005 | A1-A2 |
| A/TP/363 | Proposed New Territories Exempted House (NTEH) (Small House) | 13/01/2006 | A1, A5 |
| A/TP/380 | Proposed 3 New Territories Exempted House (NTEH) (Small House) | 20/10/2006 | A1, A2, A5, A6 |
| A/TP/424 | Proposed New Territories Exempted House (NTEH) (Small House) | 27/03/2009 | A4, A6 |
| A/TP/425 | Proposed New Territories Exempted House (NTEH) (Small House) | 27/03/2009 | A4, A6 |

| | | | |
|----------|-------------------------------------------------------------------|------------|------------|
| A/TP/464 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/465 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/466 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/467 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/468 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/469 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/470 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/471 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/472 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/473 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/474 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/475 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/476 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/477 | Proposed New Territories Exempted House (NTEH) (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/525 | Proposed 2 New Territories Exempted Houses (NTEHs) (Small Houses) | 5/10/2012 | A1, A2, A6 |
| A/TP/553 | Proposed New Territories Exempted House (NTEH) (Small House) | 17/10/2014 | A1, A2, A7 |
| A/TP/554 | Proposed New Territories Exempted House (NTEH) (Small House) | 17/10/2014 | A1, A2, A7 |

| | | | |
|----------|--------------------------------------------------------------|------------|----------------|
| A/TP/555 | Proposed New Territories Exempted House (NTEH) (Small House) | 17/10/2014 | A1, A2, A7 |
| A/TP/556 | Proposed New Territories Exempted House (NTEH) (Small House) | 17/10/2014 | A1, A2, A7 |
| A/TP/561 | Proposed New Territories Exempted House (NTEH) (Small House) | 17/10/2014 | A1, A2, A7 |
| A/TP/566 | Proposed New Territories Exempted House (NTEH) (Small House) | 14/11/2014 | A1, A2, A7 |
| A/TP/570 | Proposed New Territories Exempted House (NTEH) (Small House) | 13/03/2015 | A1, A2, A7 |
| A/TP/571 | Proposed New Territories Exempted House (NTEH) (Small House) | 13/03/2015 | A1, A2, A7, A8 |
| A/TP/572 | Proposed New Territories Exempted House (Small House) | 13/03/2015 | A1, A2, A7, A8 |
| A/TP/641 | Proposed New Territories Exempted House (Small House) | 18/05/2018 | A1, A7 |

Approval Conditions

- A1. The submission and/or provision/implementation of drainage facilities/ proposal.
- A2. The submission and implementation of landscaping proposals.
- A3. The provision of fire service installations.
- A4. The submission and implementation of landscape and tree preservation proposals (including a site formation plan, prior to commencement of site formation works).
- A5. The submission of a slope assessment and the implementation of stabilization works identified therein.
- A6. The provision for fire-fighting access, water supplies and fire service installations.
- A7. The provision of septic tank as proposed by the applicant at a location to the satisfaction of the Director of Lands or of the TPB.
- A8. The submission of a geotechnical investigation report and implementation of the necessary geotechnical remedial works.

Rejected Application

| Application No. | Proposed Development | Date of Consideration | Rejection Reasons |
|------------------------|--------------------------------------------------------------|------------------------------|--------------------------|
| A/TP/562 | Proposed New Territories Exempted House (NTEH) (Small House) | 17/10/2014 | R1-R3 |

Rejection Reasons

- R1. The proposed development was not in line with the planning intention of the "Green Belt" ("GB") zoning for the area which was to define the limits of urban development areas by natural features so as to contain urban sprawl and to provide passive recreational outlets. There was a general presumption against development within the "GB" zone. There was no strong justification in the current submission for a departure from the planning intention.
- R2. The application did not comply with the Town Planning Board Guidelines for 'Application for Development within "Green Belt" zone under section 16 of the Town Planning Ordinance' in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape, and the applicant failed to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas and that the stability of the adjacent slope would not be adversely affected.
- R3. The application did not comply with the Interim Criteria for Assessing Planning Applications for New Territories Exempted House/Small House Development in the 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 is an indigenous villager of Sha Lo Tung Cheung Uk Village of Tai Po as confirmed by the Indigenous Inhabitant Representative (IIR) of the concerned village. However, his eligibility of Small House grant has yet to be ascertained;
- (c) the Site is held under Block Government Lease demised for agricultural use. It falls entirely within the village ‘environs’ (‘VE’) of San Uk Ka and is not covered by any Modification of Tenancy or Building Licence;
- (d) the number of outstanding Small House applications and the number of 10-year Small House demand for the villages concerned are as follows:

| <u>Village</u> | <u>No. of outstanding Small House applications</u> | <u>No. of 10-year Small House demand*</u> |
|-------------------|--------------------------------------------------------|-----------------------------------------------|
| San Uk Ka | 20 | 35 |
| Cheung Uk Tei | 8 | 39 |
| Sheung/Ha Wun Yiu | 16 | 200 |

(* The figures of 10-year Small House demand were estimated and provided by the IIR of four villages and the information so obtained was not verified by LandsD.)

- (e) The Small House application submitted by the same applicant for the Site is still under processing. Should the application be approved by the Town Planning Board (the Board), this office 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.

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 “Village Type Development” (“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;

- (b) notwithstanding, he considers that the application only involves development of a Small House at the Site can be tolerated unless it is rejected on other grounds; and
- (c) the existing village access on and near the Site is not under Transport Department’s management. It is suggested that the land status, management and maintenance responsibilities of the village access should be clarified with the relevant lands and maintenance authorities accordingly in order to avoid potential land disputes.

3. **Environment**

Comments of the Director of Environmental Protection (DEP):

- (a) no objection to the application; and
- (b) if the application is approved, the applicant should be advised that the septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the Practice Note for Professional Person (ProPECC) PN 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department” and are duly certified by an Authorized Person.

4. **Landscape**

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

- (a) has reservation on the application from landscape planning point of view;
- (b) the Site is connected with Wun Yiu Road via a paved driveway to the east. Existing village houses are concentrated within the “V” zone with clusters of approved Small House applications within the “GB” zone to the north and south;
- (c) the Site is situated in an area of rural landscape character comprising of natural woodland and village houses. Despite a number of similar applications adjacent to the Site being recently approved, and the landscape character of the area is expected to be gradually altered, the proposed development is not in line with the planning intention of “GB” zone;
- (d) the Site is vacant and covered with grasses. Two young *Ficus variegata* (青果榕) and one young *Viaburnum odoratissimum* (珊瑚樹) are recorded within and adjacent to the Site. Moreover, the southern part of the Site is on a sloping ground and the proposed development would inevitably involve site formation

and/or slope works. The existing topography of the concerned “GB” area would therefore be changed irreversibly; and

- (e) since the footprint of the proposed Small House covers most of the Site and there is no adequate space for quality landscape to benefit the public realm, landscape condition is not recommended should the Board approve the application.

5. **Drainage and Sewerage**

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) there is no public drain maintained by DSD in the vicinity of the Site. If the application is approved, a condition should be included to request the applicant to submit and implement the drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the surrounding area and the residential premises located at its downhill side;
- (c) the proposed Small House should have its own stormwater collection and discharge systems to cater for the runoff generated within the Site and its uphill overland flow. The applicant/owner is required to maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
- (d) the applicant should design the drainage proposal based on the actual site condition for DSD’s comment/agreement. In the design, the applicant should consider the workability, the drainage impact to the surrounding environment and seek comments from all concerned parties/departments if necessary. The applicant/owner should make sure no adverse drainage and geotechnical impact will be caused to the area due to the proposed Small House. The proposed Small House development is located on the unpaved ground and slope area, which will increase the impervious area resulting in a change of the flow pattern and an increase of the surface runoff and thus the flooding risk to the surrounding area and residential premises located at its downhill side. The applicant should take this into account when preparing the drainage proposal. The existing natural streams, village drains, ditches and the adjacent areas should not be adversely affected. In particular, a minimum clearance of 3m between the proposed development and the nearest extremity of the existing streamcourses/ponds/rivers/the top of the embankment should be maintained;
- (e) there is no existing public sewerage in the vicinity of the Site. DEP should be consulted regarding the sewage treatment/disposal aspects of the proposed development and the provision of septic tank; and
- (f) in addition, he has the following general comments/conditions:-
 - (i) the proposed drainage works, whether within or outside the lot boundary, should be constructed and maintained by the lot owner at his expense;

- (ii) for works to be undertaken outside the lot boundary, prior consent and agreement from DLO/TP and/or relevant private lot owner(s) should be sought;
- (iii) as the proposed development is located on the slope, the stability of the existing slope may be affected. Head of Geotechnical Engineering Office, Civil Engineering and Development Department should be consulted on this aspect; and
- (iv) the lot owner/developer 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 lots. In the event of any damage to the existing drainage facilities, the lot owner/developer would be held responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom.

6. Nature Conservation

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

- (a) no strong view on the application; and
- (b) the Site is mostly covered with grass and the proposed Small House may affect some fruit trees.

7. Fire Safety

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

- (a) has no comment on the application; and
- (b) the applicant is advised to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by the 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; 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 standard.

9. **Geotechnical Aspect**

Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) the Site encroaches on an existing cut slope (feature No. 7NW-D/C427);
- (b) he has no comment on the GPRR and further information submitted by the applicant and has no in-principle objection to the application from geotechnical aspect; and
- (c) the applicant should be reminded that the proposed works as stated in the Geotechnical Planning Review Report (GPRR) cannot meet the conditions listed in the Practice Note for Authorized Persons and Registered Structural Engineers (PNAP) APP-56 for exemption in respect of site formation works. The applicant should submit the works proposal together with the prescribed plans for site formation works to the Building Authority for approval.

10. **Electricity Supply Safety**

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

- (a) no comment on the application from regulatory services perspective ; and
- (b) the parties concerned with the planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should 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 and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation (the Regulation) and the "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.

11. **Demand and Supply of Small House Sites**

According to the DLO/TP, LandsD's record, the total number of outstanding Small House applications for San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu is 44 while the 10-year Small House demand forecast for the same villages is 274. Based on the latest estimate by the Planning Department, about 2.99 ha (or equivalent to about 119 Small House sites) of land are available within the "V" zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu. Therefore, the land available cannot fully meet the future demand of 318 Small Houses (or equivalent to about 7.95 ha of land).

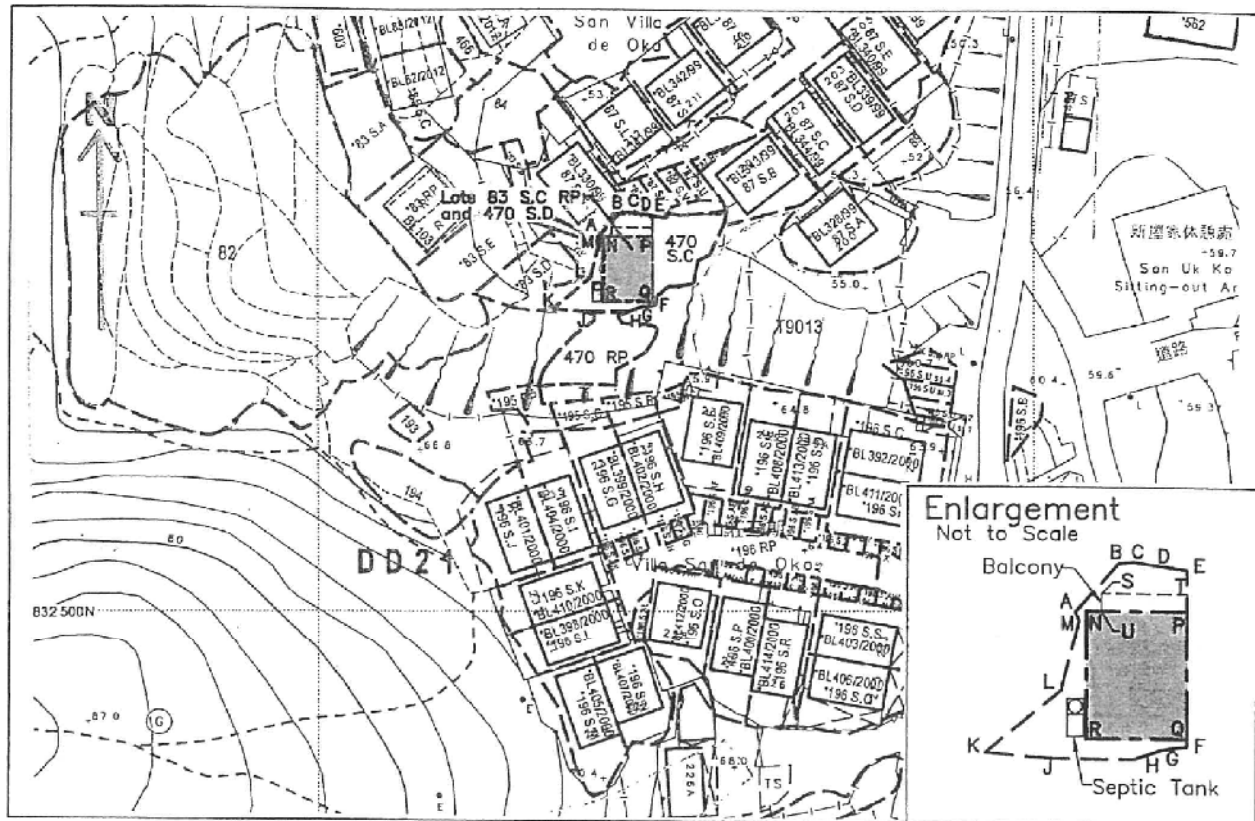
Recommended Advisory Clauses

- (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 septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the Practice Note for Professional Person (ProPECC) PN 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department” and are duly certified by an Authorized Person;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) there is no public drain maintained by DSD in the vicinity of the Site. The proposed Small House should have its own stormwater collection and discharge systems to cater for the runoff generated within the Site and its uphill overland flow. The applicant/owner is required to maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
 - (ii) the applicant should design the drainage proposal based on the actual site condition for DSD’s comment/agreement. In the design, the applicant should consider the workability, the drainage impact to the surrounding environment and seek comments from all concerned parties/departments if necessary. The applicant/owner should make sure no adverse drainage and geotechnical impact will be caused to the area due to the proposed Small House. The proposed Small House development is located on the unpaved ground and slope area, which will increase the impervious area resulting in a change of the flow pattern and an increase of the surface runoff and thus the flooding risk to the surrounding area and residential premises located at its downhill side. The applicant should take this into account when preparing the drainage proposal. The existing natural streams, village drains, ditches and the adjacent areas should not be adversely affected. In particular, a minimum clearance of 3m between the proposed development and the nearest extremity of the existing streamcourses/ponds/rivers/the top of the embankment should be maintained;
 - (iii) there is no existing public sewerage in the vicinity of the Site;
 - (iv) the proposed drainage works, whether within or outside the lot boundary, should be constructed and maintained by the lot owner at his expense;
 - (v) for works to be undertaken outside the lot boundary, prior consent and

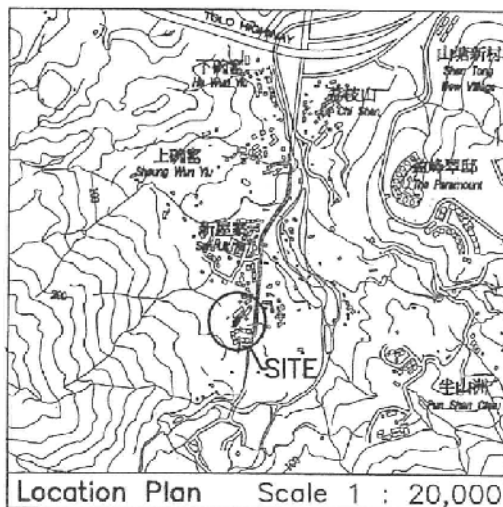
agreement from DLO/TP and/or relevant private lot owner(s) should be sought;

- (vi) the lot owner/developer 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 lots. In the event of any damage to the existing drainage facilities, the lot owner/developer would be held responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom.
- (d) to note the comments of the Chief Engineer/Construction of Water Supplies Department (CE/C, WSD) that 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 standard;
- (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 Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that the proposed works as stated in the Geotechnical Planning Review Report cannot meet the conditions listed in the Practice Note for Authorized Persons and Registered Structural Engineers (PNAP) APP-56 for exemption in respect of site formation works. The applicant should submit the works proposal together with the prescribed plans for site formation works to the Building Authority for approval;
- (g) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that the parties concerned with the planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should 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 and/or in the vicinity of the Site. They should observe the Electricity Supply Lines (Protection) Regulation (the Regulation) and the "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
- (h) 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 the Town Planning Board where required before carrying out the road works.

Proposed Small House Location Plan – D.D. 21



Survey Sheet No.: 7-NW-14C



San Uk Ka

Lot Nos. 83 S.C. RP & 470 S.D.

Boundary Dimensions: (Area = 120.7 sqm)

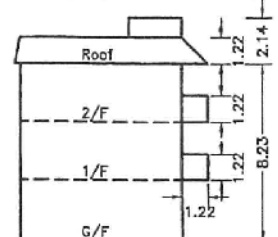
| From | To | Bearing (d-m-s) | Distance (m) | Pt. | N | E |
|------|----|-----------------|--------------|-----|------------|------------|
| A | B | 43°05'47" | 4.619 | A | 832552.605 | 834839.082 |
| B | C | 84°00'16" | 1.046 | B | 832555.978 | 834842.238 |
| C | D | 83°55'08" | 1.595 | C | 832556.087 | 834843.278 |
| D | E | 98°02'58" | 2.136 | D | 832555.864 | 834844.857 |
| E | F | 180°00'00" | 12.516 | E | 832555.556 | 834846.971 |
| F | G | 262°34'33" | 1.725 | F | 832543.040 | 834846.971 |
| G | H | 250°06'29" | 1.976 | G | 832542.817 | 834845.260 |
| H | J | 270°00'00" | 5.833 | H | 832542.145 | 834843.402 |
| J | K | 275°11'15" | 4.747 | J | 832542.145 | 834837.569 |
| K | L | 49°56'08" | 6.792 | K | 832542.574 | 834832.842 |
| L | M | 14°46'47" | 5.170 | L | 832546.946 | 834838.040 |
| M | A | 337°16'51" | 0.716 | M | 832551.944 | 834839.359 |

Proposed Small House Dimensions: (Area = 65.03 sqm)

| From | To | Bearing (d-m-s) | Distance (m) | Pt. | N | E |
|------|----|-----------------|--------------|-----|------------|------------|
| N | P | 90°00'00" | 7.112 | N | 832552.674 | 834839.859 |
| P | Q | 180°00'00" | 9.144 | P | 832552.674 | 834846.971 |
| Q | R | 270°00'00" | 7.112 | Q | 832543.530 | 834846.971 |
| R | N | 00°00'00" | 9.144 | R | 832543.530 | 834839.859 |

Proposed Balcony Dimensions: (Area = 7.32 sqm)

| From | To | Bearing (d-m-s) | Distance (m) | Pt. | N | E |
|------|----|-----------------|--------------|-----|------------|------------|
| S | T | 90°00'00" | 6.000 | S | 832553.894 | 834840.971 |
| T | P | 180°00'00" | 1.220 | T | 832553.894 | 834846.971 |
| P | U | 270°00'00" | 6.000 | P | 832552.674 | 834846.971 |
| U | V | 00°00'00" | 1.220 | U | 832552.674 | 834840.971 |



Plan prepared by:
Henry Chan Surveyors Limited

Henry H K Chan

Henry H K Chan
BSc MRICS FHKIS RPS(LSD)
Authorized Land Surveyor

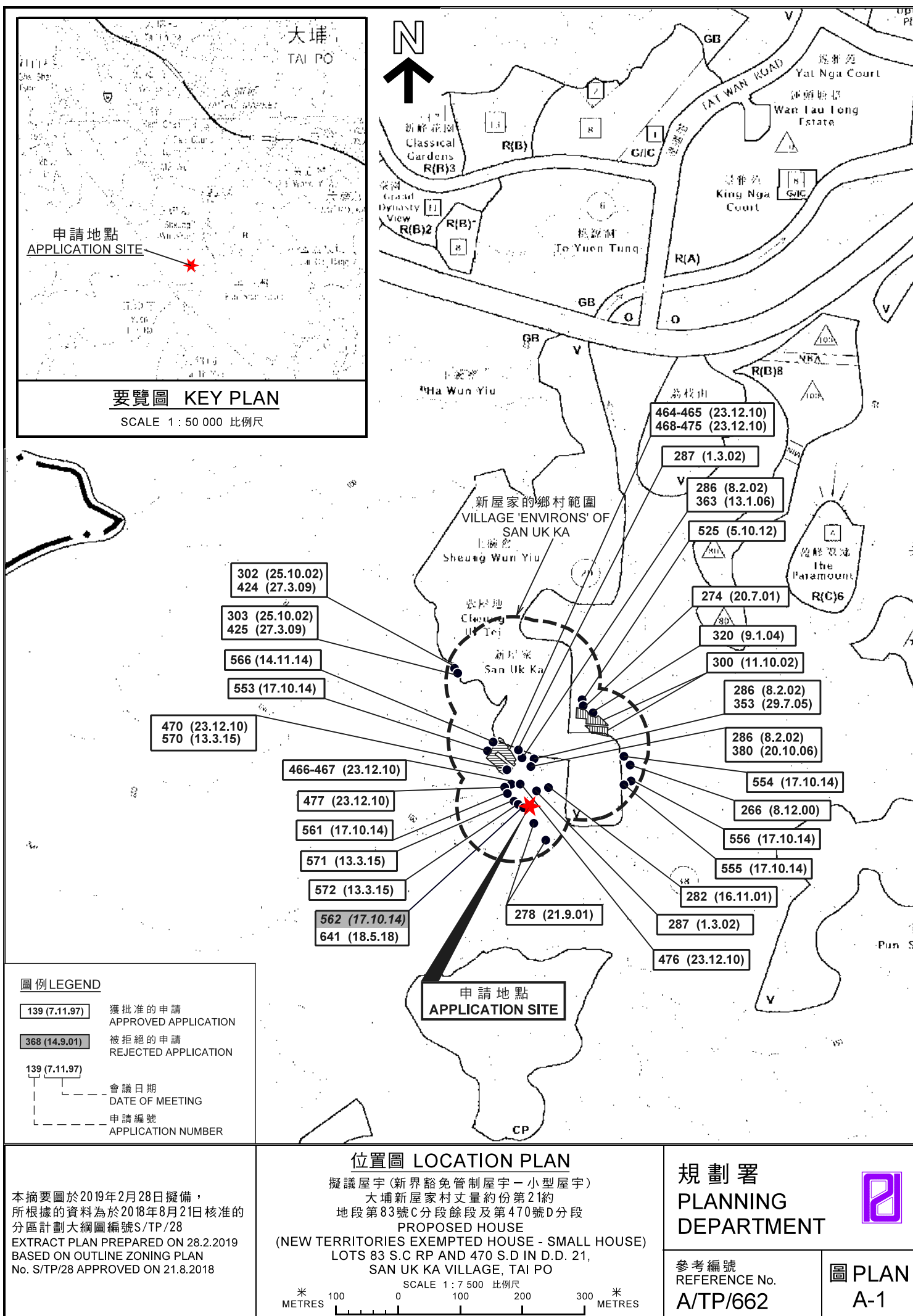
G/F, No. 2 Yan Wo Lane, Tai Po, New Territories

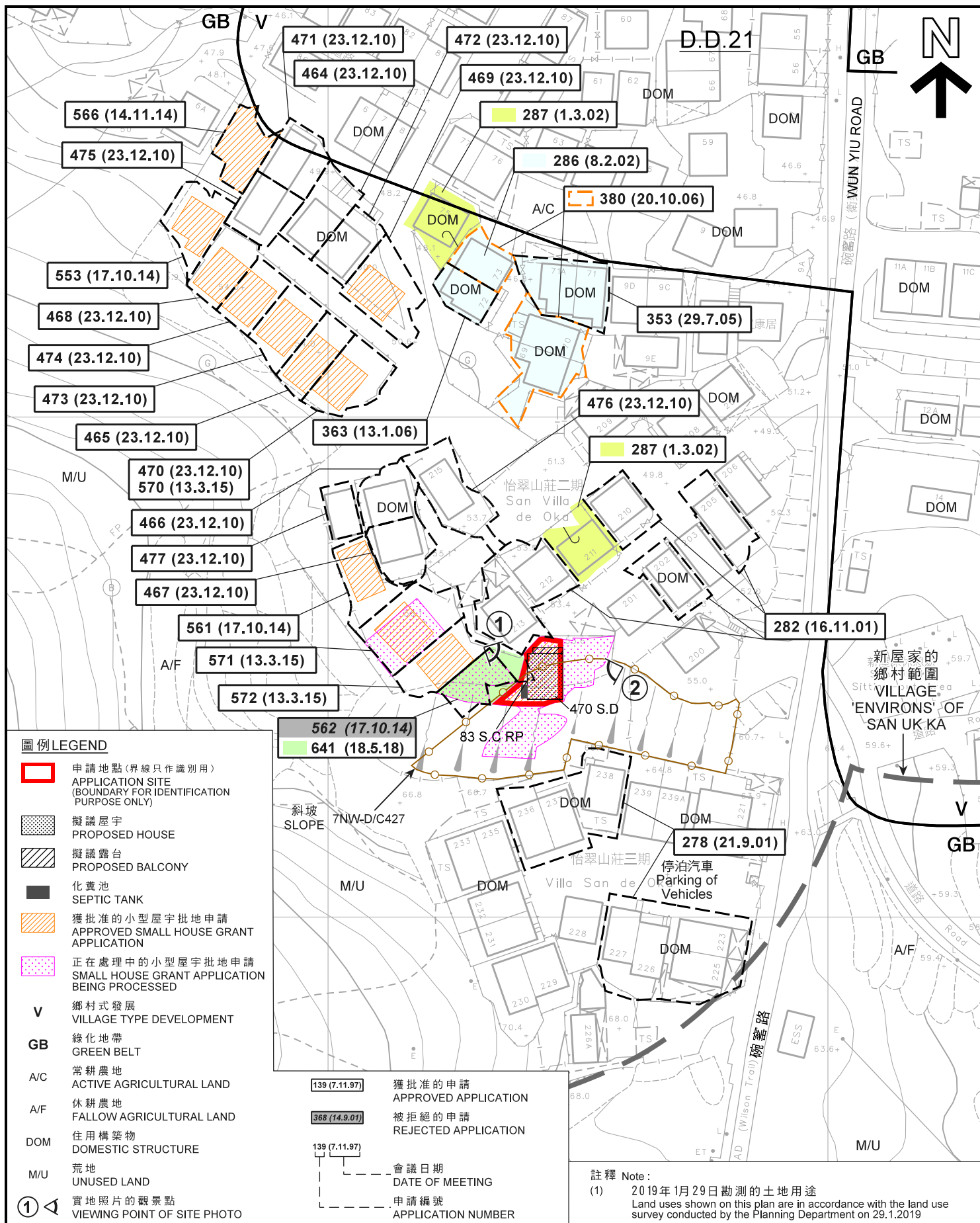
Plan No. : HC-13018/H02 Date: 26 June 2014
Tel: 2638-1313 Fax: 2638-1328

參考編號
REFERENCE No. A/TP/662

繪圖 DRAWING A-1

(來源 : 申請人建議書)
(SOURCE : APPLICANT'S SUBMISSION PLAN)





平面圖 SITE PLAN

擬議屋宇(新界豁免管制屋宇—小型屋宇)
大埔新屋家村丈量約份第21約
地段第83號C分段餘段及第470號D分段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOTS 83 S.C.RP AND 470 S.D IN D.D. 21,
SAN UK KA VILLAGE, TAI PO

SCALE 1:1000 比例尺

米 20 0 20 40 米
METRES

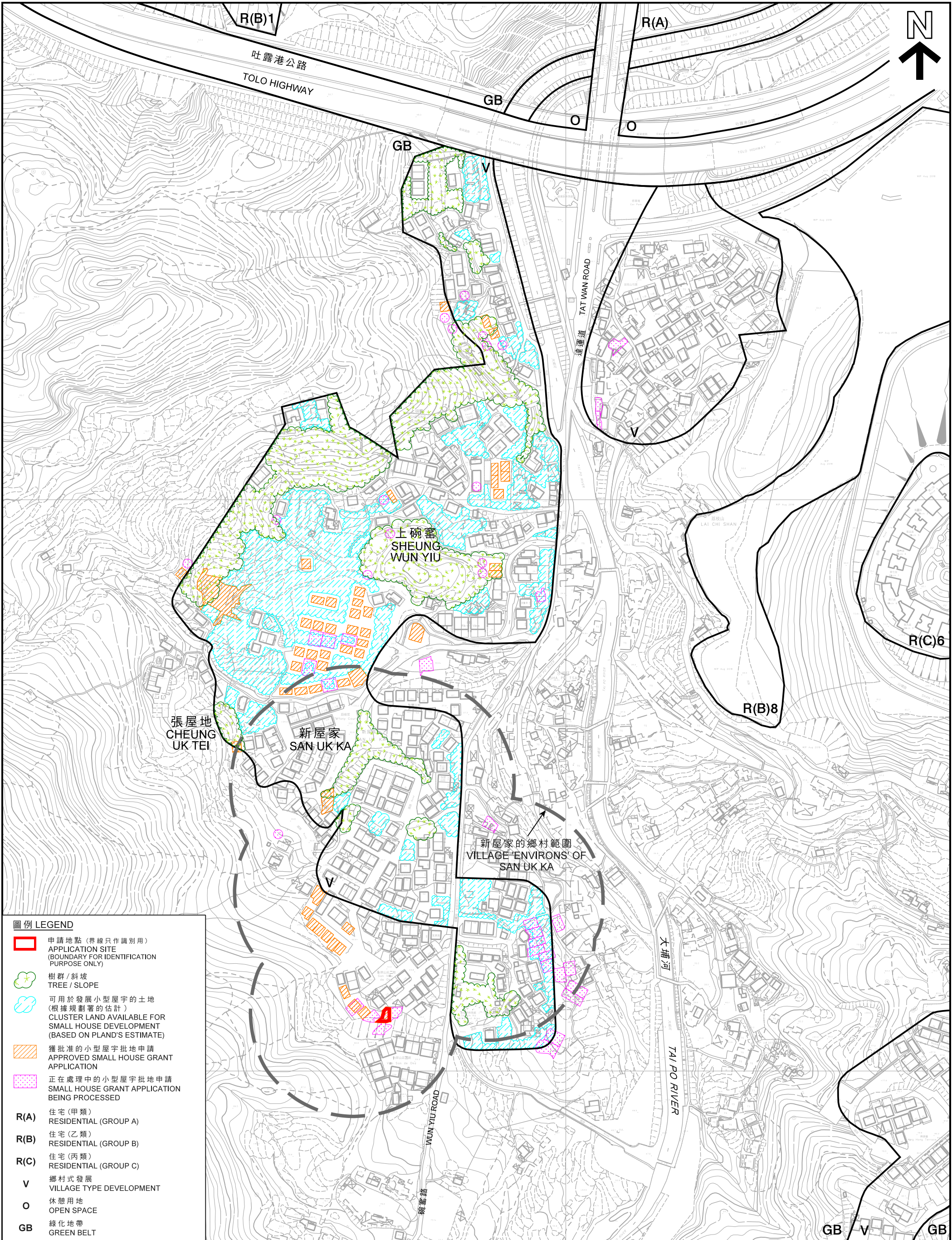
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/TP/662

圖 PLAN
A-2a

本摘要圖於2019年4月10日擬備，
所根據的資料為測量圖編號
7-NW-14C
EXTRACT PLAN PREPARED ON 10.4.2019
BASED ON SURVEY SHEET No.
7-NW-14C



圖例 LEGEND

- 申請地點 (界線只作識別用)
APPLICATION SITE (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)
- 樹群 / 斜坡
TREE / SLOPE
- 可用於發展小型屋宇的土地
(根據規劃署的估計)
CLUSTER LAND AVAILABLE FOR SMALL HOUSE DEVELOPMENT (BASED ON PLAND'S ESTIMATE)
- 獲批准的小型屋宇批地申請
APPROVED SMALL HOUSE GRANT APPLICATION
- 正在處理中的小型屋宇批地申請
SMALL HOUSE GRANT APPLICATION BEING PROCESSED
- R(A)
RESIDENTIAL (GROUP A)
- R(B)
RESIDENTIAL (GROUP B)
- R(C)
RESIDENTIAL (GROUP C)
- V
VILLAGE TYPE DEVELOPMENT
- O
OPEN SPACE
- GB
GREEN BELT

本摘要圖於2019年4月12日擬備，所根據的資料為測量圖編號
7-NW-14A、14B、14C、14D、19A及19B
EXTRACT PLAN PREPARED ON 12.4.2019
BASED ON SURVEY SHEETS No.
7-NW-14A, 14B, 14C, 14D, 19A & 19B

在「鄉村式發展」地帶內預計可供發展小型屋宇的土地數量
ESTIMATED AMOUNT OF LAND AVAILABLE FOR
SMALL HOUSE DEVELOPMENT WITHIN THE "V" ZONE

擬議屋宇 (新界豁免管制屋宇 - 小型屋宇)
大埔新屋家村丈量約份第21約地段第83號C分段餘段及第470號D分段
PROPOSED HOUSE (NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOTS 83 S.C RP AND 470 S.D IN D.D. 21,
SAN UK KA VILLAGE, TAI PO

SCALE 1 : 3 000 比例尺
米 50 0 50 100 150 200 250 米
METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/TP/662

圖 PLAN
A-2b



圖例 LEGEND

 申請地點 (界線只作識別用)
APPLICATION SITE
(BOUNDARY FOR IDENTIFICATION
PURPOSE ONLY)

本摘要圖於2019年2月11日擬備，
所根據的資料為地政總署
於2018年1月3日拍得的航攝照片
編號E034923C
EXTRACT PLAN PREPARED ON 11.2.2019
BASED ON AERIAL PHOTO No. E034923C
TAKEN ON 3.1.2018 BY
LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

擬議屋宇 (新界豁免管制屋宇 - 小型屋宇)
大埔新屋家村丈量約份第21約
地段第83號C分段餘段及第470號D分段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 1302 S.A IN D.D. 19,
PAK TIN KONG, TAI PO

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/TP/662

圖 PLAN
A-3

1



2



申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

擬議屋宇 (新界豁免管制屋宇 - 小型屋宇)
大埔新屋家村丈量約份第21約
地段第83號C分段餘段及第470號D分段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 1302 S.A IN D.D. 19,
PAK TIN KONG, TAI PO

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/TP/662

圖 PLAN
A-4

本圖於2019年2月28日擬備，所根據
的資料為攝於2019年1月29日
的實地照片
PLAN PREPARED ON 28.2.2019 BASED ON
SITE PHOTO TAKEN ON 29.1.2019

**Extracted Minutes of
the Rural and New Town Planning Committee Meeting held on 3.5.2019**

A/TP/662 Proposed House (New Territories Exempted House - Small House) in
 “Green Belt” Zone, Lots 83 S.C RP and 470 S.D in D.D. 21, San Uk
 Ka Village, Tai Po

 (RNTPC Paper No. A/TP/662)

Presentation and Question Sessions

59. Ms Kathy C.L. Chan, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from landscape planning point of view as the proposed development would inevitably involve site formation and/or slope works and the existing topography of the concerned area would be changed irreversibly and it was not in line with the planning intention of the “Green Belt” (“GB”) zone. The Head of Geotechnical

Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) had no comment on the Geotechnical Planning Review Report (GPRR) submitted by the applicant in respect of the application site (the site) being encroached onto an existing cut slope (feature No. 7NW-D/C427) and had no in-principle objection to the application from geotechnical aspect. The Commissioner for Transport had reservation on the application but considered that the application involving construction of only one Small House could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments objecting to the application were received from the World Wide Fund for Nature Hong Kong and an individual. Major views were set out in paragraph 11 of the Paper; and
- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Though the proposed development was not in line with the planning intention of the “GB” zone and CTP/UD&L, PlanD had reservation on the application, the application generally complied with the Town Planning Board Guidelines No. 10 (TPB PG-No. 10) in that the proposed development was not expected to generate significant adverse environmental, traffic, geotechnical, drainage and sewerage impacts. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ (‘VE’) of San Uk Ka. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the future Small House demand, it was capable to meet the 44 outstanding Small House applications. The site was located at the south-western fringe of village proper of San Uk Ka and sandwiched between the cluster of village houses to the north and south. Approved Small House applications were found in the close vicinity, forming a new village cluster in the locality. Hence, sympathetic consideration might be given to the subject application. Regarding the adverse public comments, the comments of government

departments and planning assessments above were relevant.

60. Some Members raised the following questions:

- (a) the status of Small House developments in the vicinity of the site; and
- (b) the approval grounds for the similar application No. A/TP/641.

61. Ms Kathy C.L. Chan, STP/STN, made the following responses:

- (a) as indicated on Plan A-2a of the Paper, Small House applications approved by the Committee were found to the north and west of the site. Some of them had been granted Building Licences by the Lands Department (LandsD) and some were completed or under construction. The two areas denoted in red dotted pattern to the immediate east and south of the site were the subject of outstanding Small House grant applications being processed by LandsD but planning applications had not yet received by the Board; and
- (b) the application site of similar application No. A/TP/641 was the subject of a previous application (No. A/TP/562), which was rejected by the Committee in 2014 on the grounds, amongst others, that the proposed development would cause adverse landscape and geotechnical impacts on the surrounding areas. Subsequently, the same applicant submitted application No. A/TP/641 with the site boundary and disposition of the proposed Small House slightly amended and submission of GPRR to address the concerns on slope stability. Application No. A/TP/641, with the application site falling entirely within “GB” and ‘VE’, was approved with conditions by the Committee in 2018 on sympathetic considerations that the proposed Small House was in line with the TPB PG-No. 10 in that it would not cause adverse geotechnical impact, the application site was located in close proximity to the existing Small Houses and a cluster of approved Small House applications.

Deliberation Session

62. A Member did not support the application as it would result in further extension of developments into the “GB” zone. The Member said given that land was still available within the “V” zone, Small House developments should be concentrated within the “V” zone for a more orderly development. Another Member concurred and added that approving the application would set an undesirable precedent in particular that Small House grant applications had been submitted to the immediate east and west of the site.

63. A Member, however, supported the application as the proposed development was not incompatible with the adjoining village clusters. The Member highlighted that similar applications in the vicinity of the site were approved with conditions by the Committee between 2014 and 2018 after the adoption of cautious approach in considering Small House applications. The proposed development generally followed the contour of those approved Small House applications to the west of the site.

64. Referred to Plan A-4 of the Paper, a Member however pointed out that the site encroached onto the foot of the vegetated slope and did not support the application as the Small House development would result in removal of the vegetated slope and pose adverse impact on the natural environment. Another Member added that the disruption of vegetation would be larger than the footprint of the Small House as the vegetated slope would likely be cut for building a platform for the proposed development.

65. Members noted that a GPRR had been submitted by the applicant and H(GEO), CEDD had no comment on the GPRR and no in-principle objection to the application. A Member pointed out that construction of Small Houses on slopes should not pose insurmountable problems, though the disruption to natural landscape might be irreversible.

66. A Member said that unlike the approved application No. A/TP/641, there was no previous application for Small House development at the site. With reference to Plans A-2a and A-3 of the Paper, another Member pointed out that as compared with application No. A/TP/641, the subject application would pose adverse impact on the integrity of the strip of vegetation (on slope No. 7NW-D/C427) within the “GB” zone which was serving as a buffer between the two clusters of Small House developments.

67. In sum, Members in general did not support the application on the grounds that the site fell within the “GB” zone and the proposed Small House development would involve site formation and/or slope works and cause adverse landscape impact on the surrounding areas; and land was still available within the “V” zone for Small House development.

68. After further deliberation, the Committee decided to reject the application. The reasons were:

- “(a) the proposed development is not in line with the planning intention of “Green Belt” (“GB”) zone, which is primarily for defining 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 is a general presumption against development within this zone. There is no strong planning justification in the submission to justify a departure from the planning intention;
- (b) the proposed development does not comply with the Town Planning Board 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 clearance of existing natural vegetation affecting the existing natural landscape, and the applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas;
- (c) the proposed development does 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
- (d) land is still available within the “Village Type Development” (“V”) zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within

the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

Annex C
TOWN PLANNING BOARD

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

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/TP/662

By Post & Fax (2635 9685)

17 May 2019

Lau Chee Sing
No. 46, Shuen Wan Lei Uk
Tai Po, New Territories

Dear Sir/Madam,

**Proposed House (New Territories Exempted House - Small House)
in "Green Belt" Zone, Lots 83 S.C RP and 470 S.D in D.D. 21, San Uk Ka Village, Tai Po**

I refer to my letter to you dated 16.4.2019.

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

- (a) the proposed development is not in line with the planning intention of "Green Belt" ("GB") zone, which is primarily for defining 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 is a general presumption against development within this zone. There is no strong planning justification in the submission to justify a departure from the planning intention;
- (b) the proposed development does 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 clearance of existing natural vegetation affecting the existing natural landscape, and you fail to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas;
- (c) the proposed development does 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
- (d) land is still available within the "Village Type Development" ("V") zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the "V" zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 3.5.2019 are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 8.6.2019). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

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

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Ms. Kathy Chan of Sha Tin, Tai Po & North District Planning Office at 2158 6242.

Yours faithfully,



(Raymond KAN)
for Secretary, Town Planning Board

Similar Applications

Approved Applications

| Application No. | Proposed Development | Date of Consideration | Approval Conditions |
|------------------------|--------------------------------------------------------------|------------------------------|----------------------------|
| A/TP/266 | Proposed House (Small House) | 8/12/2000 | A1 |
| A/TP/274 | Proposed New Territories Exempted House (NTEH) (Small House) | 20/07/2001 | A1-A3 |
| A/TP/278 | Proposed Seven Houses (Small House) | 21/09/2001 | A1-A2 |
| A/TP/282 | Proposed Five Houses (Small House) | 16/11/2001 | A1-A3 |
| A/TP/286 | Proposed Six Houses (Small House) | 08/02/2002 | A1-A3 |
| A/TP/287 | Proposed Two Houses (Small House) | 01/03/2002 | A1-A2 |
| A/TP/300 | Proposed Eight Houses (Small House) | 11/10/2002 | A1, A4 |
| A/TP/302 | Proposed NTEH (Small House) | 25/10/2002 | A1-A2 |
| A/TP/303 | Proposed NTEH (Small House) | 25/10/2002 | A1-A2 |
| A/TP/320 | Proposed NTEH (Small House) | 09/01/2004 | A1-A2 |
| A/TP/353 | Proposed 2 NTEHs (Small House) | 29/07/2005 | A1-A2 |
| A/TP/363 | Proposed NTEH (Small House) | 13/01/2006 | A1, A5 |
| A/TP/380 | Proposed 3 NTEHs (Small House) | 20/10/2006 | A1, A2, A5, A6 |
| A/TP/424 | Proposed NTEH (Small House) | 27/03/2009 | A4, A6 |
| A/TP/425 | Proposed NTEH (Small House) | 27/03/2009 | A4, A6 |
| A/TP/464 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/465 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/466 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |

| | | | |
|----------|---------------------------------|------------|-------------------|
| A/TP/467 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/468 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/469 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/470 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/471 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/472 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/473 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/474 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/475 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/476 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/477 | Proposed NTEH (Small House) | 23/12/2010 | A1, A2, A6 |
| A/TP/525 | Proposed 2 NTEHs (Small Houses) | 5/10/2012 | A1, A2, A6 |
| A/TP/553 | Proposed NTEH (Small House) | 17/10/2014 | A1, A2, A7 |
| A/TP/554 | Proposed NTEH (Small House) | 17/10/2014 | A1, A2, A7 |
| A/TP/555 | Proposed NTEH (Small House) | 17/10/2014 | A1, A2, A7 |
| A/TP/556 | Proposed NTEH (Small House) | 17/10/2014 | A1, A2, A7 |
| A/TP/561 | Proposed NTEH (Small House) | 17/10/2014 | A1, A2, A7 |
| A/TP/566 | Proposed NTEH (Small House) | 14/11/2014 | A1, A2, A7 |
| A/TP/570 | Proposed NTEH (Small House) | 13/03/2015 | A1, A2, A7 |
| A/TP/571 | Proposed NTEH (Small House) | 13/03/2015 | A1, A2, A7, A8 |
| A/TP/572 | Proposed NTEH (Small House) | 13/03/2015 | A1, A2, A7, A8 |
| A/TP/641 | Proposed NTEH (Small House) | 18/05/2018 | A1, A7 |

Approval Conditions

- A1. The submission and/or provision/implementation of drainage facilities/ proposal.
- A2. The submission and implementation of landscaping proposals.
- A3. The provision of fire service installations.
- A4. The submission and implementation of landscape and tree preservation proposals (including a site formation plan, prior to commencement of site formation works).
- A5. The submission of a slope assessment and the implementation of stabilization works identified therein.
- A6. The provision for fire-fighting access, water supplies and fire service installations.
- A7. 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.
- A8. The submission of a geotechnical investigation report and implementation of the necessary geotechnical remedial works.

Rejected Applications

| Application No. | Proposed Development | Date of Consideration | Rejection Reasons |
|------------------------|-----------------------------|------------------------------|--------------------------|
| A/TP/562 | Proposed NTEH (Small House) | 17/10/2014 | R1-R3 |
| A/TP/665 | Proposed NTEH (Small House) | 10/1/2020 (Review) | R1, R4 |
| A/TP/666 | Proposed NTEH (Small House) | 10/1/2020 (Review) | R1, R4 |

Rejection Reasons

- R1. The proposed development was not in line with the planning intention of the "Green Belt" ("GB") zoning for the area which was to define the limits of urban development areas by natural features so as to contain urban sprawl and to provide passive recreational outlets. There was a general presumption against development within the "GB" zone. There was no strong justification in the current submission for a departure from the planning intention.
- R2. The application did not comply with the Town Planning Board Guidelines for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape, and the applicant failed to demonstrate that the proposed

development would have no adverse landscape impact on the surrounding areas and that the stability of the adjacent slope would not be adversely affected.

- R3. The application did not comply with the Interim Criteria for Assessing Planning Applications for NTEH/Small House Development in the New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas and be subject to adverse geotechnical impact.
- R4. Land was still available within the “Village Type Development” (“V”) zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
 - (i) 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
 - (ii) the proposed site formation level for the proposed Small House has not been endorsed and might be revised subject to comments from the relevant departments;
- (b) to note the comments of the Director of Environmental Protection (DEP) that septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the Practice Note for Professional Person (ProPECC) PN 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department” and are duly certified by an Authorized Person;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (iii) if the application is approved, the applicant is required to submit and implement a drainage proposal to demonstrate that the proposed development (with all slope and ground drainage improvement works to be carried out upstream and downstream of the Site to such reasonable extent) will not cause any adverse drainage impact to the adjacent area;
 - (iv) the proposed development is located on unpaved ground and slope area, which will increase the impervious area resulting in a change of the flow pattern and an increase of the surface runoff and thus the flooding risk in the area. The applicant should take this into account when preparing the drainage proposal;
 - (v) if the stormwater drainage system of the proposed development is to be connected to any existing drainage facilities, the applicant shall seek consent from the concerned owners or parties responsible for the maintenance of such facilities and keep DSD informed. The applicant shall also check and ensure that the stormwater drainage system of the proposed development and the existing drainage facilities to be connected to are in good working condition and have adequate capacity to accommodate the surface runoff collected from the Site as well as its upstream catchments;
 - (vi) the applicant/owner is required to maintain the stormwater drainage system of the proposed development and the existing drainage facilities to be connected to properly and rectify such system/facilities if found inadequate or ineffective during operation. The applicant shall effect subsequent upgrading of the stormwater drainage system for the proposed development and the existing drainage facilities to be connected to whenever necessary;

- (vii) the applicant shall take extreme care when working in the vicinity of DSD maintained drainage and sewerage works, if any, in order not to disturb, interfere with or cause damage to them. Any blockage or damage to the said works due to the proposed development shall be made good at the applicant's cost;
 - (viii) the proposed Small House should have its own stormwater collection and discharge systems to cater for the runoff generated within the Site and its uphill overland flow. The applicant/owner is required to maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
 - (ix) the applicant should design the drainage proposal based on the actual site condition for DSD's comment/agreement. In the design, the applicant should consider the workability, the drainage impact to the surrounding environment and seek comments from all concerned parties/departments if necessary. The applicant/owner should make sure no adverse drainage and geotechnical impact will be caused to the area due to the proposed Small House. The proposed Small House development is located on the unpaved ground and slope area, which will increase the impervious area resulting in a change of the flow pattern and an increase of the surface runoff and thus the flooding risk to the surrounding area and residential premises located at its downhill side. The applicant should take this into account when preparing the drainage proposal. The existing natural streams, village drains, ditches and the adjacent areas should not be adversely affected. In particular, a minimum clearance of 3m between the proposed development and the nearest extremity of the existing streamcourses/ponds/rivers/the top of the embankment should be maintained;
 - (x) there is no existing public sewerage in the vicinity of the Site;
 - (xi) the proposed drainage works, whether within or outside the lot boundary, should be constructed and maintained by the lot owner at his expense;
 - (xii) for works to be undertaken outside the lot boundary, prior consent and agreement from DLO/TP and/or relevant private lot owner(s) should be sought; and
 - (xiii) the lot owner/developer 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 lots. In the event of any damage to the existing drainage facilities, the lot owner/developer would be held responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom.
- (d) to note the comments of the Chief Engineer/Construction of Water Supplies Department (CE/C, WSD) that 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 standard;
- (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 Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that the proposed works as stated in the Geotechnical Planning Review Report cannot meet the conditions listed in the Practice Note for Authorized Persons and Registered Structural Engineers (PNAP) APP-56 for exemption in respect of site formation works. The applicant should submit the works proposal together with the prescribed plans for site formation works to the Building Authority for approval. The stability of the slope would be assessed at the detailed design stage and, if necessary, the slope would be upgraded to the current safety standards;
- (g) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that the parties concerned with the planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should 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 and/or in the vicinity of the Site. They should observe the Electricity Supply Lines (Protection) Regulation (the Regulation) and the “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
- (h) 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 the Town Planning Board where required before carrying out the road works.