<u>e-form No. S16-II</u> 電子表格第 S16-II 號

APPLICATION FOR PERMISSION UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE (CAP. 131)

根據《城市規劃條例》(第131章)

第16條遞交的許可申請

<u>Applicable to Proposal Only Involving Construction of</u> <u>"New Territories Exempted House(s)"</u>

適用於只涉及興建「新界豁免管制屋宇」的建議

Applicant who would like to publish the <u>notice of application</u> in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers: <u>https://www.tpb.gov.hk/en/plan_application/apply.html</u>

申請人如欲在本地報章刊登<u>申請通知</u>,以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行 土地擁有人所指定的其中一項合理步驟,請瀏覽以下網址有關在指定的報章刊登通知: <u>https://www.tpb.gov.hk/tc/plan_application/apply.html</u>

<u>General Note and Annotation for the Form</u> 填寫表格的一般指引及註解

- * "Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made 「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的 土地的擁有人的人
- * Please attach documentary proof 請夾附證明文件
- ^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足,請另頁說明 Please insert a 「✔」 at the appropriate box 請在適當的方格內上加上「✔」號

For Official Use Only	Application No. 申請編號	
請勿填寫此欄	Date Received 收到日期	

- 1. The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong. 申請人須把填妥的申請表格及其他支持申請的文件 (倘有),送交香港北角渣華道 333 號北角政府合署 15 樓城市 規劃委員會(下稱「委員會」)秘書收。
- 2. Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <u>http://www.tpb.gov.hk/</u>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories). 請先細閱《申請須知》的資料單張,然後填寫此表格。該份文件可從委員會的網頁下載(網址: http://www.tpb.gov.hk/),亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓 電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輋路 1 號沙田政府合署 14 樓)索取。
- 3. This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete. 此表格可從委員會的網頁下載,亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全,委員會可拒絕處理有關申請。

1. Name of Applicant	t 申請人姓名/名稱
CHEUNG YIU HENG	(Mr. 先生)

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱(如適用)

陳再盛 (Mr. 先生)

3.	Application Site 申請地點	
(a)	Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及 地段號碼(如適用)	LOT NO. 677S.A IN D.D.244, HO CHUNG NEW VILLAGE, SAI KUNG, N.T.
(b)	Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面 積	☑Site area 地盤面積 <u>98.9</u> sq.m 平方米☑About 約 ☑Gross floor area 總樓面面積 <u>195.09</u> sq.m 平方米☑About 約
(c)	Area of Government land included (if any) 所包括的政府土地面積(倘有)	sq.m 平方米 口About 約

(d)	Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	APPROVED HO CHUNG OUTLINE ZONING PLAN , PLAN NO. S/SK-HC/12
(e)	Land use zone(s) involved 涉及的土地用途地帶	AGRICULTURE (AGR)
(f)	Current use(s) 現時用途	VACANT (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施,請在圖則上顯示,並註明用途及總樓面面積)
(g)	Additional Information (if applicable) 附加資料(如適用)	

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 -

- ☑ is the sole "current land owner"^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
 是唯一的「現行土地擁有人」^{#&} (請繼續填寫第6部分,並夾附業權證明文件)。
- $\hfill\square$ is one of the "current land owners" $^{\#\&}$ (please attach documentary proof of ownership).
- 是其中一名「現行土地擁有人」#&(請夾附業權證明文件)。
- □ is not a "current land owner"[#]. 並不是「現行土地擁有人」[#]。
- □ The application site is entirely on Government land (please proceed to Part 6). 申請地點完全位於政府土地上(請繼續填寫第6部分)。

5.			er's Consent/Notification 同意/通知土地擁有人的陳述	
(a)	"cur	rrent land owner(s) "	(s) of the Land Registry as at (DD/MM/YYYY), this ap ^{##} (日/月/年) 的記錄,這宗申請共牽涉 名「現行	
(b)	The	applicant 申請人 –		
		has obtained conser	nt(s) of "current land owner(s)"#.	
		已取得	了現行土地擁有人」#的同意。	
		Details of consent	of "current land owner(s)"# obtained 取得「現行土地擁有人	」"同意的詳情
		No. of 'Current Land Owner(s)' 「現行土地擁 有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)
		(Please use separate s	heets if the space of any box above is insufficient. 如上列任何方格的经	空間不足,請另頁說明)
		has notified	" "current land owner(s)"#	
		已通知 名	」「現行土地擁有人」"。	
			rrent land owner(s)" [#] notified 已獲通知「現行土地擁有人」	#的詳細資料
		No. of 'Current Land Owner(s)' 「現行土地擁 有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼/處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)
		(Please use separate s	heets if the space of any box above is insufficient. 如上列任何方格的经	

l		aken reasonable steps to obtain consent of or give notification to owner(s): 印合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下:
	Reas	sonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟
		sent request for consent to the "current land owner(s)" ^{#&} on (DD/MM/YYYY) 於 (日/月/年)向每一名「現行土地擁有人」 [#] 郵遞要求同意書 ^{&}
	Reas	sonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟
		published notices in local newspapers ^{&} on (DD/MM/YYYY) 於 (日/月/年)在指定報章就申請刊登一次通知 ^{&}
		posted notice in a prominent position on or near application site/premises ^{&} on (DD/MM/YYYY) 於 (日/月/年)在申請地點/申請處所或附近的顯明位置貼出關於該申請的通知 ^{&}
		sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee ^{&} on (DD/MM/YYYY) 於 (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處,或有關的鄉事委員會 ^{&}
	Othe	ers 其他
		others (please specify) 其他(請指明)
	Informati applicatio	
註:	可 任 多 於 申請 人 須	:一個方格內加上「✔」號 就申請涉及的每一地段(倘適用)及處所(倘有)分別提供資料

6. Development Proposa	l擬議發展計劃		
 (a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名(如適用) 	CHEUNG YIU HENG		
 (b) 原居民所屬的原居鄉村 (如適用) The related indigenous village of the indigenous villager(s) (if applicable) 	HO CHUNG VILLAGE		
(c) Proposed gross floor area 擬議總樓面面積	195.09	0 sq.m 平方米 ☑Ab	pout 約
(d) Proposed number of house(s) 擬議房屋幢數	1	Proposed number of storeys of each house 每幢房屋的擬議層數	3
 (e) Proposed roofed over area of each house 每幢房屋的擬議上蓋面積 	<u>65.03</u> sq.m 平方米	Proposed building height of each house 每幢房屋的擬議高度	<u>8.23</u> m 米

 (f) Proposed use(s) uncovered area (if any) 露天地方(倘有)的擬議) 途 	tank, where	strate on applicat	plan the total number and dimension of each car parking space, and/or location of septic
 (g) Any vehicular access to the site/subject building? 是否有車路通往地盤/7 關建築物? 			There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) HO CHUNG VILLAGE ROAD There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示,並註明車路的闊度)
	No 否		
(h) Can the proposed house(be connected to publ sewer?			(Please indicate on plan the sewerage connection proposal. 請用圖則 顯示接駁公共污水渠的路線)
擬議的屋宇發展能否接 至公共污水渠?	入 No 否	V	(Please indicate on plan the location of the proposed septic tank. 請用 圖則顯示化糞池的位置)

7. Impacts of Develo	pment Propos	sal 擬議發展計劃的影響	
justifications/reasons for not	providing such m	ndicate the proposed measures to minimise possible adverse impacts neasures. 出現不良影響的措施,否則請提供理據/理由。	or give
	Yes 是 □	Please provide details 請提供詳情	
Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括 現有建築物的改動?	No 否 🛛		
	Yes 是 □	 (Please indicate on site plan the boundary of concerned land/pond(s), and particulars diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線,以及河道改道、填塘、填土及/或指節及/或範圍) 	
		□ Diversion of stream 河道改道	
		□ Filling of pond 填塘	
Deer the development		Area of filling 填塘面積 sq.m平方米 □ Abo	ut 約
Does the development proposal involve the		Depth of filling 填塘深度 m 米 □ Abo	ut 約
operation on the right? 擬議發展是否涉及右列		□ Filling of land 填土	
的工程?		Area of filling 填土面積 sq.m平方米 口 Abo	ut 約
		Depth of filling 填土厚度 m 米 □ Abo	ut 約
		□ Excavation of land 挖土	
		Area of excavation 挖土面積 sq.m □ Abo 平方米	ut 約
	No 否 ☑	Depth of excavation 挖土深度 m 米 □ Abo	ut 約
Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成 不良影響?	Landscape Imp Tree Felling Visual Impact	交通 Yes 會□ No 不會 bly 對供水 Yes 會□ No 不會 對排水 Yes 會□ No 不會 斜坡 Yes 會□ No 不會 opes 受斜坡影響 Yes 會□ No 不會 pact 構成景觀影響 Yes 會□ No 不會	\mathbf{K} \mathbf{K} \mathbf{K} \mathbf{K} \mathbf{K}

Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木,請說明受影響樹木的數目、及胸高度的
樹幹直徑及品種(倘可)

8. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary. 現請申請人提供申請理由及支持其申請的資料。如有需要,請另頁說明。

Justifications 理由

(1) Need of Village House from Indigenous Villagers There is always a shortage of government land to provide for the construction of village house to cope with the rising demand from the indigenous villagers who claim their housing entilements. As a result, it takes years before the application for a land to build a NT small house can be approved. The permission to build small houses on the subject site will certainly alleviate the burden imposing on the government. (2) Compatibility of Land Use Since the uses of the neighbouring land have been zoned mainly for residential development and village type development, the change of the subject site from agrculture use to village type development is considered to be compatible with the surrounding designated zonings. In fact, the proposed re-zoning of the subject site is an extension of the village type development zone at its western boundary. (3) Economical Use of Land Resource The subject site is currently left fallow and disused. From the land economy point of view, it is a waste of land resource. The proposed land use will convert the derelict land into a more practical and economical residential use without affecting the rural character of the area. It is beneficial to the community as a whole. (4) No Adverse Environmental Impact The proposed residential use will not create pollution of any kind. In fact, it is a more desirable land use when compared with previous use of the site for vacant and rural in character. Also, the construction of village houses on the subject site will be in harmony with the existing developments in the neighbourhood such as Luk Mei Village and Ho Chung Village. Furthermore, the area will become more residential bearing in mind the future developments to be permitted in the surrounding designated zonings.

9. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief. 本人謹此聲明,本人就這宗申請提交的資料,據本人所知及所信,均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion. 本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站,供公眾免費瀏覽或下載。

Signature 簽署	Signed with e-signature Signer: 陳再	C	□ Applicant 申請人 / ☑ Authorised Agent 獲授權代理人
		Name	Position (if applicable)
		姓名	職位(如適用)
Professiona 專業資格	al Qualification(s)	□ Member 會員 / □ Fellow	v of 資深會員
			會 / □ HKIA 香港建築師學會 /
			會 / □ HKIE 香港工程師學會 / 聲會 / □ HKIUD 香港城市設計學會 /
		□ RPP 註冊專業規劃師	
		Others 其他	MAIB
On behalf of	of 代表		

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下,有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance. 任何人在明知或故意的情况下,就這宗申請提出在任何要項上是虛假的陳述或資料,即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

- The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes: 委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門,以根據《城市規劃條例》及相關的城市 規劃委員會規劃指引的規定作以下用途:
 - (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and 處理這宗申請,包括公布這宗申請供公眾查閱,同時公布申請人的姓名供公眾查閱;以及
 - (b) facilitating communication between the applicant and the Secretary of the Board/Government departments. 方便申請人與委員會秘書及政府部門之間進行聯絡。
- The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.
 申請人就這宗申請提供的個人資料,或亦會向其他人士披露,以作上述第1段提及的用途。
- 3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong. 根據《個人資料(私隱)條例》(第486章)的規定,申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料,應向委員會秘書提出有關要求,其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will also be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。此部分會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下 載及於規劃署規劃資料查詢處供一般參閱。) (For Official Use Only) (請勿填寫此欄) Application No. 申請編號 Location/address LOT NO. 677S.A IN D.D.244, HO CHUNG NEW VILLAGE, SAI KUNG, N.T. 位置/地址 Site area 98.9 sq. m 平方米 ☑ About 約 地盤面積 (includes Government land of 包括政府土地 sq.m 平方米 □ About 約) Plan APPROVED HO CHUNG OUTLINE ZONING PLAN, PLAN NO. S/SK-HC/12 圖則 Zoning AGRICULTURE (AGR) 地帶 Applied use/ development 申請用途/發展 New Territories Exempted House 新界豁免管制屋宇 ☑ Small House 小型屋宇 (i) Proposed Gross floor area ☑ About 約 擬議總樓面面積 195.09 sq. m 平方米 Proposed No. of (ii) house(s) 1 擬議房屋幢數 Proposed building (iii) m 米 8.23 height/No. of storeys 建築物高度/層數 □ (Not more than 不多於) Storeys(s) 層 3

Plans and Drawings 圖則及繪圖 Master layout plan(s)/Layout plan(s) 總綱發展藍圖/布局設計圖 Block plan(s) 樓宇位置圖 Floor plan(s) 樓宇中面圖 Sectional plan(s) 截視圖 Elevation(s) 立視圖 Photomontage(s) showing the proposed development 顯示擬議發展的合成照片 Master landscape plan(s)/Landscape plan(s) 園境設計總圖//園境設計圖 Others (please specify) 其他(請註明) 1.SITE PLAN 2.LOCATION PLAN 3.JUSTIFCATION	English 英文
Master layout plan(s)/Layout plan(s) 總綱發展藍圖/布局設計圖 Block plan(s) 樓宇屯面圖 Sectional plan(s) 截視圖 Elevation(s) 立視圖 Photomontage(s) showing the proposed development 顯示擬議發展的合成照片 Master landscape plan(s)/Landscape plan(s) 園境設計總圖/園境設計圖 Others (please specify) 其他 (請註明) 1.SITE PLAN 2.LOCATION PLAN 3.JUSTIFCATION	
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Sewerage impact assessment 排污影響評估	
NISK ASSCSSIIICIII /出小次計1凸	
Air Ventilation Assessment 空氣流通評估	
Management Plan 管理計劃	
Social Impact Assessment 社會影響評估	
Heritage Impact Assessment	
Ecological Impact Assessment 生態影響評估	
Conservation Management Plan 保育管理計劃	
Others (please specify) 其他(請註明)	

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註: 上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異,城市規劃委員會概不負責。若有任何疑問,應查閱申請人提交的文件。

PROPOSED SMALL HOUSE IN NO. 677 S.A IN D.D.244 .10.2 11 5 LOT 677 S.A .9.7 12.2. 12.1 PIN WAI ROA

LOCATION PLAN



COLOURED PINK AREA : 65.03 SQUARE METRES (ABOUT)

Line	Bearing	Distance(m)	Northing(m)	Easting(m)	Pt.		
A-B	112° 15' 09"	7.391	823739.197	843547.876	A		
B-C	202°03'38"	8.249	823736.398	843554.717	В		
C-D	292° 03' 38"	8.008	823728.753	843551.618	С		
D-E	22°03'38"	6.450	823731.760	843544.197	D		
E-F	112 03 38	0.617	823737.738	843546.619	E		
F-A	. 22° 03' 38"	1.824	823737.506	843547.191	F		

Dated this 21st day of April 2011.

APP.

Remark:

Please refer to SRP No. SRP/SK/054/0084/D1 for boundary information of Lot No. 677 S.A in D.D.244.

GE-MA

Legends:

Septic Tank (4' x 12') C≥≤3 Balcony (7.225m x 1.187m)

Scale 1:1000 Survey Sheet No.: 11-NE-4B Date: April 2011

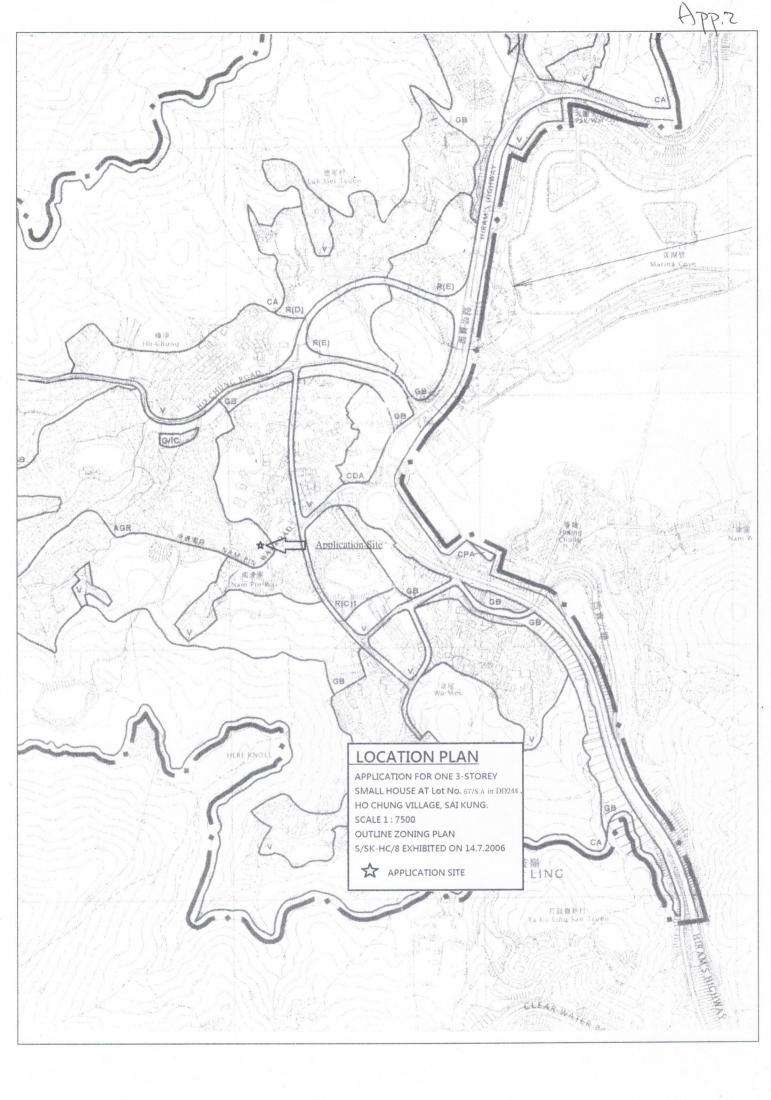
Plan No. : GL0350/SH/02

LEUNS Oni-yan, George MIS.Aust MNZIS MHKIS MRICS RP3(LS) ACIArb Authorized Land Surveyor

GLand Surveying, Planning & GIS Co. Ltd.

創資測量規劃及地理訊息系統有限公司

8B Kwong On Bank Mongkok Branch Building, Nos. 728-730 Nathan Road, Mongkok, Kawleon, Hong Kong Telephone : 2544 8939 Facsimile : 2544 1669 E-mail : gland@biznetvigator.com



Relevant Interim Criteria for Consideration of Application for <u>New Territories Exempted House (NTEH)/Small House in New Territories</u> (Revised on 7.9.2007)

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

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

Previous Applications at the Application Site

Approved Applications

Application No.	Proposed Use	Date of Consideration	Approval Condition(s)
A/SK-HC/201	Proposed House (New Territories Exempted House – Small House)	19.8.2011	(1) and (2)
A/SK-HC/280	Proposed House (New Territories Exempted House – Small House)	22.12.2017	(3)

Approval Condition(s)

- (1) submission and implementation of landscape proposal;
- (2) provision of fire fighting access, water supplies and fire service installations; and
- (3) provision of septic tank.

Similar Planning Applications for Proposed House (New Territories Exempted House (NTEH) - Small House) Within/Straddling the Subject "Agriculture" ("AGR") Zone on the Draft Ho Chung Outline Zoning Plan No. S/SK-HC/12

Approved Applications

	Application No.	Proposed Development(s)	Zoning(s)	Date of Consideration	Approval Condition(s)
1.	A/SK-HC/150	Proposed House (NTEH - Small House)	"AGR"	28.9.2007	(a), (b) and (c)
2.	A/SK-HC/151	Proposed Two Houses (NTEHs - Small Houses)	"AGR"	28.9.2007	(a), (b) and (c)
3.	A/SK-HC/153	Proposed Two Houses (NTEHs - Small Houses)	"AGR"	12.10.2007	(a) and (b)
4.	A/SK-HC/154	Proposed Two Houses (NTEHs - Small Houses)	"AGR"	2.11.2007	(a) and (c)
5.	A/SK-HC/155	Proposed Two Houses (NTEHs - Small Houses)	"AGR"	2.11.2007	(a) and (c)
6.	A/SK-HC/156	Proposed Two Houses (NTEHs - Small Houses)	"AGR"	16.11.2007	(c)
7.	A/SK-HC/158	Proposed Two Houses (NTEHs - Small Houses)	"AGR"	7.3.2008	(a), (b) and (c)
8.	A/SK-HC/159	Proposed House (NTEH - Small House)	"AGR"	7.3.2008	(a), (b) and (c)
9.	A/SK-HC/162	Proposed House (NTEH - Small House)	"AGR"	20.6.2008	(a), (b) and (c)
10.	A/SK-HC/164	Proposed House (NTEH - Small House)	"AGR"	19.9.2008	(b) and (c)
11.	A/SK-HC/166	Proposed House (NTEH - Small House)	"AGR"	7.11.2008	(a), (b) and (c)
12.	A/SK-HC/167	Proposed House (NTEH - Small House)	"AGR"	7.11.2008	(a), (b) and (c)
13.	A/SK-HC/171	Proposed House (NTEH - Small House)	"AGR"	6.11.2009	(b) and (c)
14.	A/SK-HC/172	Proposed House (NTEH - Small House)	"AGR"	6.11.2009	(b) and (c)
15.	A/SK-HC/173	Proposed House (NTEH - Small House)	"AGR"	20.11.2009	(b) and (c)
16.	A/SK-HC/179	Proposed House (NTEH - Small House)	"AGR"	23.4.2010	(b)
17.	A/SK-HC/183	Proposed House (NTEH - Small House)	"AGR"	12.11.2010	(b) and (c)
18.	A/SK-HC/184	Proposed House (NTEH - Small House)	"AGR"	24.9.2010	(b) and (c)
19.	A/SK-HC/194	Proposed House (NTEH - Small House)	"AGR"	8.7.2011	(b) and (c)

	Application No.	Proposed Development(s)	Zoning(s)	Date of Consideration	Approval Condition(s)
20.	A/SK-HC/195	Proposed House (NTEH - Small House)	"AGR"	8.7.2011	(b) and (c)
21.	A/SK-HC/196	Proposed House (NTEH - Small House)	"AGR"	8.7.2011	(b) and (c)
22.	A/SK-HC/198	Proposed House (NTEH - Small House)	"AGR"	5.8.2011	(b) and (c)
23.	A/SK-HC/199	Proposed House (NTEH - Small House)	"AGR"	5.8.2011	(b) and (c)
24.	A/SK-HC/200	Proposed House (NTEH - Small House)	"AGR" and "V"	5.8.2011	(b) and (c)
25.	A/SK-HC/202	Proposed House (NTEH - Small House)	"AGR"	19.8.2011	(b) and (c)
26.	A/SK-HC/203	Proposed House (NTEH - Small House)	"AGR"	2.9.2011	(b) and (c)
27.	A/SK-HC/206	Proposed House (NTEH - Small House)	"AGR"	20.1.2012	(b) and (c)
28.	A/SK-HC/207	Proposed House (NTEH - Small House)	"AGR"	10.2.2012	(b) and (c)
29.	A/SK-HC/208	Proposed Two Houses (NTEHs - Small Houses)	"AGR"	24.2.2012	(b) and (c)
30.	A/SK-HC/209	Proposed House (NTEH - Small House)	"AGR"	30.3.2012	(b) and (c)
31.	A/SK-HC/210	Proposed Two Houses (NTEHs - Small Houses)	"AGR"	20.4.2012	(b) and (c)
32.	A/SK-HC/211	Proposed House (NTEH - Small House)	"AGR"	18.5.2012	(b) and (c)
33.	A/SK-HC/212	Proposed House (NTEH - Small House)	"AGR"	18.5.2012	(b) and (c)
34.	A/SK-HC/214	Proposed House (NTEH - Small House)	"AGR"	1.6.2012	(b) and (c)
35.	A/SK-HC/215	Proposed House (NTEH - Small House)	"AGR"	1.6.2012	(b) and (c)
36.	A/SK-HC/217	Proposed House (NTEH - Small House)	"AGR"	7.9.2012	(b)
37.	A/SK-HC/218	Proposed House (NTEH - Small House)	"AGR"	21.9.2012	(b) and (c)
38.	A/SK-HC/222	Proposed House (NTEH - Small House)	"AGR" and "V"	8.2.2013	(c)
39.	A/SK-HC/228	Proposed House (NTEH - Small House)	"AGR"	3.1.2014	(c)
40.	A/SK-HC/229	Proposed House (NTEH - Small House)	"AGR"	3.1.2014	(c)
41.	A/SK-HC/230	Proposed House (NTEH - Small House)	"AGR"	7.3.2014	(c)

	Application No.	Proposed Development(s)	Zoning(s)	Date of Consideration	Approval Condition(s)
42.	A/SK-HC/237	Proposed Four Houses (NTEHs - Small Houses)	"AGR"	14.11.2014	(c) and (d)
43.	A/SK-HC/238	Proposed Four Houses (NTEHs - Small Houses)	"AGR"	12.12.2014	(c) and (d)
44.	A/SK-HC/240	Proposed House (NTEH - Small House)	"AGR"	16.1.2015	(c) and (d)
45.	A/SK-HC/243	Proposed House (NTEH - Small House)	"AGR"	5.6.2015	(c) and (d)
46.	A/SK-HC/246	Proposed House (NTEH - Small House)	"AGR"	21.8.2015	(c) and (d)
47.	A/SK-HC/254	Proposed House (NTEH - Small House)	"AGR"	8.1.2016	(d)
48.	A/SK-HC/255	Proposed House (NTEH - Small House)	"AGR"	8.1.2016	(d)
49.	A/SK-HC/258	Proposed House (NTEH - Small House)	"AGR"	12.8.2016	(d)
50.	A/SK-HC/259	Proposed House (NTEH - Small House)	"AGR"	12.8.2016	(d)
51.	A/SK-HC/260	Proposed House (NTEH - Small House)	"AGR"	12.8.2016	(d)
52.	A/SK-HC/261	Proposed House (NTEH - Small House)	"AGR"	12.8.2016	(d)
53.	A/SK-HC/263	Proposed House (NTEH - Small House)	"AGR"	30.9.2016	(d)
54.	A/SK-HC/267	Proposed House (NTEH - Small House)	"AGR"	12.5.2017	(d)
55.	A/SK-HC/268	Proposed House (NTEH - Small House)	"AGR"	12.5.2017	(d)
56.	A/SK-HC/270	Proposed House (NTEH – Small House)	"AGR"	25.8.2017	(c) and (d)
57.	A/SK-HC/272	Proposed House (NTEH - Small House)	"AGR"	27.10.2017	(c) and (d)
58.	A/SK-HC/273	Proposed Two Houses (NTEHs - Small Houses)	"AGR"	27.10.2017	(c) and (d)
59.	A/SK-HC/274	Proposed House (NTEH - Small House)	"AGR"	27.10.2017	(c) and (d)
60.	A/SK-HC/275	Proposed House (NTEH - Small House)	"AGR"	27.10.2017	(d)
61.	A/SK-HC/276	Proposed House (NTEH - Small House)	"AGR"	27.10.2017	(d)
62.	A/SK-HC/277	Proposed House (NTEH - Small House)	"AGR"	27.10.2017	(c) and (d)
63.	A/SK-HC/293	Proposed House (NTEH - Small House)	"AGR"	6.7.2018	(d)

	Application No.	Proposed Development(s)	Zoning(s)	Date of Consideration	Approval Condition(s)
64.	A/SK-HC/294	Proposed House (NTEH - Small House)	"AGR"	6.7.2018	(d)
65.	A/SK-HC/305	Proposed House (NTEH - Small House)	"AGR"	17.5.2019	(d)
66.	A/SK-HC/311	Proposed House (NTEH - Small House)	"AGR"	19.7.2019	(d)
67.	A/SK-HC/312	Proposed House (NTEH - Small House)	"AGR"	2.8.2019	(d)
68.	A/SK-HC/313	Proposed House (NTEH - Small House)	"AGR"	2.8.2019	(d)
69.	A/SK-HC/314	Proposed House (NTEH - Small House)	"AGR"	2.8.2019	(d)
70.	A/SK-HC/315	Proposed House (NTEH - Small House)	"AGR" and "V"	20.9.2019	(d)
71.	A/SK-HC/322	Proposed House (NTEH - Small House)	"AGR"	6.11.2020	(d)
72.	A/SK-HC/324	Proposed House (NTEH - Small House)	"AGR"	26.3.2021	(d)
73.	A/SK-HC/325	Proposed House (NTEH - Small House)	"AGR"	24.9.2021	(d)
74.	A/SK-HC/331	Proposed House (NTEH - Small House)	"AGR"	24.9.2021	(d)
75.	A/SK-HC/334	Proposed House (NTEH - Small House)	"AGR"	18.2.2022	-
76.	A/SK-HC/335	Proposed House (NTEH - Small House)	"AGR"	18.2.2022	-
77.	A/SK-HC/337	Proposed House (NTEH - Small House)	"AGR"	18.3.2022	-
78.	A/SK-HC/341	Proposed House (NTEH - Small House)	"AGR"	14.7.2023	-

Approval Condition(s)

- (a) The submission of an archaeological survey before the commencement of any construction works and rescue excavation should be undertaken should archaeological remains be found
- (b) The provision of fire-fighting access, water supplies for fire-fighting and fire service installations
- (c) The submission and implementation of a landscape proposal
- (d) The provision of septic tank as proposed by the applicant

	Application No.	Proposed Development(s)	Zoning	Date of Consideration	Rejection Reason(s)
1.	A/SK-HC/165	Proposed House (NTEH - Small House)	"AGR"	20.2.2009 (on review)	(1) and (2)
2.	A/SK-HC/174	Proposed House (NTEH - Small House)	"AGR"	18.12.2009	(1), (3) and (4)
3.	A/SK-HC/190	Proposed Two Houses (NTEHs - Small Houses)	"AGR"	6.5.2011	(1)
4.	A/SK-HC/204	Proposed House (NTEH - Small House)	"AGR"	18.11.2011	(1) and (5)
5.	A/SK-HC/290	Proposed House (NTEH - Small House)	"AGR"	15.6.2018	(1), (3) and (5)
6.	A/SK-HC/357	Proposed House (NTEH - Small House)	"AGR"	20.12.2024	(3) and (6)
7.	A/SK-HC/358	Proposed House (NTEH - Small House)	"AGR"	20.12.2024	(3) and (6)
8.	A/SK-HC/359	Proposed House (NTEH - Small House)	"AGR"	20.12.2024	(3) and (6)

Rejection Reason(s)

- (1) The application does not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the applicant fails to demonstrate that the proposed development, located close to a stream course and/or within the water gathering ground, would not cause adverse impact on the water quality of the area.
- (2) 11kV high voltage overhead lines were located within the application site. There was insufficient information to demonstrate that alternative site(s) were available for diversion or replacement of the overhead power lines prior to granting planning approval. No feasible solution had been provided to address the concerns on electrical safety and electricity supply issues.
- (3) The proposed development is not in line with the planning intention of the "AGR" zone which is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from such planning intention.
- (4) The cumulative impact of approving NTEH development in "AGR" zone might have adverse traffic impact on the local road network.
- (5) The approval of the application would set an undesirable precedent for other similar applications within the water gathering grounds in the "AGR" zone. The cumulative effect of approving such similar applications would result in a general degradation of the water quality of the area.
- (6) Land is still available within the "Village Type Development" ("V") zone of Ho Chung which is primarily for Small House development. It is considered more appropriate to concentrate the proposed Small House developments within the "V" zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.

Comments from Relevant Government Departments

1. Land Administration

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

- (a) no objection to the application;
- (b) the application site (the Site) is located within Ho Chung village environs ('VE');
- (c) as last advised by the Indigenous Inhabitant Representative (IIR) of Ho Chung as at 31.12.2019, the 10-year Small House demand forecast for the village was 480 cases. However, his office is not in a position to verify the forecast;
- (d) the no. of outstanding Small House applications is 46 within the "Village Type Development" ("V") zone and 35 straddling/outside the "V" zone in Ho Chung;
- (e) the no. of approved applications for rebuilding New Territories Exempted House (NTEH) within the 'VEs' of Ho Chung is 6;
- (f) according to the records, the applicant was certified as indigenous villager by Indigenous Inhabitant Representative of Ho Chung Village in Sai Kung Heung;
- (g) the applicant has submitted application for Small House development on the lot to his office, which is currently being processed; and
- (h) notwithstanding the planning permission may be given, there is no guarantee that the Small House application at the Site will be approved by his office.

2. <u>Traffic</u>

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

- (a) the proposed Small House development should be confined within the "V" zone as far as possible. Although additional traffic generated by the proposed development is not expected to be significant, the proposed Small House development outside "V" zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial; and
- (b) notwithstanding the above, the application which only involves the development of one Small House can be tolerated on traffic grounds.

Comment of the Chief Highway Engineer/New Territories East, HyD (CHE/NTE, HyD):

No comment on the application from highway maintenance point of view as the access road leading to the Site falls outside the maintenance jurisdiction of his office.

3. <u>Environment</u>

Comment of the Director of Environmental Protection (DEP):

In view of the small scale of the proposed development, the application alone is unlikely to cause major pollution.

4. Landscape

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

- (a) no comment to the application from landscape planning perspective;
- (b) as observed from the aerial photo of 2023, the Site is situated in an area of settled valleys landscape predominated by village houses and tree groups. The proposed Small House development is considered not incompatible with the surrounding landscape character;
- (c) the Site is currently vacant and fenced off, no significant landscape resources are observed within the Site; and
- (d) significant landscape impact arising from the application is not anticipated.

5. <u>Agriculture</u>

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

- (a) the application is not supported from agricultural perspective as the Site possesses potential for agricultural rehabilitation; and
- (b) the Site falls within the "Agriculture" zone and is generally vacant. Agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.

6. <u>Archaeology</u>

Comment of the Chief Heritage Executive (Antiquities and Monuments), Antiquities and Monuments Office, Development Bureau (CHE(AM), AMO, DEVB):

The Site falls within the Ho Chung Site of Archaeological Interest. After reviewing the location, scope of the proposed works, and according to the findings of the previous archaeological surveys in the surrounding area, her office has no objection in principle to the application. Notwithstanding, pursuant to the Antiquities and Monuments Ordinance, the applicant is required to inform her office immediately when antiquities or supposed antiquities under the Antiquities and Monuments Ordinance discovered during the course of works.

7. <u>Fire Safety</u>

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

No objection in-principle to the application provided that the proposed house would not encroach on any existing emergency vehicular access (EVA) or planned EVA under application in accordance with LandsD's record.

8. Demand and Supply of Small House Sites

According to DLO/SK, LandsD, the number of outstanding Small House applications in Ho Chung is 81, while the 10-year Small House demand forecast for the village is 480 as last advised by the IIR of Ho Chung village in 31.12.2019. According to the latest estimate by PlanD, it is estimated that about 3.67ha of land (equivalent to about 146 Small House sites) is available within the "V" zone of Ho Chung. Therefore, the land available in the "V" zone of Ho Chung cannot fully meet the future Small House demand for 561 Small House sites.

9. Other Departments

The following government departments have no objection to or no comment on the application:

- Chief Engineer/Mainland South, Drainage Services Department;
- Chief Engineer/Construction, Water Supplies Department;
- Head of Geotechnical Engineering Office, Civil Engineering and Development Department;
- District Officer (Sai Kung), Home Affairs Department (DO(SK), HAD); and
- Chief Engineer (Works), HAD.

Recommended Advisory Clauses

- (a) to note the comments of the Director of Environmental Protection 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 1/23 "Drainage Plans subject to Comment by the Environmental Protection Department" and are duly certified by an Authorised Person;
- (b) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the proposed developments, the applicant may need to extend his inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;
- (c) to note the comments of the Chief Heritage Executive (Antiquities and Monuments) of the Antiquities and Monument Office, Development Bureau that pursuant to the Antiquities and Monuments Ordinance, the applicant is required to inform her office immediately when antiquities or supposed antiquities under the Antiquities and Monuments Ordinance discovered during the course of work; and
- (d) to note the comments of the Director of Fire Services that the applicant should observe the "New Territories Exempted Houses A Guide to Fire Safety Requirements" published by LandsD. Detailed fire safety requirements will be formulated upon receipt of formal applications referred by LandsD.