

**RURAL AND NEW TOWN PLANNING COMMITTEE
OF THE TOWN PLANNING BOARD**

**RNTPC PAPER NO. 9/12
FOR CONSIDERATION BY THE RURAL AND
NEW TOWN PLANNING COMMITTEE
ON 7.12.2012**

**REVIEW OF “VILLAGE TYPE DEVELOPMENT” ZONE OF SHAN LIU
ON THE APPROVED TING KOK OUTLINE ZONING PLAN NO. S/NE-TK/17**

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1. Purpose

This paper provides Members with the findings of a review of the “Village Type Development” (“V”) zone of Shan Liu on the approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/17.

2. Background

- 2.1 The “V” zone of Shan Liu was first included in the interim development permission area (IDPA) plan No. IDPA/NE-TK/1 exhibited on 7.8.1990. After consultation with the Tai Po Rural Committee, the “V” zone was expanded from 1,524m² to 5,164m² on the draft development permission area (DPA) plan No. DPA/NE-TK/1 exhibited on 12.7.1991. The same “V” zone boundary was subsequently included in the Ting Kok OZP No. S/NE-TK/1 and has remained the same as currently shown on the OZP No. S/NE-TK/17.
- 2.2 To take into account the Small House demand in Shan Liu, the Planning Department (PlanD) had previously submitted two proposals for extension of the “V” zone to the Rural and New Town Planning Committee (the Committee) for consideration in 1999 and 2004, and during the same period the Indigenous Inhabitants Representative (IIR) of Shan Liu also submitted two rezoning requests to the Committee for consideration. Details of the proposed amendments related to the “V” zone of Shan Liu are summarized below.
- 2.3 On 8.1.1999, the PlanD submitted a proposal to enlarge the “V” to about 1.05 ha to the Committee for consideration (**Plan 1**). Since Shan Liu was within the water gathering grounds (WGGs) and there were no existing and planned sewers serving the area, the Environmental Protection Department (EPD) and the Water Supplies Department (WSD) did not support the proposed “V” zone extension. As a result, the “V” zone proposal was deferred by the Committee pending resolution of the issue with the WSD and EPD.
- 2.4 In the meantime, s.16 planning applications for Small Houses were processed in accordance with the interim criteria for consideration of application for NTEH/Small House in New Territories (Interim Criteria) which was revised on 23.8.2002 requiring the connection of any proposed Small Houses within WGGs to the existing or planned sewerage system in the area. Applications were considered on case-by-case basis.
- 2.5 On 2.12.2003, the IIR of Shan Liu submitted a rezoning request (No. Z/NE-TK/7). This rezoning request was not agreed by the Committee on 13.2.2004 (details refer to paragraph 5.2 below).

- 2.6 At the same meeting of considering rezoning request No. Z/NE-TK/7 on 13.2.2004, the PlanD submitted a revised proposal to slightly extend the “V” zone to about 0.57 ha to the Committee for consideration (**Plan 1**). Having noted that the EPD would have no in-principle objection to the adjustment of the “V” zone provided that the adjustment would not involve in any net increase in the size of “V” zone, the Committee agreed that the revised “V” zone proposal could be used as a basis for discussion with the concerned Government departments and the villagers of Shan Liu.
- 2.7 Taking into account the comments of the concerned Government departments consulted, the “V” zone proposal was further revised in October 2004 (about 0.55 ha on **Plan 2**). While the revised proposal was considered acceptable by the concerned Government departments, the IIR refused to accept the revised proposal.
- 2.8 In March 2005, the IIR submitted another rezoning request (No. Z/NE-TK/13) and subsequently requested for deferral of Committee’s consideration of the proposal four times. In November 2008, the planned sewerage system to serve the Shan Liu “V” zone was gazetted. On 29.10.2008, the IIR submitted a revised “V” zone proposal of about 3.66 ha and requested for reactivating the rezoning request No. Z/NE-TK/13. On 23.1.2009, the rezoning request was not agreed by the Committee (details refer to paragraph 5.2 below).
- 2.9 Since 2007, Shan Liu was the subject of three enforcement cases with compliance notice issued (details refer to paragraph 6 below).
- 2.10 On 19.11.2010, arising from consideration of the review of an application (No. A/NE-TK/301) for Small House development in Shan Liu, the Board noted that there was a shortage of land in the “V” zone in meeting Small House demand and requested that a review of Shan Liu “V” zone should be undertaken.

3. The Area

- 3.1 Shan Liu area (the Area) is situated on the upper foothills between Pat Sin Leng Country Park and Ting Kok Village. The Area is predominantly rural in character with a Tsz Tong and some ruin structures in the western part. The middle part of the Area zoned “Agriculture” (“AGR”) is mainly flat and abandoned agricultural land sparsely covered with weeds. Surrounding the middle part of the Area are continuous woodlands forming the foothill of the Pat Sin Leng Country Park. There are two stream courses flowing from the mountain in the north to the southern part of the Area towards the WSD waterworks gathering ground in the east. The Area is mainly served by Shan Liu Road off Ting Kok Road.
- 3.2 The Area comprises mainly private land and some Government land (**Plan 3**). The majority of the private land is Old Schedule Agricultural Lots held under Block Government Lease.

- 3.3 The middle part of the Area had been subject to clearance of natural vegetation, unauthorized land filling, dumping and site formation (under enforcement cases No. E/NE-TK/36 and 38, details refer to paragraph 6 below) over the years. The size of the vegetation clearance had caused significant damage to the existing landscape quality.

4. Development Constraints

Water Gathering Grounds

- 4.1 The Area falls within the upper and lower indirect WGGs (**Plan 4**). To protect the water resources from being contaminated by wastes and pollutants, developments in these areas should be strictly controlled and on-site sewage treatment/disposal, even as an interim measures, would not be acceptable by the EPD and WSD. It is important that any proposed development, located within WGGs, should be able to be connected to the existing or planned sewerage system in the area. In particular, the south-eastern portion of the area falls within the lower indirect WGG. According to the WSD, lower indirect WGG is much closer to water intake, the vulnerability and the risk of pollution of the fresh water resources caused by any development within the area is very high. Pollutants/contaminated water in lower indirect WGG can hardly be diverted out off the water intake system. As such, WSD will not accept any "V" zone extension proposal that would encroach onto the lower indirect WGG. As regards the rezoning proposal in upper indirect WGG, in addition to ensure and enforce proper and complete connection to the public sewerage system before occupation of the Small House, the applicant/proponent shall demonstrate to the satisfaction of WSD that there would be no material increase in pollution effect to the WGG resulting from the proposed development.

Sewerage

- 4.2 In November 2008, the planned sewerage system to serve the potential Small House development within the "V" zone of Shan Liu Village was gazetted and to be implemented under the "Tolo Harbour Sewerage of Unsewered Areas Stage 1 Phase 2C" project (**Plan 4**). The planned sewerage system extension was commenced in 2011 and scheduled for completion in end 2013.

Geotechnical

- 4.3 There are also two registered slope features No. 3SE-C/C186 and 3SE-C/DT40 (**Plan 4**) located to the northwest of the area. The slope features No. 3SE-C/C186 is of 60m wide at a maximum height of 8m and an average angle of 55 degrees. The slope features No. 3SE-C/DT40 is of 100m wide at a maximum height of 12m and an average angle of 18 degrees. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department should be consulted on any development that may affect or may be affected by these two slope features.

5. Development Pressure

Demand and Supply of Small House Sites

5.1 The demand and supply of Small House sites in Shan Liu are shown in the following table. The number of outstanding Small House applications as of November 2012 is 39 while the 10-year Small House demand forecast has been increased from 19 to 250 between 2006 and 2012. There is strong Small House demand from Shan Liu village. Based on the latest estimate by the PlanD, about 0.41 ha of land (or equivalent to about 16 Small House sites) is available within the "V" zone of Shan Liu. Therefore, there is a shortage of land within "V" zone to meet the future Small House demand (about 7.23 ha for 289 Small Houses).

<u>Year</u>	<u>No. of outstanding S.H. applications</u>	<u>No. of 10-year S.H. demand*</u>	<u>Total S.H. demand</u>	<u>Land available within "V"</u>	<u>Estimated No. of S.H. sites within "V"</u>	<u>Surplus/ Deficit</u>
2006	10	19	29	0.29	8	-21
2009	22	292	314	0.5	15	-299
2012	39	250	289	0.41	16	-273

(* The figures were provided by the IIR in response to the District Lands Officer/Tai Po's enquiry without any supporting evidence.)

Rezoning Requests and Proposal

5.2 Two rezoning requests (No. Z/NE-TK/7 and 13) (**Plan 5**) were submitted by the IIR of Shan Liu to rezone an area of about 0.58 ha and 3.66 ha respectively from "AGR" and "GB" to "V" for extension of the "V" zone boundary. These two rezoning requests were not agreed by Committee on 13.2.2004 and 23.1.2009 respectively for reasons that the land in the concerned "AGR" zone was considered suitable for rehabilitation for cultivation or other agricultural developments; the ecological impacts of the proposed enlargement of the "V" zone onto the "GB" zone, which comprised wooded areas and the streams, had not been addressed; and there was insufficient information to justify that the proposed rezoning request was acceptable from the water quality, landscape, agricultural and nature conservation planning as well as geotechnical safety points of view.

5.3 With the implementation of the planned sewerage system in the area, on 16.11.2010, the IIR of Shan Liu reiterated his request and submitted a rezoning proposal [*not a formal s.12 Application*] to the PlanD to extend the Shan Liu "V" zone. The proposed "V" zone covers about 2.15 ha (**Plan 7**). The rezoning proposal was subsequently circulated to the concerned departments but considered not acceptable by WSD, EPD and AFCD. For those extension areas within the upper indirect WGG, the WSD commented that he would object to the proposal unless the proponent could prove to the satisfaction of WSD that there would be no material increase in pollution effect to the WGG resulting from the proposed development. For those extension areas within the lower indirect WGG, the WSD pointed out that any proposed village housing development would not be permitted. The EPD did not support the portion of extension area outside the 'VE' (also within the lower indirect WGG) which

was at lower topography than the trunk sewer and raised concern on the potential water quality impact on the WGG. The DAFC did not support the rezoning of “AGR” zone to other zones from agricultural point of view as the area under “AGR” zone had high potential for agricultural activities.

S.16 Applications

- 5.4 Since the publication of the trunk sewer in the gazette in November 2008 (up to 30.11.2012), there were a total of 39 applications for Small House development in Shan Liu (**Plan 5**). Details of the applications are attached at **Appendix I**.
- 5.5 Amongst the 39 applications within Shan Liu, 12 of them were approved and highlighted in the table below. It should be noted that although the EPD and WSD did not support the proposed extension of “V” zone in Shan Liu (paragraph 2.3 refers), they had no objection to these 12 applications since they complied with the Interim Criteria.

Application No.	Zoning	WGG
A/NE-TK/295, 355, 358, 359, 415 and 416	AGR	Upper
A/NE-TK/305, 349 and 411	AGR	Lower
A/NE-TK/339 and 351	GB	Upper
ANE-TK/299	GB	Lower

6. Enforcement Cases

The Area was the subject of three enforcement cases (No. E/NE-TK/36, 38 and 51) (**Plan 6**). As regard enforcement cases No. E/NE-TK/36 and 38 for unauthorized land/pond filling, dumping and site formation, enforcement notice and reinstatement notice were issued to the concerned landowners and the responsible person in 2007. Upon confirmation that the reinstatement notice requirement had been fulfilled, compliance notice was issued on 5.12.2008 and 11.9.2009 respectively. For enforcement case No. E/NE-TK/51 against the unauthorized storage use (including deposit of containers), enforcement notice and reinstatement notice were issued to the concerned landowners and the responsible person in 2010/2011. Upon confirmation that the reinstatement notice requirement had been fulfilled, compliance notice was issued on 27.8.2012.

7. Land Use Proposal

Guiding Principles

- 7.1 Given that the implementation of the public sewerage system is underway and scheduled for completion in end 2013, it is opportune to consider an extension of the Shan Liu “V” zone to meet the Small House demand. As the Area is close to Pat Sin Leng Country Park to the north and east (**Plan 4**), development should not be allowed to affect or encroach onto slopes, woodland and stream

courses in order to ensure minimal impacts on the existing natural environment. Moreover, while the Area falls within WGG, the WSD raises concern on the potential impact on water quality caused by any village type development within the WGGs in particular the lower indirect WGG. As such, any proposed "V" zone extension should be confined to an extent that will not jeopardise the existing natural landscape and rural setting as well as to the protection of water resources from being contaminated by wastes and pollutants.

- 7.2 Having taken into account the existing site condition, topography, land status, permitted developments, capacity of infrastructure, demand and supply of Small House sites and concerned Government departments' comments, the following amendments to the OZP are proposed.

Rezoning from "Agriculture" and "Green Belt" to "Village Type Development"

- 7.3 It is proposed to rezone about 1.03 ha of land in the immediate surroundings of the existing "V" zone from "AGR" and "GB" to "V". The areas (shown as Areas A and B on **Plan 8**) comprise flat and abandoned agricultural land with some ruin domestic structures. Adjoining Tsz Tong, these areas are generally considered suitable for village type development and compatible with the existing landscape character and rural setting. The rezoning proposal is in line with the planning intention of the "V" zone which is to concentrate village type development for a more orderly development pattern, efficient use of land and provision of infrastructure and services.

Rezoning from "Village Type Development" and "Agriculture" to "Green Belt"

- 7.4 It is proposed to rezone the north-western portion of the existing "V" zone to "GB" (about 0.1 ha), and another two pieces of land to the northwest of the existing "V" zone and to the south of a local track from "AGR" to "GB" (about 0.21 ha). The three areas (shown as Areas C and D on **Plan 8**) are on the lower hill slopes (Features No. 3SE-C/C186 and 3SE-C/DT40) with washed out areas and at the edge of woodland covered with dense and mature trees. In order to ensure minimal impact on the existing landscape quality and geotechnical safety, it is proposed to rezone these areas to "GB" in order to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl.

Conclusion

- 7.5 As a result of the above proposed zoning amendments, the proposed "V" zone of Shan Liu, which is of about 1.45 ha, is shown on **Plan 8**. It is mainly bounded by a footpath in the west and south, and the demarcation line between the upper/lower indirect WGG. Nearby stream course in the south and the lower indirect WGG are excluded. Upon the completion of the planned public sewerage system, which is scheduled for completion in end 2013, village development in the area would then be able to be connected to the public sewerage system.
- 7.6 There would be about 1.45 ha of land (equivalent to about 58 Small Houses) available within the proposed "V" zone of Shan Liu as compared with 0.41 ha of land (equivalent to about 16 Small Houses) available under the current "V"

zone boundary. Although the land available within the proposed "V" zone cannot fully meet the 10-year Small House demand forecast of 250 Small Houses, it is sufficient to accommodate the demand arising from the current outstanding Small House applications of 39 Small Houses. An incremental approach is considered appropriate in reserving additional land for Small House development. In future, further review of the "V" will be considered taking into account the latest infrastructure provision, the latest Small House demand forecast and the progress in processing of Small House applications by the Lands Department. Small House developments outside the proposed "V" zone would still be considered on a case-by-case basis in accordance with the Interim Criteria.

8. Consultation

- 8.1 The relevant Government departments have been consulted on the proposed zoning amendments to the Ting Kok OZP. The EPD has no objection to the rezoning proposal provided that any future development will be capable to connect and discharge the sewage from the Small House developments to the planned sewerage system. The WSD is concerned about the timing for occupation of the Small Houses in relation to the completion of the public sewerage system and ways/means to ensure and enforce proper connection to the public sewerage system. The WSD will consider the rezoning proposal upon completion of the public sewerage system and that the Small Houses within the proposed "V" zone should be connected to the public sewerage system. The AFCD does not support the rezoning proposal as the "AGR" zone in question has high potential for rehabilitation of agricultural activities.
- 8.2 As regards the WSD's concerns on the connection of the proposed Small Houses to the public sewerage system, it should be noted that the public sewerage system in Shan Liu is scheduled for completion in end 2013. Moreover, the District Lands Officer/Tai Po of Lands Department advises that for those Small House applications within the WGGs, the following conditions would be included in the offer letter to ensure the connection of the Small Houses to the public sewerage system:-
- (a) the actual construction of the proposed Small House shall only begin after the completion of the public sewerage network;
 - (b) the applicant shall connect the whole of the foul water drainage system to the public sewers; and
 - (c) adequate protective measures shall be taken to ensure that no pollution or siltation occurs to the WGGs.
- On the DAFC's concerns, it should be noted that the agricultural land within the 'VE' of Shan Liu has been abandoned for many years and there is a strong demand for Small House development as reflected in the number of planning applications.
- 8.3 Discussion was held between the PlanD and the IIR of Shan Liu on the "V" zone extension proposal in August 2012. The IIR had no in-principle objection to the rezoning proposal but requested to extend the "V" zone further to cover areas within the lower WGG and outside the 'VE' so as to meet the Small House demand.

9. Decision Sought

- 9.1 Members are invited to:
- (a) note to the findings of the review of "V" zone of Shan Liu; and
 - (b) agree to the rezoning proposal stated in paragraphs 7.3 and 7.4 above.
- 9.2 Should the Committee agree to the rezoning proposal, the proposed amendments to the Ting Kok OZP, incorporated with the rezoning proposal, will be submitted to the Tai Po District Council and the Tai Po Rural Committee for consultation prior to submission to the Committee for consideration.

Attachments

Appendix I Details of planning applications

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|--------|--|
| Plan 1 | "V" zone proposal submitted by PlanD to the RNTPC in 1999 and 2004 |
| Plan 2 | Revised "V" zone proposal prepared by PlanD in October 2004 |
| Plan 3 | Land status |
| Plan 4 | Existing land uses and development constraints |
| Plan 5 | Rezoning requests and s.16 planning applications |
| Plan 6 | Enforcement cases |
| Plan 7 | "V" zone proposal submitted by the IIR in November 2010 |
| Plan 8 | A comparison of the current OZP and the amended OZP |

**PLANNING DEPARTMENT
DECEMBER 2012**

Within “AGR” zone only

1. 14 applications (No. 271, 272, 287, 288, 290, 291, 301, 313, 324 to 326, 336, 347 and 350) were **rejected** by the Committee/Board on review in 2009/2010/2011 mainly for reasons of not complying with the set of interim criteria for assessing planning application for NTEH/Small House development in the New Territories (the Interim Criteria) in that the application sites were not able to be connected to the planned sewerage system in the area; insufficient information to demonstrate that the proposed developments located within the WGG would not cause adverse impact on water quality in the area; having adverse landscape impact; and setting of undesirable precedent for other similar applications. In December 2010 and December 2011, the applicants of Applications No. A/NE-TK/301 and 347 had filed appeals (No. 17 of 2010 and 16 of 2011) against the Board’s decisions respectively. The appeal for Application No. A/NE-TK/301 was subsequently withdrawn by the Appellant in May 2012 whilst the appeal for Application No. A/NE-TK/347 was heard by the Appeal Board Panel (Town Planning) on 28.11.2012. The decision on the appeal is awaiting.
2. Nine applications (No. A/NE-TK/295, 305, 349, 355, 358, 359, 411, 415 and 416) were **approved** with conditions by the Committee in 2009/2010/2011/2012 mainly on consideration that the site fell within the ‘VE’; there was a general shortage of land in meeting the Small House demand; and the proposed Small Houses could be connected to the planned sewerage system in the area.

Within “GB” zone only

3. Five applications (No. A/NE-TK/286, 329, 354, 389 and 406) were **rejected** by the Committee/Board on review in 2009/2010/2012 for reasons of not complying with the Interim Criteria in that the proposed Small Houses fell outside both the “V” zone and the ‘VE’; insufficient information to demonstrate that the proposed developments located within the WGG would not cause adverse impact on water quality in the area; having adverse landscape impact; and setting of undesirable precedent. In March 2012, the applicant of Application No. A/NE-TK/329 had filed an appeal (No. 4 of 2012) against the Board’s decision. The appeal is scheduled for hearing by the Appeal Board Panel (Town Planning) on 11.3.2013.
4. Two applications (No. A/NE-TK/317 and 330) were **rejected** by the Committee/Board on review in 2010/2011 for reasons of not complying with the Interim Criteria in that the proposed Small Houses were not able to be connected to the planned sewerage system in the area; insufficient information to demonstrate that the proposed development located within the WGG would not cause adverse impact on water quality in the area; adverse landscape impact; and setting of undesirable precedent.
5. Three applications (No. A/NE-TK/299, 339 and 351) were **approved** with conditions in 2010/2011 mainly on consideration that the sites fell within the ‘VE’; there was a general shortage of land in meeting the Small House demand; and the proposed Small Houses could be connected to the planned sewerage system in the area.

Within both “AGR” and “GB” zones

6. Six applications (No. A/NE-TK/318, 357, 388, 390, 410 and 414) were **rejected** by the Committee in 2010/2011/2012 for reasons of not complying with the Interim Criteria in that the proposed Small Houses fell outside both the “V” zone and the ‘VE’; insufficient information to demonstrate that the proposed development located within the WGG would not cause adverse impact on water quality in the area; having adverse landscape impact; and setting of undesirable precedent.

Approved Applications

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/295	Proposed House (New Territories Exempted House - Small House)	18/12/2009	A1 – A5
A/NE-TK/299	Proposed House (New Territories Exempted House - Small House)	12/02/2010	A1, A3 – A5
A/NE-TK/305	Proposed House (New Territories Exempted House - Small House)	11/06/2010	A1 – A5
A/NE-TK/339	Proposed House (New Territories Exempted House - Small House)	28/01/2011	A1 – A5
A/NE-TK/349	Proposed House (New Territories Exempted House - Small House)	15/04/2011	A1 – A5
A/NE-TK/351	Proposed House (New Territories Exempted House - Small House)	15/04/2011	A1 – A5
A/NE-TK/355	Proposed House (New Territories Exempted House - Small House)	20/05/2011	A1 – A5
A/NE-TK/358	Proposed House (New Territories Exempted House - Small House)	17/06/2011	A1 – A5
A/NE-TK/359	Proposed House (New Territories Exempted House - Small House)	02/09/2011	A3 – A5, A8, A9
A/NE-TK/411	Proposed House (New Territories Exempted House - Small House)	09/11/2012	A2 – A5, A9
A/NE-TK/415	Proposed House (New Territories Exempted House - Small House)	23/11/2012	A2 – A5, A9
A/NE-TK/416	Proposed House (New Territories Exempted House - Small House)	23/11/2012	A2 – A5, A9

Approval Conditions

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

- A6. The disposal of spoils during the site formation and construction period to the satisfaction of the Director of Water Supplies or of the Town Planning Board.
- A7. The provision of septic tank and soakaway pit for foul effluent disposal and the sewerage connection at a distance of not less than 30m from any watercourses to the satisfaction of the Director of Water Supplies or of the Town Planning Board.
- A8. The submission and implementation of landscape and tree preservation proposal to the satisfaction of the Director of Planning or of the TPB.
- A9. The provision of fire-fighting access, water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

Rejected Applications

Application No.	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-TK/271	Proposed House (New Territories Exempted House) (Small House)	17/04/2009	R3, R4
A/NE-TK/272	Proposed House (New Territories Exempted House) (Small House)	17/04/2009	R3, R4
A/NE-TK/286	Proposed House (New Territories Exempted House - Small House)	21/08/2009	R15, R16
A/NE-TK/287	Proposed House (New Territories Exempted House - Small House)	21/08/2009	R3, R4
A/NE-TK/288	Proposed House (New Territories Exempted House - Small House)	21/08/2009	R3, R4
A/NE-TK/290	Proposed House (New Territories Exempted House - Small House)	11/12/2009 (Review)	R3 – R5
A/NE-TK/291	Proposed House (New Territories Exempted House - Small House)	11/12/2009 (Review)	R3 – R5
A/NE-TK/301	Proposed House (New Territories Exempted House - Small House)	19/11/2010 (Review)	R20, R21
A/NE-TK/313	Proposed House (New Territories Exempted House - Small House)	16/07/2010	R1, R2
A/NE-TK/317	Proposed House (New Territories Exempted House - Small House)	27/08/2010	R4, R17 – R19
A/NE-TK/318	Proposed House (New Territories Exempted House - Small House)	27/08/2010	R4, R17 – R19
A/NE-TK/324	Proposed House (New Territories Exempted House - Small House)	11/02/2011 (Review)	R9, R10
A/NE-TK/325	Proposed House (New Territories Exempted House - Small House)	11/02/2011 (Review)	R9, R10
A/NE-TK/326	Proposed House (New Territories Exempted House - Small House)	11/02/2011 (Review)	R9, R10
A/NE-TK/329	Proposed House (New Territories Exempted House - Small House)	23/12/2011 (Review)	R6 – R8, R17

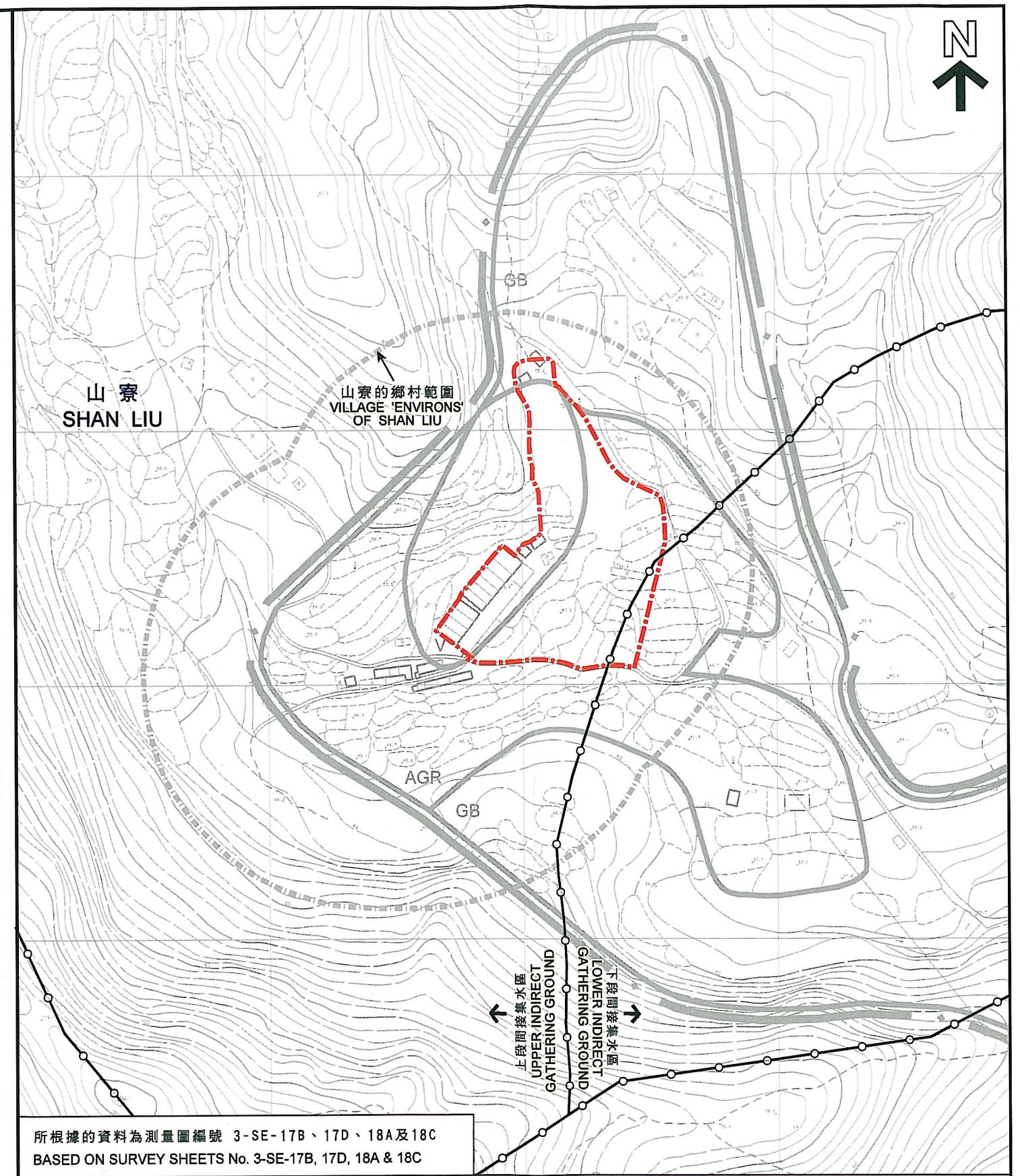
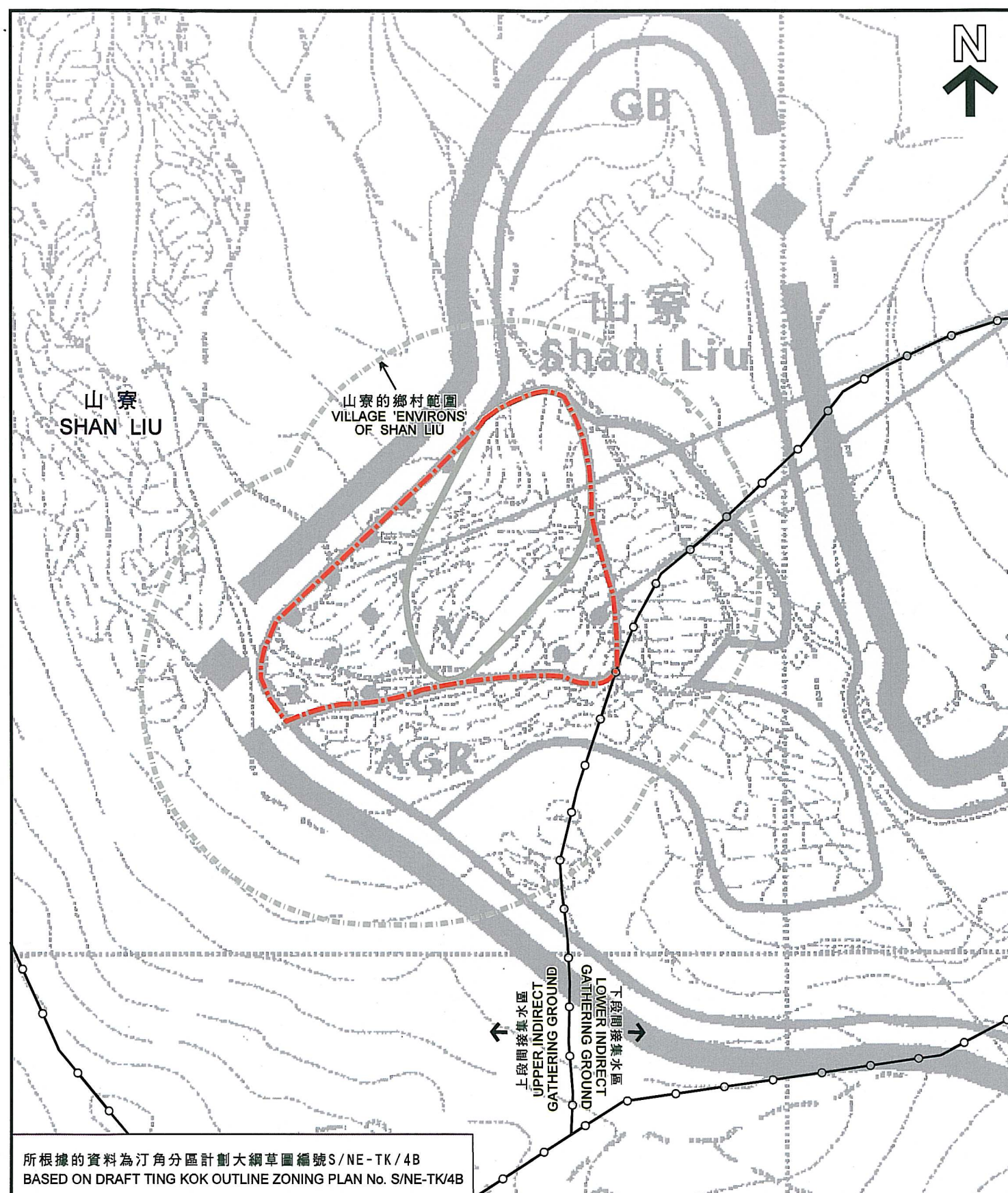
Application No.	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-TK/330	Proposed House (New Territories Exempted House - Small House)	25/03/2011 (Review)	R4, R17 – R19
A/NE-TK/336	Proposed House (New Territories Exempted House - Small House)	23/12/2010	R9, R10
A/NE-TK/347	Proposed House (New Territories Exempted House - Small House)	11/11/2011 (Review)	R11, R12
A/NE-TK/350	Proposed House (New Territories Exempted House - Small House)	15/04/2011	R13, R14
A/NE-TK/354	Proposed House (New Territories Exempted House - Small House)	20/05/2011	R6 – R8, R17
A/NE-TK/357	Proposed House (New Territories Exempted House - Small House)	17/06/2011	R6 – R8, R17
A/NE-TK/388	Proposed House (New Territories Exempted House - Small House)	20/04/2012	R6 – R8, R17
A/NE-TK/389	Proposed House (New Territories Exempted House - Small House)	31/08/2012 (Review)	R6 – R8, R17
A/NE-TK/390	Proposed House (New Territories Exempted House - Small House)	26/10/2012 (Review)	R6 – R8, R17
A/NE-TK/406	Proposed House (New Territories Exempted House - Small House)	05/10/2012	R6 – R8, R17
A/NE-TK/410	Proposed House (New Territories Exempted House - Small House)	19/10/2012	R6 – R8, R17
A/NE-TK/414	Proposed House (New Territories Exempted House - Small House)	23/11/2012	R6 – R8, R17

Rejection Reasons

- R1. The proposed New Territories Exempted House (NTEH) (Small House) did not comply with the interim criteria for consideration of application for NTEH/Small House in the New Territories (Interim Criteria) in that the proposed Small House, located within Water Gathering Grounds (WGGs), was not able to be connected to the existing or planning sewerage in the area and there was insufficient information in the submission to demonstrate that the proposed development located within the WGGs would not cause adverse impact on water quality in the area.
- R2. There was insufficient information in the submission to demonstrate that the proposed development would not have adverse landscape impact and the natural stream near the application site would not be affected.
- R3. The proposed developments did not comply with the Interim Criteria as the proposed developments could not be connected to the planned sewerage system in the area. There was insufficient information in the submissions to demonstrate that the proposed developments located within the WGG would not cause adverse impact on the water quality in the area.

- R4. The approval of the applications would set an undesirable precedent for other similar applications in the area. The cumulative impacts of approving such applications would result in a general degradation of the environment and landscape quality of the area.
- R5. There was insufficient information in the submission to demonstrate that the proposed developments would not have adverse landscape impacts, and the natural stream course and the riparian vegetation in the vicinity of the sites would not be affected by the proposed developments.
- R6. The proposed development did not comply with the Interim Criteria as the site was entirely outside the "Village Type Development" zone and the village 'environs' of any recognized villages.
- R7. The applicant failed to demonstrate that the proposed development located within the lower indirect WGG would not cause adverse impact on the water quality in the area.
- R8. The approval of the application would set an undesirable precedent for other similar applications in the area.
- R9. The proposed development did not comply with the Interim Criteria as there was uncertainty on the technical and legal feasibility in connecting the proposed Small House in the WGG to the planned sewerage system in the area. The applicant failed to demonstrate that the proposed development would not cause adverse impact on the water quality in the area.
- R10. The applicant failed to demonstrate that the proposed development would not cause adverse impact on the rural landscape of the area.
- R11. The proposed development did not comply with the Interim Criteria in that it would likely involve site formation, slope stabilization and access construction works resulting in clearance of mature trees and dense vegetation that would damage the landscape quality of the area surrounding Pat Sin Leng Country Park. The applicant failed to demonstrate that the proposed development would not cause adverse geotechnical and landscape impacts on the surrounding areas.
- R12. The approval of the application would set an undesirable precedent for other similar applications in the area and the adjacent "Agriculture" zone. The cumulative impacts of approving such applications would result in further encroachment onto the woodland surrounding the country park area and a general degradation of the environment and landscape quality of the area.
- R13. The proposed development did not comply with the Interim Criteria in that the applicant failed to demonstrate that the proposed development would be compatible in terms of scale, design and height with the surrounding area and would not cause adverse visual and landscape impacts on the surrounding area.
- R14. The approval of the application would set an undesirable precedent for similar applications within the "Agriculture" zone. The cumulative effect of approving such application would result in adverse impact on the rural environment and landscape quality in the area.

- R15. There was insufficient information in the submission to demonstrate that the proposed development would not have adverse landscape and slope stability impacts as well as the large trees within the application site and the natural stream near the application site would not be affected.
- R16. The proposed development did not comply with the Interim Criteria as the site was entirely outside the "Village Type Development" zone and the village 'environs' of any recognized villages; and the proposed development could not be connected to the planned sewerage system in the area. There was insufficient information in the submission to demonstrate that the proposed development located within the WGG would not cause adverse impact on the water quality in the area
- R17. The proposed development was not in line with the planning intention of the "Green Belt" zoning for the area which was to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone.
- R18. 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 cause adverse landscape impacts on the surrounding area. The applicant failed to demonstrate that the trees, the natural stream course and the riparian vegetation in the vicinity of the site would not be affected by the proposed development.
- R19. The proposed development did not comply with the Interim Criteria as the proposed Small House would cause adverse landscape impacts on the surrounding areas. Being located within the WGG, the feasibility of connecting the proposed Small House to the planned sewerage system was also doubtful.
- R20. The design, scale and height of the proposed development, in particular the 6.6m high building platform, were considered incompatible with the rural character of the surrounding area comprising fallow agricultural field surrounded by wooded hills.
- R21. The applicant failed to demonstrate that the proposed development would not cause adverse landscape impact on the surrounding area resulting in a general degradation of the rural environment and landscape quality in the area.



規劃署於1999年1月提交鄉郊及新市鎮規劃小組委員會的「鄉村式發展」地帶建議
"V" ZONE PROPOSAL SUBMITTED BY PLAND TO THE RNTPC IN JANUARY 1999

規劃署於2004年2月提交鄉郊及新市鎮規劃小組委員會的「鄉村式發展」地帶建議
"V" ZONE PROPOSAL SUBMITTED BY PLAND TO THE RNTPC IN FEBRUARY 2004

擬議「鄉村式發展」地帶
PROPOSED "V" ZONE

本摘要圖於2012年11月9日擬備
EXTRACT PLAN PREPARED ON 9.11.2012

規劃署提交鄉郊及新市鎮規劃小組委員會的「鄉村式發展」地帶建議
"V" ZONE PROPOSALS SUBMITTED BY PLAND TO THE RNTPC

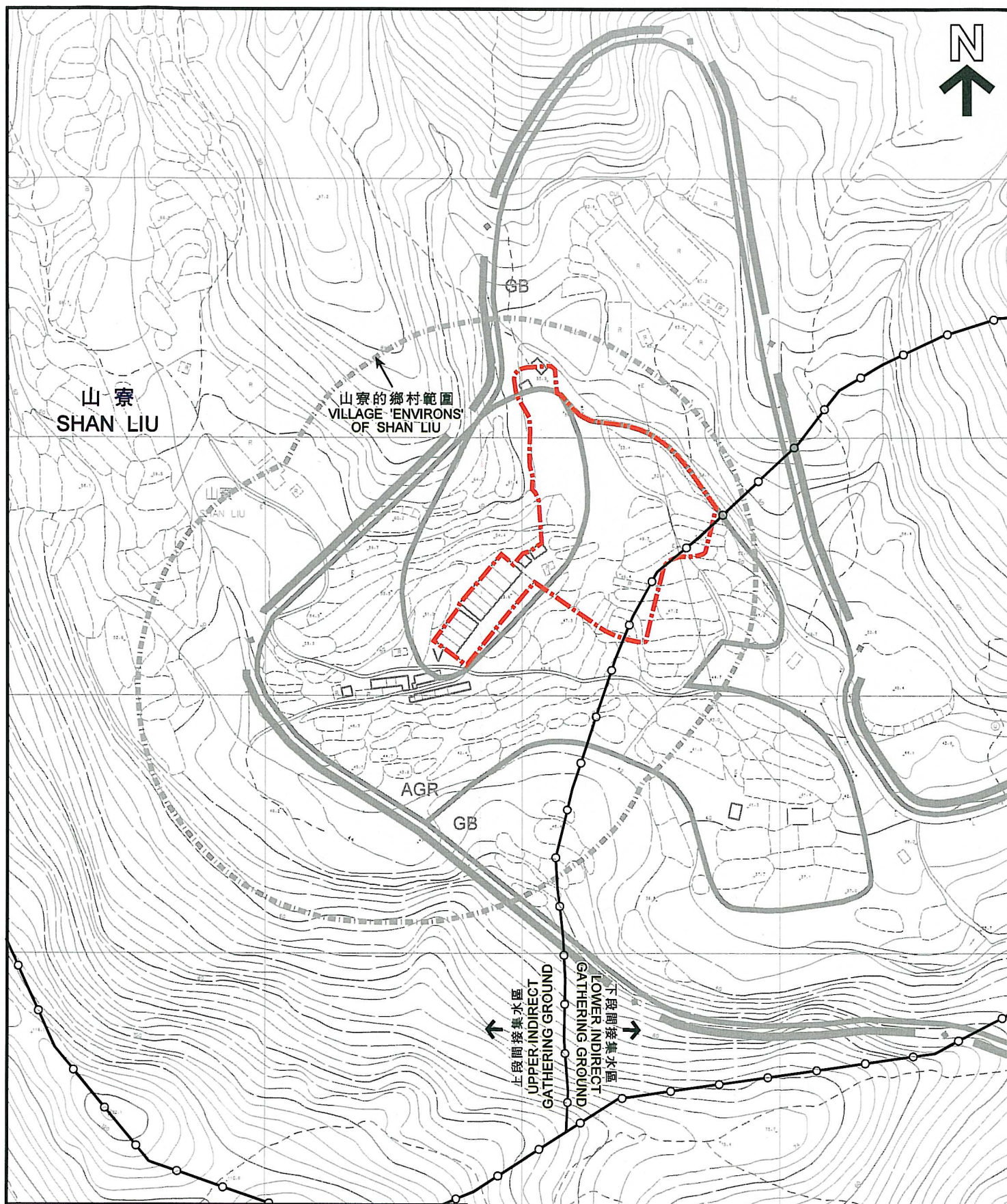
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規劃署
PLANNING DEPARTMENT



參考編號
REFERENCE No.
M/NE/12/100A

圖 PLAN
1



所根據的資料為測量圖編號 3-SE-17B、17D、18A及18C
 BASED ON SURVEY SHEETS No. 3-SE-17B, 17D, 18A & 18C

 擬議「鄉村式發展」地帶
 PROPOSED "V" ZONE

本摘要圖於2012年11月9日擬備
 EXTRACT PLAN PREPARED ON 9.11.2012

規劃署於2004年10月修改的「鄉村式發展」地帶建議
 REVISED "V" ZONE PROPOSAL PREPARED BY PLAND IN OCTOBER 2004

米 40 0 40 80 120 160 米
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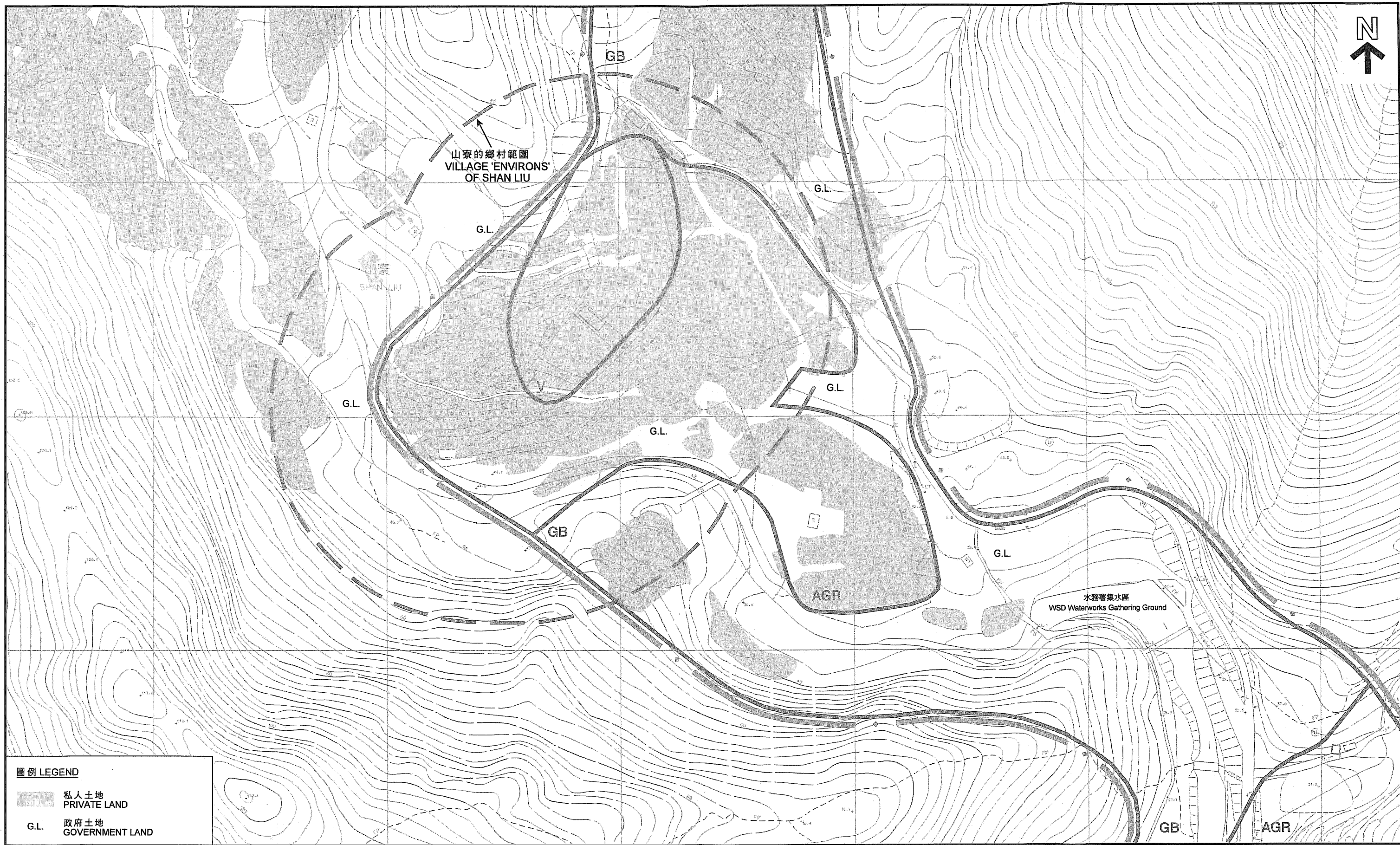
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規劃署
 PLANNING DEPARTMENT



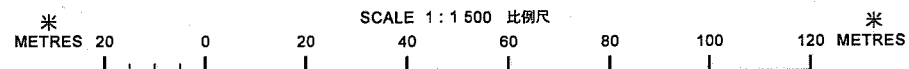
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 REFERENCE No.
 M/NE/12/100A

圖 PLAN
 2



本摘要圖於2012年11月9日擬備，
所根據的資料為測量圖編號 3-SE-17D及18C
EXTRACT PLAN PREPARED ON 9.11.2012
BASED ON SURVEY SHEETS No. 3-SE-17D & 18C

土地類別
LAND STATUS










規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NE/12/100A

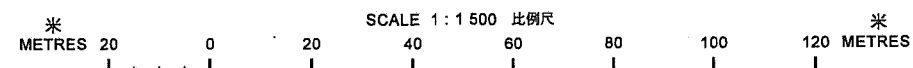
圖 PLAN
3



- 圖例 LEGEND**
-  斜坡
SLOPE
 -  墓地
BURIAL GROUND
 -  八仙嶺郊野公園
PAT SIN LENG COUNTRY PARK
 -  污水幹渠
TRUNK SEWER
 -  河道
STREAM
 -  A/F 休耕農地
FALLOW AGRICULTURAL LAND
 -  M/U 荒地
UNUSED LAND

本摘要圖於2012年11月29日擬備，
所根據的資料為測量圖編號 3-SE-17D及18C
EXTRACT PLAN PREPARED ON 29.11.2012
BASED ON SURVEY SHEETS No.3-SE-17D & 18C

現有土地用途及發展限制
EXISTING LAND USES AND DEVELOPMENT CONSTRAINTS

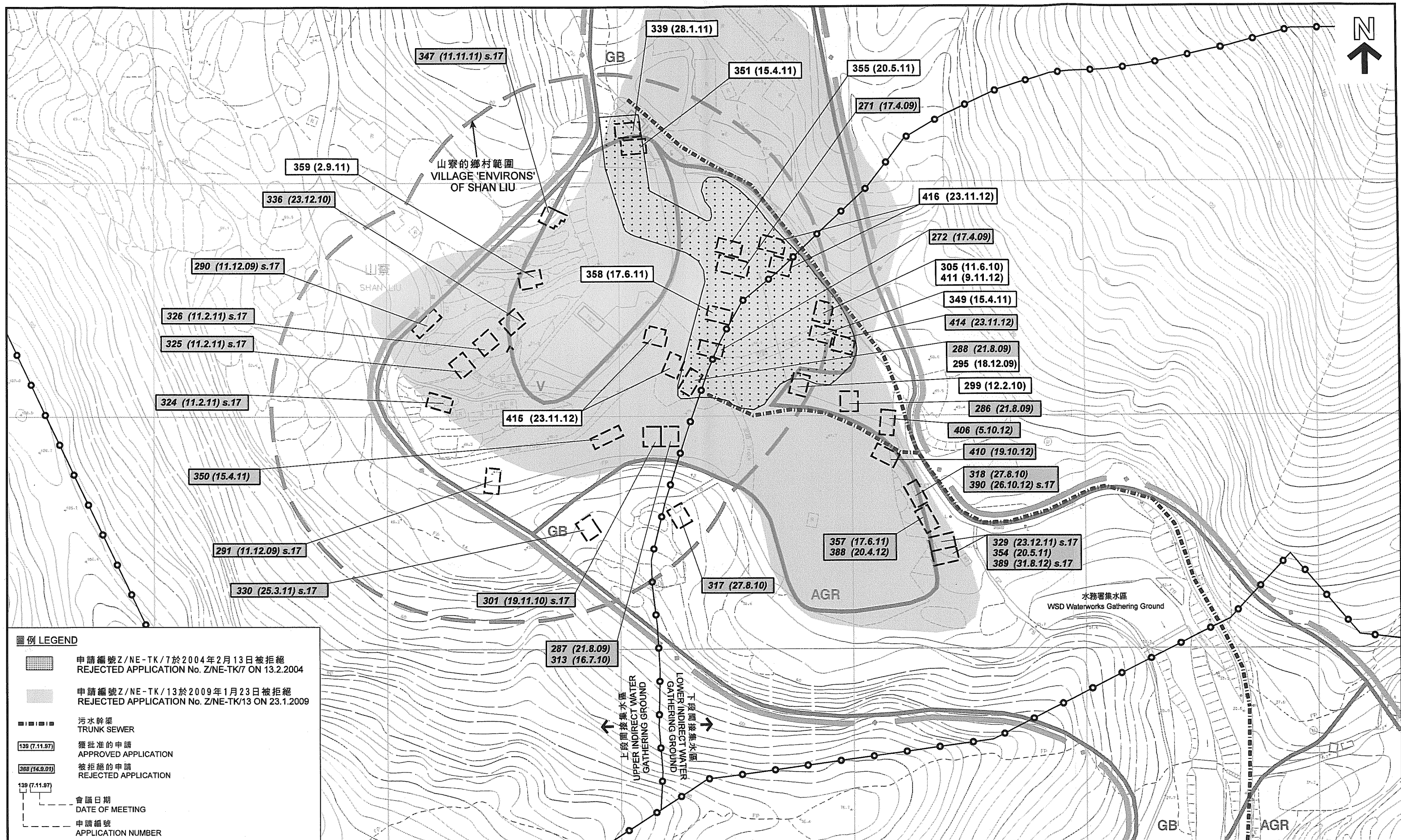


規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NE/12/100A

圖 PLAN
4



本摘要圖於2012年11月29日擬備，
所根據的資料為測量圖編號 3-SE-17D及18C
EXTRACT PLAN PREPARED ON 29.11.2012
BASED ON SURVEY SHEETS No. 3-SE-17D & 18C

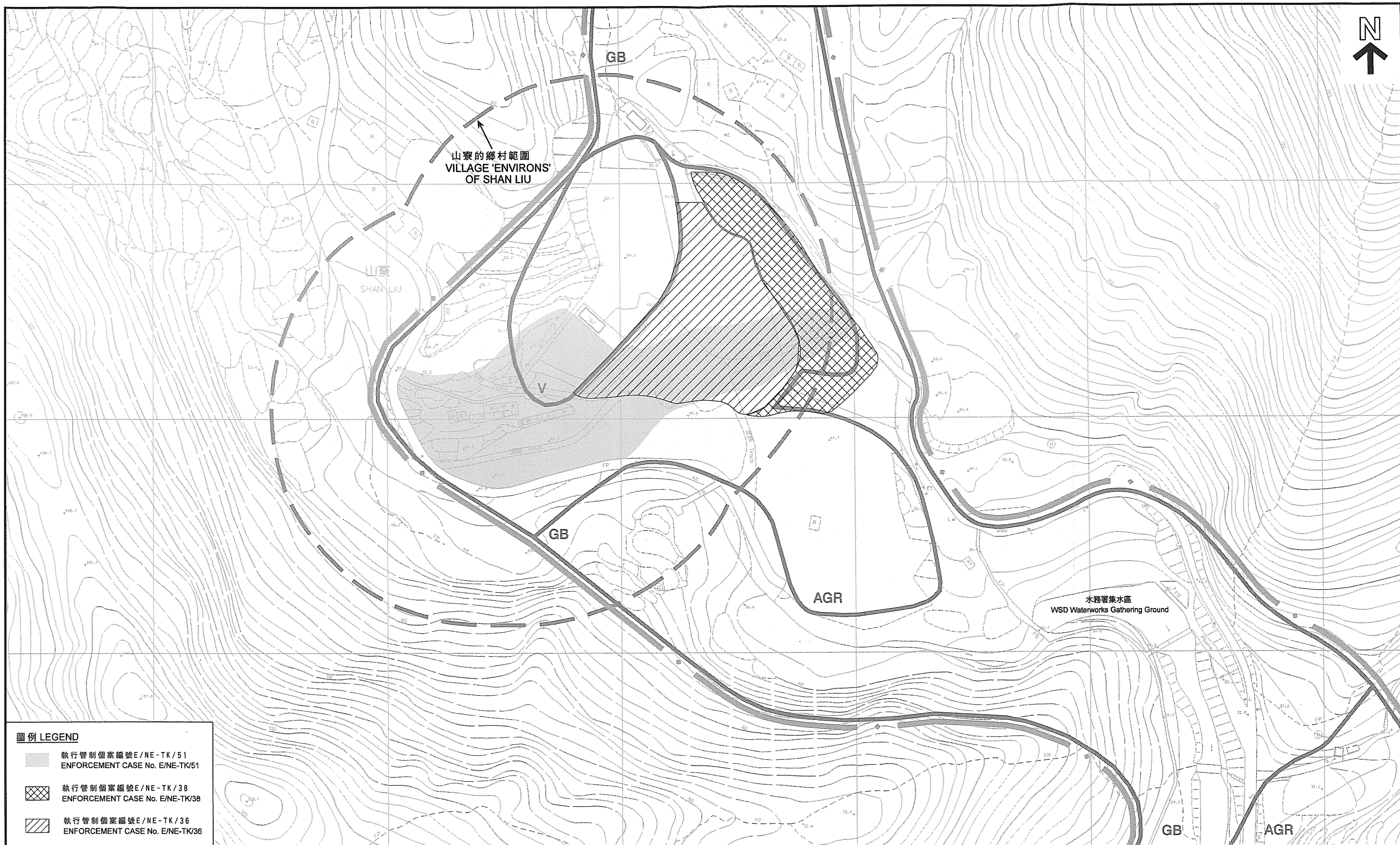
改劃用途建議及第16條規劃申請
REZONING REQUESTS AND s.16 PLANNING APPLICATIONS

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No. M/NE/12/100A

圖 PLAN
5



本摘要圖於2012年11月9日擬備，
所根據的資料為測量圖編號 3-SE-17D及18C
EXTRACT PLAN PREPARED ON 9.11.2012
BASED ON SURVEY SHEETS No. 3-SE-17D & 18C

執行管制個案 ENFORCEMENT CASES

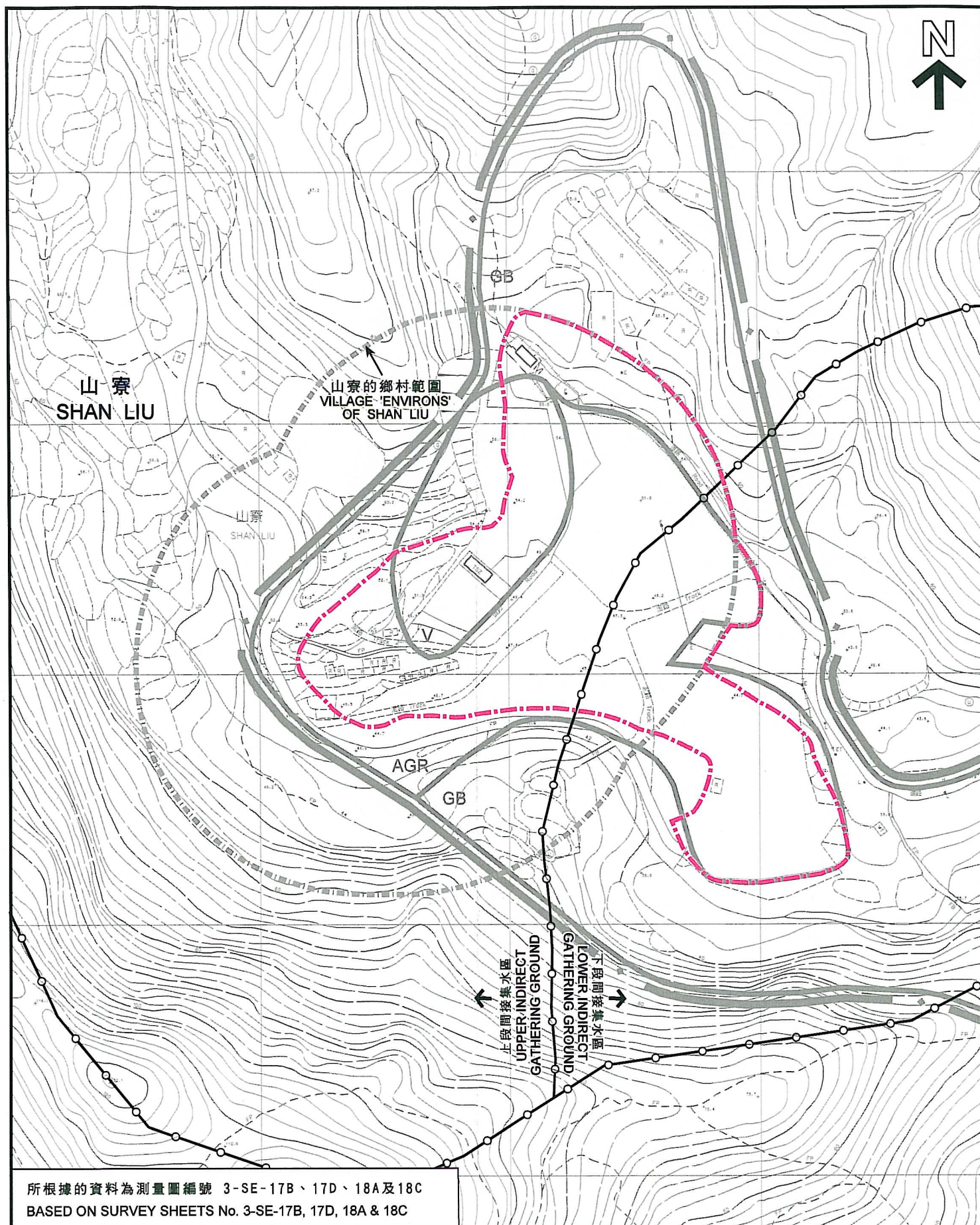
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規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NE/12/100A

圖 PLAN
6



 擬議「鄉村式發展」地帶
PROPOSED "V" ZONE

本摘要圖於2012年11月9日擬備
EXTRACT PLAN PREPARED ON 9.11.2012

村代表於2010年11月提交的「鄉村式發展」地帶建議
"V" ZONE PROPOSAL
SUBMITTED BY THE VILLAGE REPRESENTATIVE IN NOVEMBER 2010

米
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SCALE 1 : 2 000 比例尺

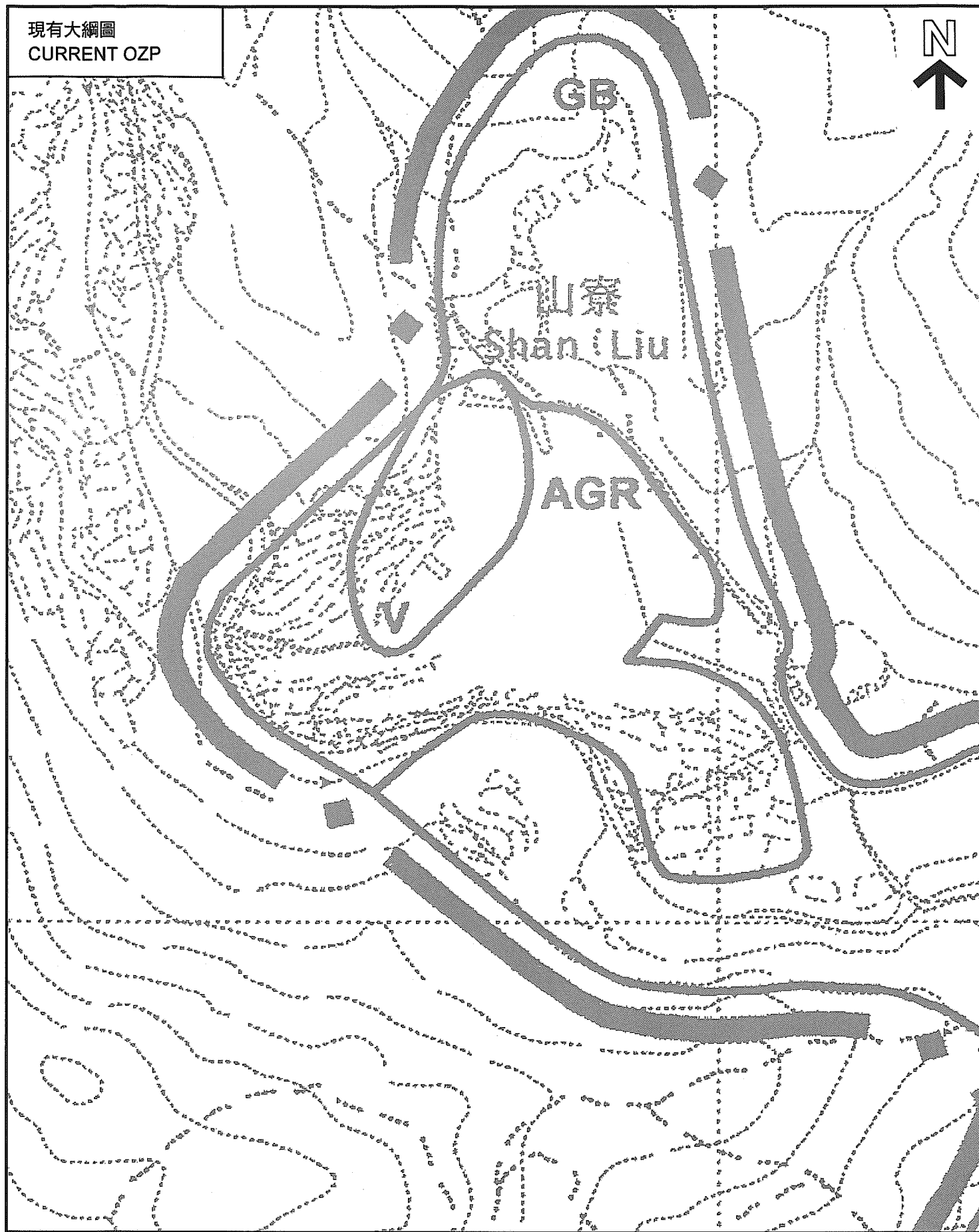
規劃署
PLANNING DEPARTMENT



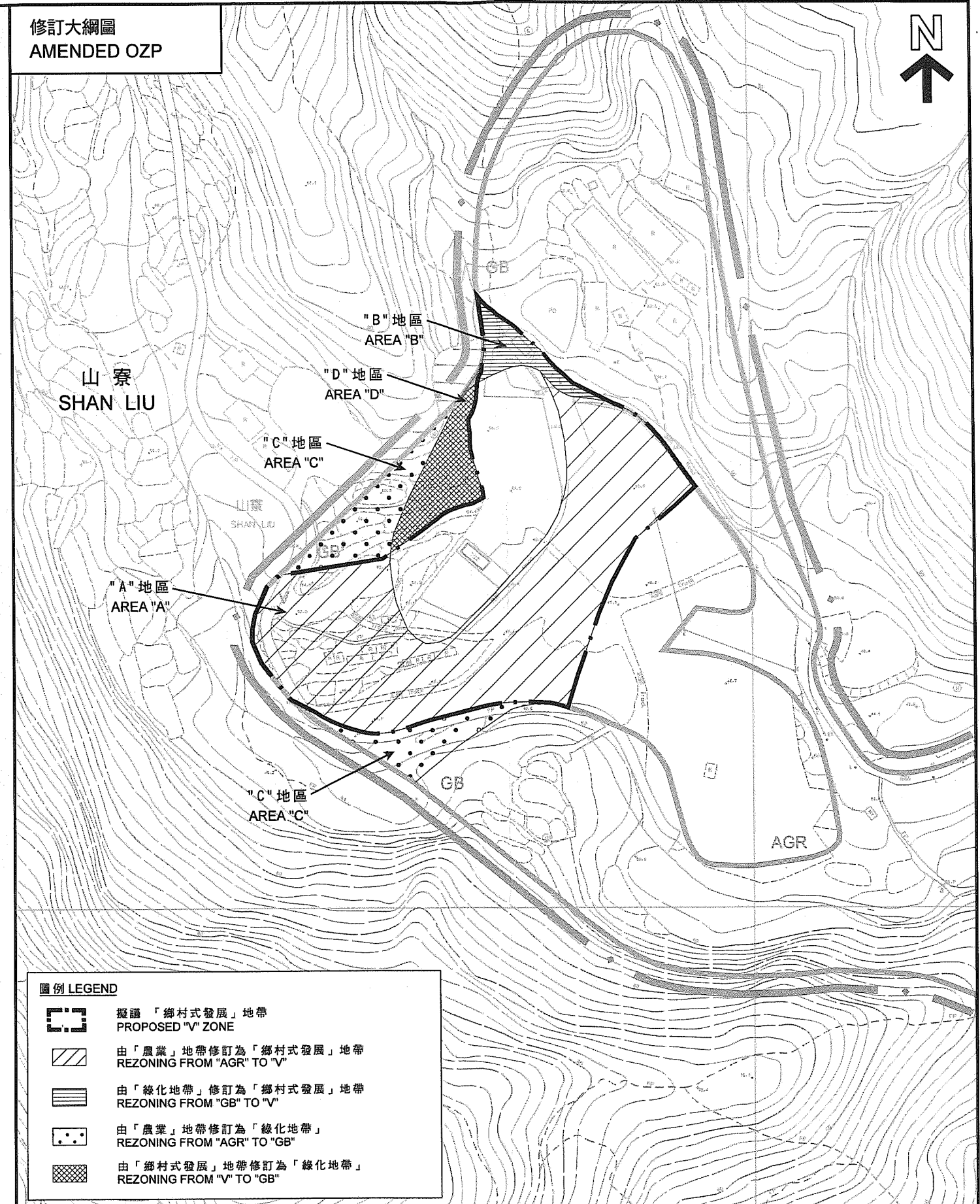
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REFERENCE No.
M/NE/12/100A

圖 PLAN
7

現有大綱圖
CURRENT OZP

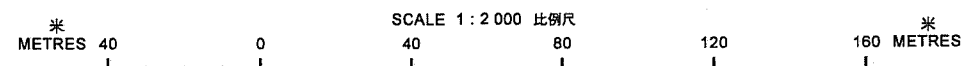


修訂大綱圖
AMENDED OZP



本摘要圖於2012年11月9日擬備
EXTRACT PLAN PREPARED ON 9.11.2012

現存的和修訂的分區計劃大綱圖之比較
A COMPARISON OF CURRENT OZP AND AMENDED OZP



規劃署
PLANNING DEPARTMENT



參考編號
REFERENCE No.
M/NE/12/100A

圖 PLAN
8