

2021年 1月 1 9日

此文件在 收到。城市規劃委員會  
只作 申請

19 JAN 2021

This document is received on  
The Town Planning Board will formally acknowledge  
the date of receipt of the application only upon receipt  
of all the required information and documents.

Form No. S16-II  
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

**Applicable to Proposal Only Involving Construction of  
“New Territories Exempted House(s)”**

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 notice of application 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: [https://www.info.gov.hk/tpb/en/plan\\_application/apply.html](https://www.info.gov.hk/tpb/en/plan_application/apply.html)

申請人如欲在本地報章刊登申請通知，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：  
[https://www.info.gov.hk/tpb/tc/plan\\_application/apply.html](https://www.info.gov.hk/tpb/tc/plan_application/apply.html)

**General Note and Annotation for the Form**

**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 請勿填寫此欄	Application No. 申請編號	A/NE-KL4/595
	Date Received 收到日期	19 JAN 2021

- 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。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. 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.info.gov.hk/tpb/>), 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 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- 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。

<b>1. Name of Applicant 申請人姓名/名稱</b>	
<input checked="" type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構	
CHAN WAH KWONG	
<b>2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)</b>	
<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input checked="" type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構	
ROCKY FUNG SURVEYING COMPANY	
<b>3. Application Site 申請地點</b>	
(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 857 RP IN D.D.9, TAI WO VILLAGE, TAI PO
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 149.4 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Gross floor area 總樓面面積 195.09 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	NIL sq.m 平方米 <input type="checkbox"/> 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 KAU LUNG HANG OUTLINE ZONING PLAN (OZP) NO. S/NE-KLH/11
(e) Land use zone(s) involved 涉及的土地用途地帶	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)

#### 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"<sup>#&</sup> (please proceed to Part 6 and attach documentary proof of ownership).  
是唯一的「現行土地擁有人」<sup>#&</sup> (請繼續填寫第 6 部分，並夾附業權證明文件)。

☐ is one of the "current land owners"<sup>#&</sup> (please attach documentary proof of ownership).  
是其中一名「現行土地擁有人」<sup>#&</sup> (請夾附業權證明文件)。

☐ is not a "current land owner"<sup>#</sup>.  
並不是「現行土地擁有人」<sup>#</sup>。

☐ 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. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

(a) According to the record(s) of the Land Registry as at .....24/11/2020..... (DD/MM/YYYY), this application involves a total of .....ONE..... "current land owner(s)"<sup>#</sup>.  
根據土地註冊處截至 ..... 年 ..... 月 ..... 日的記錄，這宗申請共牽涉 ..... 名「現行土地擁有人」<sup>#</sup>。

(b) The applicant 申請人 -

☐ has obtained consent(s) of ..... "current land owner(s)"<sup>#</sup>.  
已取得 ..... 名「現行土地擁有人」<sup>#</sup>的同意。

Details of consent of "current land owner(s)" <sup>#</sup> obtained 取得「現行土地擁有人」 <sup>#</sup> 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 sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified ..... “current land owner(s)”<sup>#</sup>  
已通知 ..... 名「現行土地擁有人」<sup>#</sup>。

Details of the “current land owner(s)” <sup>#</sup> notified 已獲通知「現行土地擁有人」 <sup>#</sup> 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 sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):  
已採取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：

Reasonable 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)<sup>#&</sup>  
於\_\_\_\_\_ (日/月/年)向每一名「現行土地擁有人」<sup>#</sup>郵遞要求同意書<sup>&</sup>

Reasonable 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)<sup>&</sup>  
於\_\_\_\_\_ (日/月/年)在指定報章就申請刊登一次通知<sup>&</sup>
- ☐ posted notice in a prominent position on or near application site/premises on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
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<sup>&</sup>
- ☐ sent notice to relevant owners’ corporation(s)/owners’ committee(s)/mutual aid committee(s)/management office(s) or rural committee on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
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<sup>&</sup>

Others 其他

- ☐ others (please specify)  
其他（請指明）

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Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

<b>6. Development Proposal 擬議發展計劃</b>			
(a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)	CHAN WAH KWONG		
(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)	TAI WO VILLAGE		
(c) Proposed gross floor area 擬議總樓面面積	.....195.09..... sq.m 平方米 <input checked="" type="checkbox"/> About 約		
(d) Proposed number of house(s) 擬議房屋幢數	ONE	Proposed number of storeys of each house 每幢房屋的擬議層數	THREE
(e) Proposed roofed over area of each house 每幢房屋的擬議上蓋面積	..65.03 sq.m 平方米	Proposed building height of each house 每幢房屋的擬議高度	..8.23... m 米
(f) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途	GARDEN  (Please illustrate on plan the total number and dimension of each car parking space, and/or location of septic tank, where applicable) (請在圖則上顯示, 並註明車位總數, 以及每個車位的長度和寬度及/或化糞池的位置 (如適用))		
(g) Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物?	Yes 是 <input type="checkbox"/>  No 否 <input checked="" type="checkbox"/>	<input type="checkbox"/> 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)) ..... <input type="checkbox"/> 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)	
(h) Can the proposed house(s) be connected to public sewer? 擬議的屋宇發展能否接駁至公共污水渠?	Yes 是 <input checked="" type="checkbox"/>  No 否 <input type="checkbox"/>	(Please indicate on plan the sewerage connection proposal. 請用圖則顯示接駁公共污水渠的路線)  (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 Development Proposal 擬議發展計劃的影響**

If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures.

如需要的話，請另頁表示可盡量減少可能出現不良影響的措施，否則請提供理據/理由。

<p>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?</p>	<p>Yes 是 <input type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>.....</p> <p>.....</p>																														
<p>No 否 <input checked="" type="checkbox"/></p>	<p>No 否 <input checked="" type="checkbox"/></p>																														
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?</p>	<p>Yes 是 <input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream 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/或挖土的細節及/或範圍)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 ..... m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 ..... m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 ..... m 米 <input type="checkbox"/> About 約</p>																														
<p>No 否 <input checked="" type="checkbox"/></p>	<p>No 否 <input checked="" type="checkbox"/></p>																														
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table> <p>.....</p> <p>.....</p>	On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
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Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
<p>No 否 <input checked="" type="checkbox"/></p>	<p>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)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>																														

**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。

SEE APPENDIX



**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 an application to the Board 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

FUNG HO KEE

Name in Block Letters  
姓名（請以正楷填寫）

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

MANAGING DIRECTOR

Position (if applicable)  
職位（如適用）

Professional Qualification(s)  
專業資格

- ☐ Member 會員 / ☐ Fellow of 資深會員  
☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /  
☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /  
☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會



Others 其他 .....

on behalf of  
代表

ROCKY FUNG SURVEYING COMPANY

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

13/01/2021

(DD/MM/YYYY 日/月/年)

**Remark 備註**

The materials submitted in an application to the Board 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況下，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**

1. 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。

2. 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 be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and deposited at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將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存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	LOT 857 RP IN D.D.9 TAI WO VILLAGE, TAI PO		
Site area 地盤面積	149.4	sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地	sq. m 平方米	<input type="checkbox"/> About 約)
Plan 圖則	APPROVED KAU LUNG HANG OUTLINE ZONING PLAN (OZP) No.S/NE-KLH/11		
Zoning 地帶	AGR		
Applied use/ development 申請用途/發展	New Territories Exempted House 新界豁免管制屋宇 <input checked="" type="checkbox"/> Small House 小型屋宇		
(i) Proposed Gross floor area 擬議總樓面面積	195.09	sq.m 平方米	<input checked="" type="checkbox"/> About 約
(ii) Proposed No. of house(s) 擬議房屋幢數	ONE		
(iii) Proposed building height/No. of storeys 建築物高度/層數	8.23	m 米	<input checked="" type="checkbox"/> (Not more than 不多於)
	THREE	Storeys(s) 層	

## Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件

	<u>Chinese</u> 中文	<u>English</u> 英文
<b><u>Plans and Drawings 圖則及繪圖</u></b>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PROPOSED SMALL HOUSE PLAN, PROPOSED SEWER PLAN		
<hr/>		
<b><u>Reports 報告書</u></b>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<hr/>		
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

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 application.

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。



致城市規劃委員會：

### 申請之理據

1. 申請人為大窩村原居民，而申請規劃之許可位置坐落於大窩村鄉村範圍 (VE) 內，跟據規劃署檔案 A/NE-KLH/275，這地段於 2001 年曾獲規劃署城規會通過規劃許可，惟當時的申請者因個人問題取消了申請，確定了這地段在可建屋範圍內，因此申請人於 2010 年購入這地段以作為申請興建丁屋之用。
2. 申請地段為可建屋範圍內地段，之前許多鄰近和周邊地段申請個案都得到城規會批准，因此申請地段北面和西面都有許多建成的丁屋存在，東面和南面是主要行人路和道路，沒有水源，地段面積小，沒有復耕的條件和價值。
3. 我們在 2013 年曾經申請規劃許可(檔案： A/NE-KLH/445)，當時渠務署持反對理由是地段附近沒有政府鋪設的污水渠，針對此點，我們在 2018 年再次申請 (檔案： A/NE-KLH/543)，而且繪製了建議污水渠圖，還取得建議污水渠經過私人土地業主的同意書，因此渠務署已不反對，其他部門亦沒有反對，所有政府部門已不反對，只有城規會無理反對。
4. 根據 2018 年 12 月 14 日申請檔案 A/NE-KLH/543 和 2019 年 8 月 16 日申請檔案 A/NE-KLH/570 所提出之覆核申請，城規會提出二

點反對理由，第一點是指申請不符合農業地帶意向，可是漁農自然護理署署長對這申請 2 次都表示沒有特別意見，並指明這土地復耕潛力較低，故不反對申請。第二點是指村內仍有鄉村式發展土地可供使用，我們感覺此數據嚴重錯誤及失實。

5. 元嶺村是一條認可鄉村，與九龍坑和大窩村各自獨立的行政和管理，而規劃署在不了解下，草率評估了元嶺村可建屋的 V-Zone 土地面積，大大高估了元嶺村可用 V-Zone 土地面積。

6. 根據規劃署 2019.08.16 (A/NE-KLH/570) 會議紀錄圖則 A2b 號，圖中圖例藍色部分是估計可建屋之土地，我和三位元嶺村李屋村代表把藍色部分以黑色放於認地圖 (附件 A) 上，發現藍色部分土地只能足夠大約興建 50 間丁屋之用，好多藍色部分都是主要道路，私人花園，祖堂地，能建屋的機會好少。而且全都是私人業權人土地，不能強行買賣，亦極少政府土地。根據元嶺李屋村這三位代表於 2017 年為地政署統計之記錄文件 (附件 B)，未來 10 年有 257 間丁屋需要，供求差距哪麼遠 (50 對 257)，V-Zone 怎會有足夠土地以供丁屋之用，大埔地政署也承認 V-Zone 土地嚴重不足，亦不反對這申請。結論是 V-Zone 內可建丁屋之土地，嚴重缺乏。

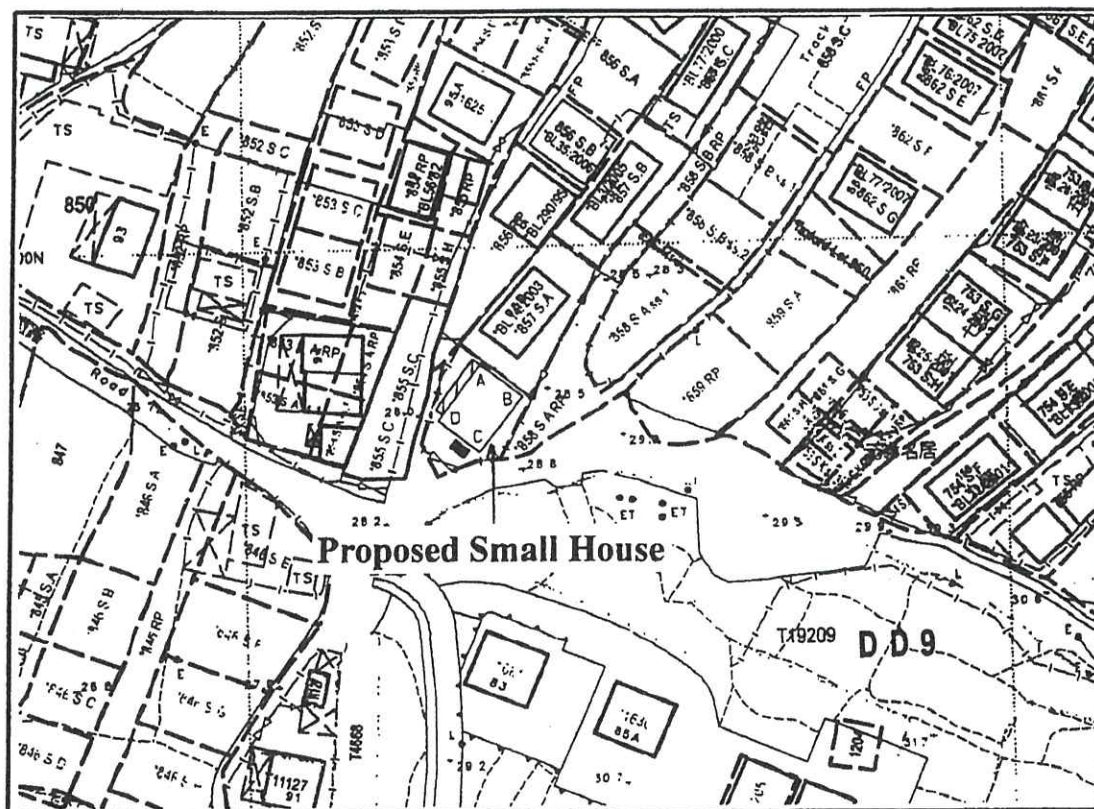
7. 早於 2001 年規劃署公佈的紀錄，新界可建丁屋範圍的土地已嚴重不足，但十九年後的今天城規會竟用 V-Zone 土地未有用盡為由反對在地段範圍內的申請，無可異議的是現有 V-Zone 土地已遠少



於 2001 年，非常缺乏，同時都是私人業權人持有，不少更是祖堂地，不可強行買賣，如何先用盡 V-Zone 土地為理由反對在 VE 地段申請個案，從來沒有規定先建屋，用盡了才可在申請，有點荒謬，本末倒置，違反善用土地資源的原則，其他政府部門都不反對，城規會以此為由拒絕，毫無道理。

8. 申請人曾多方爭取購入村內 V-Zone 土地，但無人願意出讓土地給他，大窩村內大量個案因噪音限制遭反對，亦有不少申請政府地個案受司法覆核案件判決而遭反對，令土地更加難求，希望貴署能正視理據，合理地批准此申請，謝謝！

PROPOSED SMALL HOUSE  
LOT NO. 857 RP IN D.D.9



SCALE 1 : 1000

Height of 3-storey small house : 8.230m

- Proposed balcony (dimension: 1.219 X 8.300)
- Proposed location of septic tank
- Area of proposed small house : 65.03 sq.m. (about)

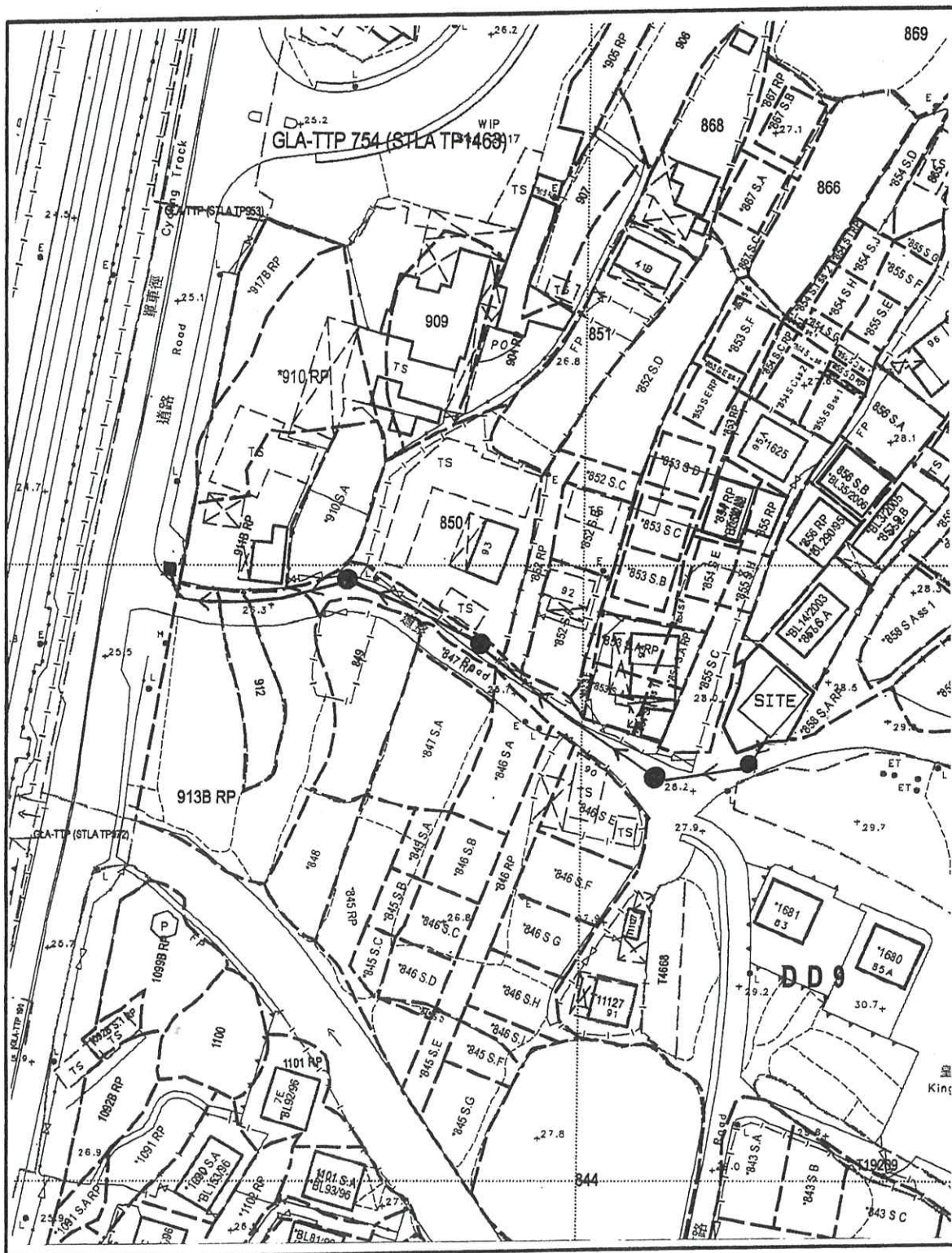
Side	Bearing	Distance	Northing	Easting	Point
A-B	129° 48' 20"	7.000	837083.884	834031.149	A
B-C	219° 48' 20"	9.290	837079.403	834036.527	B
C-D	309° 48' 20"	7.000	837072.266	834030.579	C
D-A	39° 48' 20"	9.290	837076.747	834025.202	D

Survey District: Tai Po	Survey Sheet No.: 3-SW-18D/23B
Ref. Plan: ---	Plan No.: TP/9/857RP-PSH
Ref. SRP No.: SRP/TP/054/1049/D1	Date: 6 Oct 2010




**Rocky Fung Surveying Company**  
Room 1209, Block A, New Trade Plaza, 6 On Ping Street, Shatin.  
Tel.: [REDACTED] Fax.: [REDACTED]



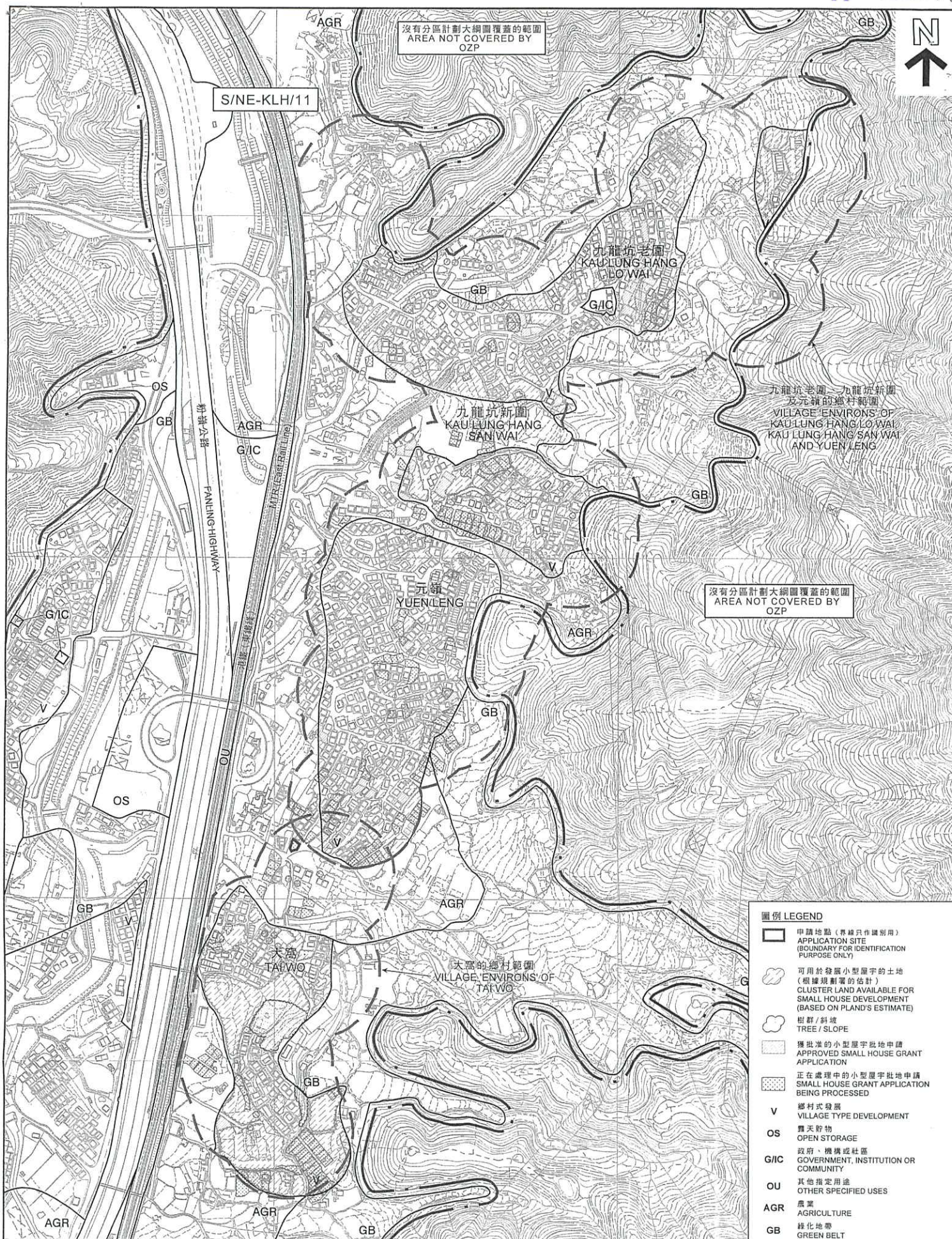
# PROPOSED SEWER PLAN



Sc lae 1: 1000

-  Proposed Foul Man-hole  
 Existing Foul Man-hole  
 Proposed Sewage Pipe





本摘要圖於2018年3月9日擬備，  
所根據的資料為測量圖編號  
3-SW-18A、B、C、D、19A、C、  
23A、B、C、D、及24A、C  
EXTRACT PLAN PREPARED ON 9.3.2018  
BASED ON SURVEY SHEETS No.  
3-SW-18A,B,C,D 18D,19A,C,  
23A,B,C,D & 24A,C

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)  
PROPOSED HOUSE (NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)  
LOT 857 RP IN D.D. 9, TAI WO VILLAGE,  
KAU LUNG HANG, TAI PO, NEW TERRITORIES

SCALE 1:4 000 比例尺

米 100

0

100

200

300

米

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.

圖 PLAN

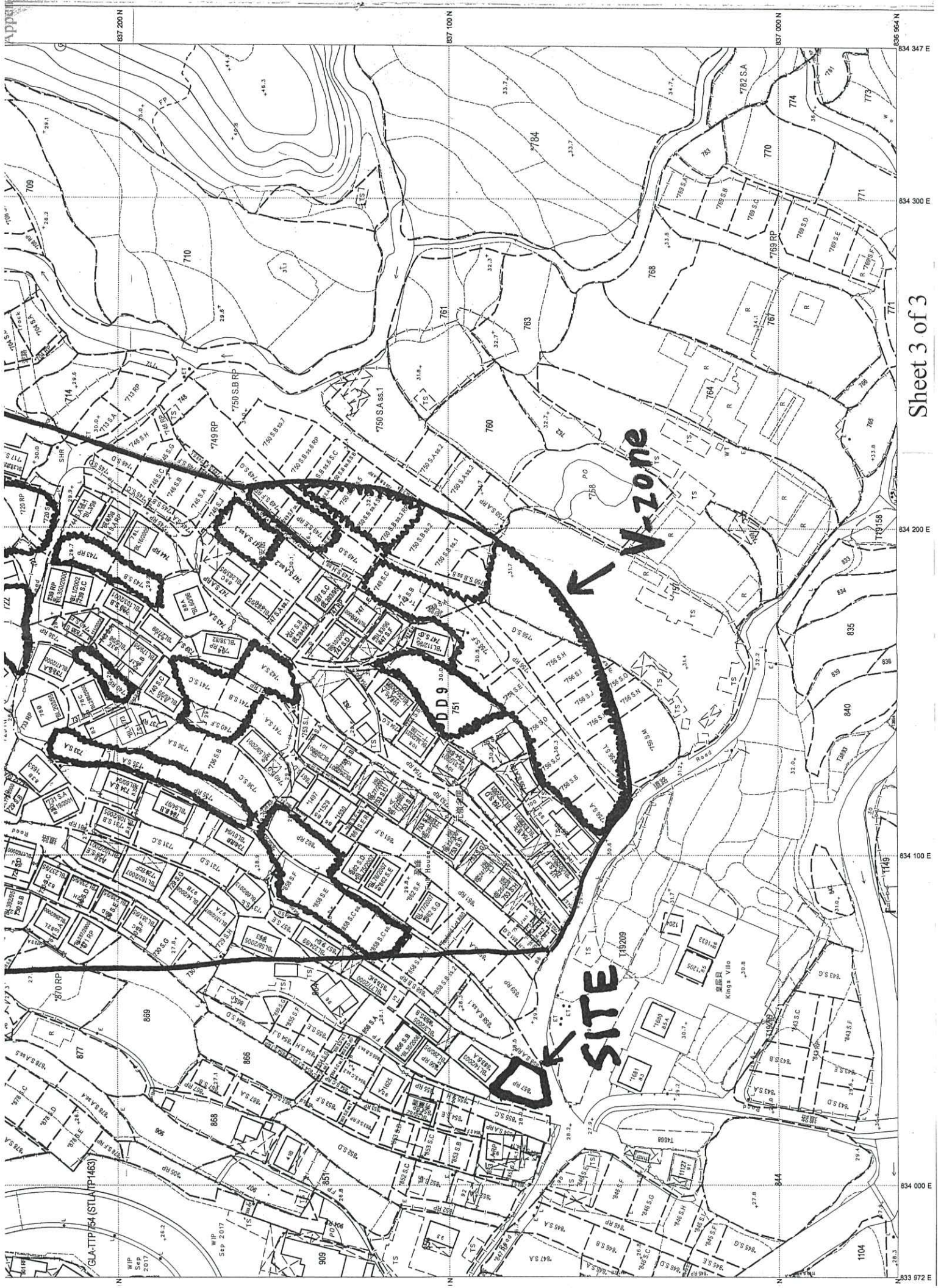














電話 Tel: 2654 1377

圖文傳真 Fax: 2650 9896

電郵地址 Email: gendlotp@landsd.gov.hk

本署檔號 Our Ref: (108) in LM(34) in DLO/TP 39/59 pt.6

來函檔號 Your Ref:

來函請註明本署檔號

Please quote our reference in your reply



地政總署  
大埔地政處  
DISTRICT LANDS OFFICE/  
TAI PO  
LANDS DEPARTMENT

我們矢志努力不懈，提供盡善盡美的土地行政服務。  
We strive to achieve excellence in land administration.

新界大埔汀角路一號大埔政府合署一樓  
1/F, TAI PO GOVERNMENT OFFICES BUILDING,  
1 TING KOK ROAD, TAI PO, NEW TERRITORIES.  
網址 Website: www.landsd.gov.hk

元嶺李屋村原居民代表  
李玉明先生

李先生：

### 未來十年（2017年1月1日至2026年12月31日）的小型屋宇需求

為獲得 貴村對小型屋宇需求的資料，請在夾附的覆函填寫 貴村在未來十年（即2017年1月1日至2026年12月31日）對小型屋宇需求的預測數字，然後把覆函在2017年1月16日前以郵遞或傳真方式交回本處，本處的傳真號碼為2650 9896。

你所提供的資料對本處及規劃署處理有關的工作具有非常重要的參考作用，亦使有關部門的工作得以順暢地進行，懇請能夠協助，按照 貴村的情況及現時原居民人口的數目，提供準確的數據。有勞之處，謹此致謝。

大埔地政專員

（彭蕙菁



代行）

連附件

2016年12月5日

致：大埔地政專員

新界大埔汀角路一號大埔政府合署一樓（傳真號碼：2650 9896）

檔號：LM(34) in DLO/TP 39/59 Pt.6

未來十年內小型屋宇需求預算

~~本大~~／我們是大埔區\*大埔／~~西貢北約鄉~~ 元嶺 <sup>(李屋、葉屋)</sup> \*村／圍的原居民代表，現根據本村的情況向貴處提供在未來十年內合資格的男性原居村民<sup>1</sup>申請興建小型屋宇的需求預算，以便政府有關部門對此有較具體的了解<sup>2</sup>。有關的資料如下：

甲部. 現時(即截至 2016 年 12 月 31 日)年滿十八歲或以上的男性原居村民

	現居香港	僑居海外
(A) 總人數：	375	184
(B) 總人數當中已經行使其小型屋宇資格 <sup>3</sup> 的人數：	335	121
(C) 總人數當中未行使其小型屋宇資格的人數：	40	73
(D) 未行使其小型屋宇資格人數當中預算未來十年內會申請興建小型屋宇的人數：	40 (i)	73 (ii)

乙部. 未來十年內將會滿十八歲(即截至 2016 年 12 月 31 日時為八至十七歲)的男性原居村民

	現居香港	僑居海外
(E) 總人數：	48	96
(F) 總人數當中預算未來十年內會申請興建小型屋宇的人數：	48 (iii)	96 (iv)

未來十年內小型屋宇需求預算[(i) + (ii) + (iii) + (iv)]： 257

姓名： 李 玉 明

簽署： 李 玉 明

姓名： 李 冠 榮

簽署： 李 冠 榮

姓名： 葉 耀 宗

簽署： 叶 耀 宗

日期： 2017-1-4

\*刪去不適用者

<sup>1</sup> 男性原居村民指父系源自 1898 年時為香港新界認可鄉村居民的男子。

<sup>2</sup> 因應需要，有關政府部門可能會要求提供其他相關補充資料。

<sup>3</sup> 行使小型屋宇資格即為已獲批准興建小型屋宇，或獲轉讓未曾移除限制轉讓條款的小型屋宇。

17<sup>th</sup> Dec 2020

Your Ref. :  
Our Ref. : TPB/TP/9/857RP  
Secretary of Town Planning Board,  
15/F., North Point Govt. Offices,  
333 Java Road, North Point, H.K.

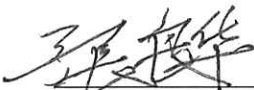

Dear Sir/Madam,

**Re : Consent of the land owner of Lots 912 & 913B RP in DD9 for the sewer connection of the proposed development of Lot 857 RP in D.D.9**

We are the registered owner of Lots 912 & 913BRP in D.D.9 and will give permission for the connection of the sewer passing through the land of Lots 912 & 913B RP as shown on the attached proposed sewer plan.

Should you require further clarification about the application, please feel free to contact Mr. Fung at [REDACTED].

Yours faithfully,

   
Cheung Leung Wah & Cheung Chong Sang



## Rocky Fung Surveying Company

P.O.Box 406, Fanling Post Office, N.T..

Tel. : [REDACTED]

email : [REDACTED]

25<sup>th</sup> Nov 2020

Our Ref. : TPB/TP/9/857RP

**BY HAND**

Secretary of Town Planning Board,  
15/F., North Point Govt. Offices,  
333 Java Road, North Point, H.K.



Dear Sir/Madam,

**Re : Application for Planning Permission under S.16 of the Town Planning Ordinance (Cap.131) for Construction of NTEH on Lot 857 RP in D.D.9**

On behalf of our client, we submit herewith five duly completed and signed application forms for your processing. Relevant authorization letter is also attached for your information.

Should you require further clarification about the application, please feel free to contact the undersigned.

Yours faithfully



Fung ho-kee  
Managing Director

2021年 1月 19日

此文件在\_\_\_\_\_收到。城市規劃委員會  
只會在收到所有必要的資料及文件後才正式確認收到  
申請的日期。

This document is received on **19 JAN 2021**  
The Town Planning Board will formally acknowledge  
the date of receipt of the application only upon receipt  
of all the required information and documents.

cc. Client

**Appendix Ia of RNTPC**  
**Paper No. A/NE-KLH/595**

tpbpd@pland.gov.hk

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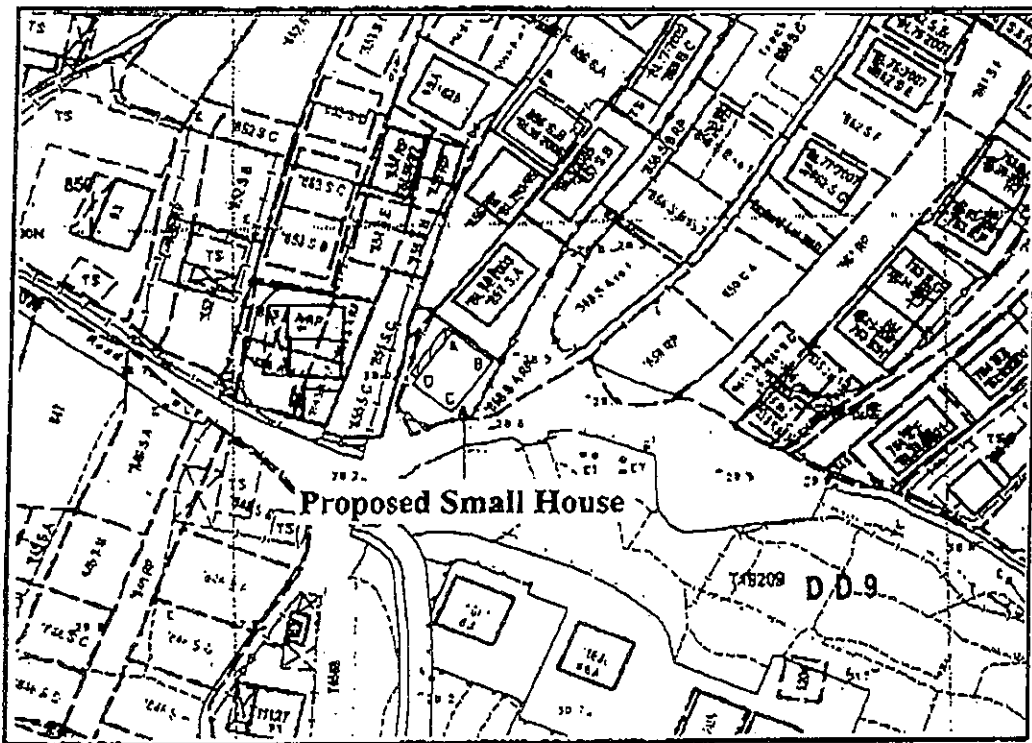
寄件者: Ho Kee Fuug [REDACTED]  
寄件日期: 2021年02月26日星期五 11:53  
收件者: tpbpd@pland.gov.hk  
主题: Proposed Small House Plan of Lot 857 RP in D.D.9, Application No. A/NE-KLH/595  
附件: Proposed samll house plan.pdf

Dear Jenny Chan,

Pls find the revised plan without the septic tank.

Regards  
Rocky Fung

PROPOSED SMALL HOUSE  
LOT NO. 857 RP IN D.D.9



SCALE 1 : 1000

Height of 3-storey small house : 8.230m

Proposed balcony (dimension: 1.219 X 8.300)

Area of proposed small house : 65.03 sq.m. (about)

Side	Bearing	Distance	Northing	Easting	Point
A-B	129°48'20"	7.000	837083.884	834031.149	A
B-C	219°48'20"	9.290	837078.403	834036.527	B
C-D	309°48'20"	7.000	837072.286	834030.579	C
D-A	39°48'20"	9.290	837076.747	834025.202	D



**Relevant Revised Interim Criteria for Consideration of  
Application for NTEH/Small House in New Territories**  
**( promulgated on 7.9.2007 )**

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

- (j) the provision of fire service installations and emergency vehicular access, if required, should be appropriate with the scale of the development and in compliance with relevant standards; and
  - (k) all other statutory or non-statutory requirements of relevant Government departments must be met. Depending on the specific land use zoning of the application site, other Town Planning Board guidelines should be observed, as appropriate.
- <sup>^</sup>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**

**Approved Application**

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-KLH/275	Proposed House (New Territories Exempted House – Small House)	21.9.2001	A1 – A5

**Approval Conditions**

- A1. The provision of drainage facilities
- A2. The disposal of spoils during the site formation and construction period
- A3. The provision of septic tank and soakaway pit for foul effluent disposal and sewerage connection at a distance of not less than 30m from any watercourses
- A4. The provision of fire services installations
- A5. The submission and implementation of landscaping proposal

**Rejected Applications**

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Rejection Reason</b>
A/NE-KLH/445	Proposed House (New Territories Exempted House – Small House)	22.2.2013 (on review)	R1
A/NE-KLH/543	Proposed House (New Territories Exempted House – Small House)	14.12.2018 (on review)	R2 – R3
A/NE-KLH/570	Proposed House (New Territories Exempted House – Small House)	20.12.2019 (on review)	R2 – R3

**Rejection Reasons**

- R1. The proposed development did not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories (Interim Criteria) in that the proposed Small House located within the water gathering ground (WGG) would not be able to be connected to the planned sewerage system in

the area as there was no fixed programme for implementation of such system at this juncture.

- R2. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, which was primarily to retain and safeguard good quality agricultural land / farm / fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission for a departure from the planning intention.
- R3. Land was still available within the “Village Type Development” (“V”) zone which was primarily intended for Small House development. It was 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.



**Appendix IV of RNTPC  
Paper No. A/NE-KLH/595**

**Similar Applications within the same “Agriculture” Zone  
on the Kau Lung Hang Outline Zoning Plan**

**Approved Applications**

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-KLH/245	Proposed House (New Territories Exempted House – Small House)	22.12.2000	A1 – A3
A/NE-KLH/259	Proposed House (New Territories Exempted House – Small House)	2.2.2001	A1, A3, A5, A6
A/NE-KLH/271	Proposed House (New Territories Exempted House – Small House)	30.3.2001	A1, A2, A5, A6
A/NE-KLH/272	Proposed House (New Territories Exempted House – Small House)	20.4.2001	A1, A2, A5, A6
A/NE-KLH/273	Proposed House (New Territories Exempted House – Small House)	4.5.2001	A1 – A3, A5, A6
A/NE-KLH/277	Proposed House (New Territories Exempted House – Small House)	21.9.2001	A1 – A3, A5, A6
A/NE-KLH/279	Proposed House (New Territories Exempted House – Small House)	21.9.2001	A1 – A3, A5, A6
A/NE-KLH/281	Proposed House (New Territories Exempted House – Small House)	7.12.2001	A1 ,A5, A6
A/NE-KLH/283	Proposed House (New Territories Exempted House – Small House)	15.3.2002	A1, A3, A5, A6
A/NE-KLH/284	Proposed House (New Territories Exempted House – Small House)	15.3.2002	A1, A3, A5, A6
A/NE-KLH/304	Proposed House (New Territories Exempted House – Small House)	21.2.2003	A1, A3, A7, A8

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A//NE-KLH/310	Proposed House (New Territories Exempted House – Small House)	30.5.2003	A1 –A3, A7, A8
A//NE-KLH/311	Proposed House (New Territories Exempted House – Small House)	30.5.2003	A1 –A3, A7, A8
A/NE-KLH/328	Proposed House (New Territories Exempted House Only)	17.12.2004	A1, A2, A5, A6
A/NE-KLH/339	Proposed House (New Territories Exempted House – Small House)	29.7.2005	A1, A3, A7, A8
A/NE-KLH/341	Proposed House (New Territories Exempted House – Small House)	14.10.2005	A1, A3, A7, A8, A12
A/NE-KLH/343	Proposed House (New Territories Exempted House – Small House)	14.7.2006 on review*	A1, A3, A7, A8
A/NE-KLH/344	Proposed House (New Territories Exempted House – Small House)	14.7.2006 on review*	A1, A3, A7, A8
A/NE-KLH/345	Proposed House (New Territories Exempted House – Small House)	23.12.2005	A1, A7, A8
A/NE-KLH/346	Proposed House (New Territories Exempted House - Small House)	17.2.2006	A1, A3, A7, A8
A/NE-KLH/347	Proposed House (New Territories Exempted House - Small House)	3.3.2006	A1, A3, A7, A8
A/NE-KLH/351	Proposed House (New Territories Exempted House – Small House)	18.8.2006	A1, A3, A7, A8
A/NE-KLH/352	Proposed House (New Territories Exempted House – Small House)	18.8.2006	A1, A3, A7, A8
A/NE-KLH/358	Proposed 4 Houses (New Territories Exempted Houses – Small Houses)	23.3.2007 (Partially)	A1, A3, A7 – A9
A/NE-KLH/368	Proposed House (New Territories Exempted House – Small House)	18.4.2008	A1, A3, A7 – A9

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-KLH/370	Proposed House (New Territories Exempted House – Small House)	18.7.2008	A1, A3, A7 – A9
A/NE-KLH/372	Proposed House (New Territories Exempted House – Small House)	1.8.2008	A1, A3, A7 – A9
A/NE-KLH/375	Proposed House (New Territories Exempted House – Small House)	10.10.2008	A1, A3, A7 – A9
A/NE-KLH/378	Proposed House (New Territories Exempted House – Small House)	19.12.2008	A1, A3, A7 – A9
A/NE-KLH/379	Proposed House (New Territories Exempted House – Small House)	19.12.2008	A1, A3, A7 – A9
A/NE-KLH/391	Proposed 2 Houses (New Territories Exempted Houses – Small Houses)	23.4.2010	A1, A7, A9, A10, A14
A/NE-KLH/392	Proposed 2 Houses (New Territories Exempted Houses – Small Houses)	23.4.2010	A1, A3, A7, A9, A14
A/NE-KLH/397	Proposed 3 Houses (New Territories Exempted Houses – Small Houses)	23.4.2010	A1, A3, A7 – A9
A/NE-KLH/400	Proposed House (New Territories Exempted House – Small House)	9.4.2010	A1, A3, A7 – A9
A/NE-KLH/402	Proposed House (New Territories Exempted House – Small House)	28.5.2010	A1, A7, A9, A11, A14
A/NE-KLH/403	Proposed House (New Territories Exempted House – Small House)	28.5.2010	A1, A3, A7 – A9
A/NE-KLH/406	Proposed House (New Territories Exempted House – Small House)	11.6.2010	A1, A3, A7 – A9
A/NE-KLH/407	Proposed House (New Territories Exempted House – Small House)	11.6.2010	A1, A3, A7 – A9
A/NE-KLH/409	Proposed House (New Territories Exempted House – Small House)	30.7.2010	A1, A3, A7 – A9



<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-KLH/410	Proposed House (New Territories Exempted House – Small House)	30.7.2010	A1, A3, A7 – A9
A/NE-KLH/415	Proposed House (New Territories Exempted House – Small House)	15.10.2010	A1, A3, A7 – A9
A/NE-KLH/416	Proposed House (New Territories Exempted House – Small House)	15.10.2010	A1, A3, A7 – A9
A/NE-KLH/417	Proposed House (New Territories Exempted House – Small House)	15.10.2010	A1, A3, A7 – A9
A/NE-KLH/426	Proposed House (New Territories Exempted House – Small House)	28.1.2011	A1, A3, A7 – A9
A/NE-KLH/432	Proposed House (New Territories Exempted House – Small House)	23.9.2011	A1, A7 – A10
A/NE-KLH/433	Proposed House (New Territories Exempted House – Small House)	23.9.2011	A1, A3, A7 – A9
A/NE-KLH/438	Proposed House (New Territories Exempted House – Small House)	1.6.2012	A1, A3, A7 – A9
A/NE-KLH/442	Proposed House (New Territories Exempted House-Small House)	19.10.2012	A1, A7 – A10
A/NE-KLH/450	Proposed House (New Territories Exempted House – Small House)	25.1.2013	A1, A3, A7, A8
A/NE-KLH/459	Proposed House (New Territories Exempted House – Small House)	17.1.2014	A1, A3, A7, A8
A/NE-KLH/467	Proposed House (New Territories Exempted House – Small House)	23.5.2014	A1, A3, A4, A8, A13
A/NE-KLH/469	Proposed House (New Territories Exempted House – Small House)	24.10.2014 on review	A1, A3, A7, A8
A/NE-KLH/470	Proposed House (New Territories Exempted House – Small House)	24.10.2014 on review	A1, A3, A7, A8

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-KLH/471	Proposed House (New Territories Exempted House – Small House)	11.7.2014	A1, A3, A7, A8
A/NE-KLH/472	Proposed House (New Territories Exempted House – Small House)	11.7.2014	A1, A3, A7, A8
A/NE-KLH/473	Proposed House (New Territories Exempted House – Small House)	11.7.2014	A1, A3, A7, A8
A/NE-KLH/481	Proposed House (New Territories Exempted House – Small House)	22.8.2014	A1, A3, A4, A7, A8
A/NE-KLH/482	Proposed House (New Territories Exempted House – Small House)	26.9.2014	A1, A3, A7, A8
A/NE-KLH/487	Proposed House (New Territories Exempted House – Small House)	27.3.2015	A1, A3, A7, A8
A/NE-KLH/488	Proposed House (New Territories Exempted House – Small House)	27.3.2015	A1, A3, A7, A8
A/NE-KLH/491	Proposed House (New Territories Exempted House – Small House)	22.5.2015	A1, A3, A7, A8
A/NE-KLH/494	Proposed 2 Houses (New Territories Exempted Houses – Small Houses)	21.8.2015	A1, A3, A7, A8
A/NE-KLH/503	Proposed House (New Territories Exempted House – Small House)	22.4.2016	A1, A3, A7, A8
A/NE-KLH/504	Proposed House (New Territories Exempted House – Small House)	22.4.2016	A1, A7, A8, A10
A/NE-KLH/519	Proposed House (New Territories Exempted House – Small House)	26.8.2016	A1, A3, A7, A8
A/NE-KLH/523	Proposed House (New Territories Exempted House – Small House)	9.12.2016	A1, A3, A7, A8
A/NE-KLH/527	Proposed House (New Territories Exempted House – Small House)	12.5.2017	A1, A3, A7, A8

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-KLH/529	Proposed House (New Territories Exempted House – Small House)	23.6.2017	A1, A3, A7, A8
A/NE-KLH/530	Proposed House (New Territories Exempted House – Small House)	23.6.2017	A1, A3, A7, A8
A/NE-KLH/531	Proposed House (New Territories Exempted House – Small House)	23.6.2017	A1, A3, A7, A8
A/NE-KLH/533	Proposed House (New Territories Exempted House – Small House)	11.8.2017	A1, A7, A8
A/NE-KLH/535	Proposed House (New Territories Exempted House – Small House)	13.10.2017	A1, A3, A7, A8
A/NE-KLH/540	Proposed House (New Territories Exempted House – Small House)	22.12.2017	A1, A7, A8
A/NE-KLH/541	Proposed House (New Territories Exempted House – Small House)	18.5.2018	A1, A7, A8, A11
A/NE-KLH/542	Proposed House (New Territories Exempted House – Small House)	16.3.2018	A1, A3, A7, A8
A/NE-KLH/553	Proposed House (New Territories Exempted House – Small House)	21.9.2018	A3, A7, A8
A/NE-KLH/554	Proposed House (New Territories Exempted House – Small House)	21.9.2018	A3, A7, A8
A/NE-KLH/555	Proposed House (New Territories Exempted House – Small House)	21.9.2018	A3, A7, A8
A/NE-KLH/563	Proposed House (New Territories Exempted House – Small House)	22.3.2019	A1, A7, A8
A/NE-KLH/564	Proposed House (New Territories Exempted House – Small House)	22.3.2019	A1, A7, A8
A/NE-KLH/572	Proposed House (New Territories Exempted House - Small House)	6.9.2019	A1, A7, A8



<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-KLH/589	Proposed House (New Territories Exempted House - Small House)	4.9.2020	A1, A7, A8, A14

\* Appeal dismissed by Town Planning Appeal Board on 2.8.2007

#### Approval Conditions

- A1. The submission/provision of drainage facilities
- A2. The provision of fire services installations (FSIs)
- A3. The submission and implementation of landscape proposal
- A4. The provision septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the Town Planning Board (TPB)
- A5. The disposal of spoils during the site formation and construction period
- A6. The connection/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
- A7. The connection of the foul water drainage system to the public sewers
- A8. The provision of protective measures to ensure no pollution or siltation occurs to water gathering ground (WGG)
- A9. The provision of fire fighting access, water supplies and FSIs
- A10. The submission and implementation of landscape and tree preservation proposal
- A11. The submission and implementation of a tree preservation and replanting proposal
- A12. The provision of adequate space for the existing footpath to pass over the application site for public access purpose
- A13. The connection of the foul water drainage system to the planned public sewerage system in the area and the whole of the foul water drainage system to the planned public sewerage system upon its completion
- A14. The submission of a water pollution risk and impact assessment report to demonstrate no material increase in pollution effect to the lower indirect WGG to the satisfaction of the Director of Water Supplies or of the TPB

**Rejected Applications**

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Rejection Reasons</b>
A/NE-KLH/299	Proposed House (New Territories Exempted House – Small House)	14.2.2003 on review	R1, R2
A/NE-KLH/300	Proposed House (New Territories Exempted House – Small House)	11.10.2002	R1
A/NE-KLH/303	Proposed House (New Territories Exempted House – Small House)	7.2.2003	R1
A/NE-KLH/312	Proposed House (New Territories Exempted House – Small House)	30.5.2003	R1
A/NE-KLH/314	Proposed House (New Territories Exempted House – Small House)	25.7.2003	R1, R2, R3
A/NE-KLH/315	Proposed House (New Territories Exempted House – Small House)	25.7.2003	R1, R2, R3
A/NE-KLH/321	Proposed House (New Territories Exempted House – Small House)	16.1.2004 on review	R1
A/NE-KLH/333	Proposed House (New Territories Exempted House – Small House)	15.7.2005	R1, R4
A/NE-KLH/334	Proposed House (New Territories Exempted House – Small House)	15.7.2005	R1, R4
A/NE-KLH/358	Proposed 4 Houses (New Territories Exempted Houses – Small Houses)	23.3.2007 (Partially)	R1, R4
A/NE-KLH/360	Proposed House (New Territories Exempted House – Small House)	23.3.2007	R1, R3, R11
A/NE-KLH/361	Proposed House (New Territories Exempted House – Small House)	13.4.2007	R1, R3

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Rejection Reasons</b>
A/NE-KLH/362	Proposed House (New Territories Exempted House – Small House)	22.6.2007	R1
A/NE-KLH/374	Proposed House (New Territories Exempted House – Small House)	16.1.2009 on review	R3, R11
A/NE-KLH/380	Proposed House (New Territories Exempted House – Small House)	13.3.2009	R1, R3, R5
A/NE-KLH/404	Proposed 6 Houses (New Territories Exempted Houses)	11.6.2010	R2 – R4, R12, R13
A/NE-KLH/430	Proposed House (New Territories Exempted House – Small House)	8.7.2011	R1, R6
A/NE-KLH/439	Proposed House (New Territories Exempted House – Small House)	24.8.2012	R7
A/NE-KLH/440	Proposed House (New Territories Exempted House – Small House)	1.2.2013 on review	R7, R8
A/NE-KLH/441	Proposed House (New Territories Exempted House – Small House)	1.2.2013 on review	R7, R8
A/NE-KLH/443	Proposed House (New Territories Exempted House – Small House)	19.10.2012	R1, R6
A/NE-KLH/444	Proposed House (New Territories Exempted House – Small House)	22.2.2013 (on review)	R7
A/NE-KLH/455	Proposed House (New Territories Exempted House – Small House)	13.12.2013	R7
A/NE-KLH/478	Proposed House (New Territories Exempted House – Small House)	8.8.2014	R1, R7



<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Rejection Reasons</b>
A/NE-KLH/479	Proposed House (New Territories Exempted House – Small House)	8.8.2014	R1, R7
A/NE-KLH/483	Proposed House (New Territories Exempted House – Small House)	1.9.2016 (Appeal dismissed) <sup>#</sup>	R1, R7
A/NE-KLH/484	Proposed House (New Territories Exempted House – Small House)	31.10.2014	R7
A/NE-KLH/521	Proposed House (New Territories Exempted House – Small House)	3.2.2017	R3, R9
A/NE-KLH/526	Proposed 6 Houses (New Territories Exempted Houses – Small Houses)	18.8.2017 on review	R1, R7, R9
A/NE-KLH/537	Proposed House (New Territories Exempted House – Small House)	8.6.2018 on review	R3, R9
A/NE-KLH/538	Proposed House (New Territories Exempted House – Small House)	8.6.2018 on review	R3, R9
A/NE-KLH/544	Proposed House (New Territories Exempted House – Small House)	12.10.2018 on review	R1, R3, R7, R9, R10
A/NE-KLH/546	Proposed House (New Territories Exempted House – Small House)	4.5.2018	R1, R3, R9
A/NE-KLH/548	Proposed House (New Territories Exempted House – Small House)	1.6.2018	R1, R3, R9
A/NE-KLH/549	Proposed House (New Territories Exempted House – Small House)	7.9.2018	R3, R9
A/NE-KLH/556	Proposed 5 Houses (New Territories Exempted Houses)	2.11.2018	R3, R7, R10

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Rejection Reasons</b>
A/NE-KLH/558	Proposed House (New Territories Exempted House – Small House)	22.3.2019	R3, R9
A/NE-KLH/559	Proposed House (New Territories Exempted House – Small House)	22.3.2019	R3, R9
A/NE-KLH/573	Proposed House (New Territories Exempted House – Small House)	10.1.2020 on review	R3, R9
A/NE-KLH/577	Proposed House (New Territories Exempted House – Small House)	15.11.2019	R1, R3, R9
A/NE-KLH/593	Proposed House (New Territories Exempted House – Small House)	22.1.2021	R3, R9
A/NE-KLH/594	Proposed House (New Territories Exempted House – Small House)	22.1.2021	R3, R9

# Appeal dismissed by Town Planning Appeal Board on 1.9.2016

### Rejection Reasons

- R1. The proposed development did not comply with the Interim Criteria in that it was not able to be connected to existing or planned sewerage system in the area. There was insufficient information in the submission to demonstrate that the proposed development, which was located within WGG, would not cause adverse impact on water quality in the area.
- R2. There was no information in the submission to demonstrate that the existing trees within the application site which should be preserved as far as possible, would not be affected by the proposed development.
- R3. The application was not in line with the planning intention of the “Agriculture” (“AGR”) zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong justifications had been provided in the submission for a departure from the planning intention.
- R4. The approval of the proposed development would set an undesirable precedent for other similar applications within WGG in the New Territories and would lead to irreversible damage to the water quality of the WGGs in Kau Lung Hang and other areas in the New Territories.

- R5. The proposed development did not comply with the Interim Criteria in that the proposed house with more than 50% of the footprint outside both the village environs and the “Village Type Development” (“V”) zone of recognised villages.
- R6. The proposed development did not comply with the Interim Criteria in that more than 50% of the footprint of the proposed Small House fell outside both the “V” zone and the village 'environs' of Yuen Leng, Kau Lung Hang Lo Wai and Kau Lung Hang San Wai, and it was uncertain whether the proposed Small House located within the WGG could be connected to the planned sewerage system in the area.
- R7. The proposed development did not comply with the Interim Criteria in that the proposed Small House located within the WGG would not be able to be connected to the existing/planned sewerage system in the area as there was no fixed programme for implementation of such system at this juncture.
- R8. There was no information in the submission to demonstrate that the proposed development would have no adverse drainage and sewerage disposal impacts on the surrounding areas.
- R9. Land was still available within the “V” zone of Yuen Leng, Kau Lung Hang San Wai and Kau Lung Hang Lo Wai which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.
- R10. The proposed development would be subject to adverse noise impact generated by the East Rail nearby, and there was no information in the submission to demonstrate that the proposed development would be in compliance with the Noise Control Ordinance (Cap. 400).
- R11. The proposed development which required felling of mature trees, was not supported from nature conservation and landscape planning point of view.
- R12. The proposed development would be subject to adverse noise impact generated by the East Rail nearby.
- R13. The approval of the application would set an undesirable precedent for similar applications within the "AGR" zone, the cumulative effect of which would result in adverse impact on the traffic and rural landscape of the area.



**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 Tai Wo Village of Tai Po as confirmed by the Indigenous Inhabitant Representative (IIR). However, his eligibility for Small House (SH) grant have yet to be ascertained;
- (c) the Site is not covered by any Modification of Tenancy or Building Licence;
- (d) the Site is held under Block Government Lease demised for agricultural use. SH application submitted by the applicant at the Site is still under processing;
- (e) in case the planning application is approved by the Town Planning Board (the Board), LandsD will process the SH application according to prevailing applicable procedures. However, there is no guarantee at this stage that the SH application would be approved. If the SH application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approvals will be subject to terms and conditions as may be imposed by LandsD. There is no guarantee to the grant of a right of way to the proposed SH or approval of the emergency vehicular access thereto;
- (f) the estimated number of 10-year SH demand and the number of outstanding SH applications for the village concerned are as follows:

<u>Village</u>	<u>No. of 10-year SH Demand*</u>	<u>No. of Outstanding SH Applications (about)</u>
Tai Wo	125	39
Yuen Leng	261	73
Kau Lung Hang	464	48

(\* The figures of 10-year SH Demand are estimations provided by the IIRs of concerned villages and the information so obtained is not verified in any way by DLO/TP.)

- (g) the sewerage proposal is required to be approved by and completed to the satisfaction of DSD. If any private lots will be affected, the applicant is required to obtain prior consent in the form of Deed of Consent from the lot owner(s) concerned for connection of sewerage pipes to public sewers and registered them in the Land Registry. The applicant has to obtain approval from DLO/TP if any government land is involved.

## 2. **Agriculture**

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

- the Site falls within “AGR” zone and is currently paved and vacant. Nevertheless, according to his recent site inspection in February 2021 and updated farming situation, there are active agricultural activities in the vicinity, and agricultural infrastructure such as road access and water source is available. The Site can be used for agricultural activities such as greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the application is not supported from agricultural point of view.

## 3. **Environment**

Comments of the Director of Environmental Protection (DEP):

- (a) the Site falls within “AGR” zone, and is within water gathering grounds (WGG). The planned public sewer to serve the subject lot is part of the Yuen Leng village sewerage scheme, which was degazetted in October 2010 due to conflicting views among some of the land owners over the extent of proposed land resumption. Currently there is no fixed timetable for implementing the said sewerage scheme. Instead, the applicant proposed to connect the proposed Small House to a public sewer at a considerable distance of about 150 m to the west of the Site, which also comprise 4 intermediate private manholes. As the public sewer has sufficient capacity to accommodate the discharge from the proposed Small House, and there is sufficient level drop in between, he has no adverse comment on the proposed connection to the public sewer. The applicant is advised to obtain consent from the adjacent lot owner(s) and LandsD for construction and maintenance of the proposed intermediate private manholes and sewer pipes;
- (b) he has no objection to the application on the conditions that:
  - (i) the proposed house will be connected to the public sewer;
  - (ii) adequate land space within the Site will be reserved for connection of the proposed house to the public sewer;
  - (iii) written consent(s) can be obtained from the relevant lot owner(s) for the construction and maintenance of the sewage pipes and intermediate private manholes across adjacent lot(s); and
  - (iv) the cost of construction of private sewerage, intermediate private manholes and sewer connection will be borne by the applicant; and
- (c) the Site is located at some 110 m and 140 m away from East Rail Line (EAL) and Fanling Highway respectively, and is partially shielded from the EAL and the highway by other Small Houses. Trackside noise barriers have been erected along the EAL and roadside noise barriers at concerned section of the highway has been constructed under the Widening Project of Tolo Highway/Fanling Highway between Island Interchange and Fanling to protect

those village developments closer to the road. As such, no insurmountable railway and traffic noise impact is anticipated.

#### **4. Landscape**

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

- (a) he has no objection to the application from the landscape planning perspective;
- (b) according to aerial photo of 2019, the Site is located in an area of settled valleys landscape character comprising vegetated areas and village houses. The Site is hard paved with no significant landscape resource observed; hence, significant adverse impacts on existing landscape resources arising from the proposed developments are not anticipated;
- (c) the proposed Small House is considered not entirely incompatible with its surrounding environment; and
- (d) as there is limited space within the Site for meaningful landscaping, and there is no major public frontage along the site boundary, should the Board approve this application, it is considered not necessary to impose a landscape condition as the effect of additional landscaping on enhancing the quality of public realm is not apparent.

#### **5. Traffic**

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

- (a) in general, he has reservation on the application. Such type of development should be confined within the “V” zone as far as possible. Although additional traffic generated by the proposed development is not expected to be significant, such type of development outside “V” zone, if permitted, will set an undesirable precedent for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial; and
- (b) notwithstanding the above, he considers that the application only involving development of a Small House can be tolerated on traffic grounds.

#### **6. Drainage and Sewerage**

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

- (a) there is no existing DSD maintained public drain available for connection in the area. The applicant shall demonstrate the Site will have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site. Sufficient openings should be provided at the bottom of the boundary



wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The submission shall also demonstrate that neither overland flow will be obstructed nor the existing natural streams, village drains, ditches and the adjacent areas will be adversely affected. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;

- (b) if the application is approved, an approval condition on submission and implementation of drainage proposal for the Sites is recommended to ensure that it will not cause adverse drainage impact to the adjacent areas;
- (c) there is existing public sewer running along Tai Wo Service Road East. The applicant shall submit a sewage connection proposal and provide written proof that the sewage connection alignment encroaching upon / running through other private lots have been obtained; and
- (d) for works to be undertaken outside the lot boundary, prior consent and agreement from LandsD and/or relevant private lot owners should be sought.

## **7. Water Supplies**

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

- (a) no objection to the application;
- (b) it is noted that DEP has no adverse comment on the applicant's proposed connection to the public sewer at a considerable distance of about 150m to the west of the Site. Thus, compliance of the application with Item B(i) of the Interim Criteria can be reasonably established;
- (c) DEP states that the applicant shall connect the house to the public sewer. He supports DEP's views by imposing the following conditions:
  - (i) the foul water drainage system of the proposed Small House can be connected to the public sewerage system in the area and the applicant shall connect the whole of the foul water drainage system to the public sewerage system;
  - (ii) adequate protective measures shall be taken to ensure that no pollution or siltation occurs to the WGG;
  - (iii) the applicant shall submit an executed Deed of Grant of Easement for each private lot through which the sewer connection pipes are proposed to pass to demonstrate that it is both technically and legally feasible to install sewerage pipes from the proposed Small House to the sewerage system via relevant private lot; and

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

## **8. Fire Safety**

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

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

## **9. Demand and Supply of Small House Sites**

According to the DLO/TP, LandsD's record, the total number of outstanding Small House applications for Tai Wo, Yuen Leng and Kau Lung Hang Villages is 160 while the 10-year Small House demand forecast for the same villages is 850. A breakdown is as follows:

<b>Village</b>	<b>No. of Outstanding Small House Applications</b>	<b>No. of 10-year Small House Demand</b>
Tai Wo	39	125
Yuen Leng	73	261
Kau Lung Hang	48	464

Based on the latest estimate by the Planning Department, about 8.75 ha of land (or equivalent to about 348 Small House sites) are available within the "V" zone of Yuen Leng, Kau Lung Hang and Tai Wo Villages. Therefore, the land available cannot fully meet the future Small House demand of about 25.25 ha (or equivalent to about 1010 Small House sites).





就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

210203-145446-83730

提交限期

Deadline for submission:

16/02/2021

提交日期及時間

Date and time of submission:

03/02/2021 14:54:46

有關的規劃申請編號

The application no. to which the comment relates:

A/NE-KLH/595

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Lam Ka Hing

意見詳情

Details of the Comment :

反對，住屋過於密集，影響鄉郊生活及生態環境。

5-2

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups



**DHK's comment on A/NE-KLH/595**

16/02/2021 22:00

From: Samuel Wong <samuel@designinghongkong.com>  
To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>  
FileRef:

Dear Sir/Madam,

Our comment on the following application is attached:

1. A/NE-KLH/595

Thank you for your attention.

Yours faithfully,

For and on behalf of Designing Hong Kong Limited

Samuel Wong | Project Officer

T: +852 3104 2767 | E: samuel@designinghongkong.com



20210216 A\_NE-KLH\_595 Kau Lung Hang Small House in AGR.pdf

# 創建 Designing Hong Kong 香港 .com

16 February 2021

Chairman and Members

Town Planning Board

15/F, North Point Government Offices

333 Java Road, North Point, Hong Kong

Fax: 2877 0245;

Email: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)

**Re: Proposed House (New Territories Exempted House – Small House)  
(Application No. A/NE-KLH/595)**

Dear Chairman and Members,

Designing Hong Kong Limited **objects** the captioned for the following reasons:

- The proposed area is zoned as "**Agriculture (AGR)**". The planning intention of this zone is primarily for retaining and safeguarding 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.
- It is noted that several small house applications (Application No. A/NE-KLH/445, Application No. A/NE-KLH/543 and Application No. A/NE-KLH/570) were **rejected** by the Board on 20 December 2019 with the following reason:
  - (a) the proposed development is not in line with the planning intention of the "AGR" zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. While the application site may not have high potential for agricultural rehabilitation as advised by the Agriculture, Fisheries and Conservation Department, it still possesses potential to be used for other kinds of agricultural and related uses. There is no strong planning justification in the submission for a departure from the planning intention; and
  - (b) land is still available within the "Village Type Development" ("V") zone of Yuen Leng, Kau Lung Hang and Tai Wo 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.
- We agree that the small house development should be first concentrate within the existing "V" zone to have a better control and facilities to support the house.
- The approval of the application would set an undesirable precedent for other applications within the "Agriculture (AGR)" zone, and lead to a general degradation of the rural environment of the area.

Here we submit our concerns for your consideration.

Yours,

**Designing Hong Kong Limited**

21/F, Chun Wo Commercial Centre, 25 Wing Wo Street, Central, Hong Kong  
Tel: +852 3014 2767 Fax: +852 2187 2305 Email: [info@designinghongkong.com](mailto:info@designinghongkong.com)



寄件者: [REDACTED]  
寄件日期: 2021年02月16日星期二 4:11  
收件者: tpbpd  
主旨: A/NE-KLH/595 DD-9 Tai Wo Village

Dear TPB Members,

There should be a restriction on the number of times the applicant can resubmit plans.

Previous objections upheld.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** "tpbpd" <tpbpd@pland.gov.hk>  
**Sent:** Monday, July 22, 2019 2:30:33 AM  
**Subject:** A/NE-KLH/570 DD 9 Tai Wo Village

Dear TPB Members,

The review covered various points and it is quite clear that repeated submissions of the application cannot change the outcome.

Based on the latest estimate by the PlanD for the "V" zones serving Kau Lung Hang, Yuen Leng and Tai Wo, about 9.64 ha of land (or equivalent to about 385 Small House sites) was available within the "V" zones concerned. While land available could not fully meet the future Small House demand of 736 Small Houses, it was still capable to meet the 190 outstanding Small House applications for the concerned villages;

PlanD had also looked into the demand and supply in Tai Wo alone, noting that the applicant was an indigenous villager of Tai Wo. In this regard, based on the estimate by PlanD, **about 126 sites were available for Small House development in the "V" zone of Tai Wo which was sufficient to fully meet the 61 outstanding Small House applications of Tai Wo**

The Member also considered that in considering Small House applications, a consistent approach to concentrate proposed Small House developments within the "V" zone for orderly development pattern should be adhered to. Two Members concurred. Another Member further said that according to the aerial photo in Plan R-3 of the Paper, there was still vacant land in Tai Wo.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** "tpbpd" <tpbpd@pland.gov.hk>  
**Sent:** Monday, October 15, 2018 1:46:12 AM  
**Subject:** Re: A/NE-KLH/543 DD 9 Tai Wo Village

Dear TPB Members,

Unfortunately the arguments put forward by applicant were not shared with Joe Public.

However it is difficult to imagine what arguments could justify a change in decision as the fundamentals are very clear.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** "tpbpd" <tpbpd@pland.gov.hk>  
**Sent:** Friday, May 25, 2018 2:18:03 AM  
**Subject:** Fwd: A/NE-KLH/543 DD 9 Tai Wo Village

Dear TPB Members,

No justification has been provided for any departure from your decision of 16 March

"(a) the proposed development is not in line with the planning intention of the "Agriculture" zone, which is primarily 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 the planning intention; and  
(b) land is still available within the "Village Type Development" ("V") zone of Yuen Leng, Kau Lung Hang and Tai Wo 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."

Mary Mulvihill

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**From:** [REDACTED]  
**To:** "tpbpd" <tpbpd@pland.gov.hk>  
**Sent:** Tuesday, February 27, 2018 1:49:17 AM  
**Subject:** A/NE-KLH/543 DD 9 Tai Wo Village

A/NE-KLH/543  
Lot 857 RP in D.D. 9, Tai Wo Village, Kau Lung Hang, Tai Po  
Site area : 149.4m<sup>2</sup>  
Zoning : "Agriculture  
Applied Development; NET House

Dear TPB Members,

On 22 Feb 2013 Application 445 was rejected on review:

Members generally noted the proposed Small Houses were not in line with the planning intention of the "AGR" zone and did not comply with the "Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories". There was no change in planning circumstances after rejection of the planning applications by RNTPC, and the applicants had not submitted any further information at the review stage to support a departure from the previous decisions of the RNTPC.

The proposed development did not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed Small House located within the water gathering ground would not be able to be connected to the planned sewerage system in the area as there was no fixed programme for implementation of such system at this juncture.

There has been no change in circumstances and in view of the recent Audit Commission report condemning the wide use of septic tanks the outcome should be in line with above.

Mary Mulvihill

**Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
- (i) in case the planning application is approved by the Town Planning Board (the Board), LandsD will process the Small House application according to prevailing applicable procedures. 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 terms and conditions as may be imposed by LandsD. There is no guarantee to the grant of a right of way to the proposed Small House or approval of the emergency vehicular access thereto; and
  - (ii) the sewerage proposal is required to be approved by and completed to the satisfaction of Drainage Services Department. If any private lots will be affected, the applicant is required to obtain prior consent in the form of Deed of Consent from the lot owner(s) concerned for connection of sewerage pipes to public sewers and registered them in the Land Registry. The applicant has to obtain approval from DLO/TP if any government land is involved;
- (c) to note the comments of the Director of Environmental Protection (DEP) that:
- the applicant should pay attention to avoiding potential conflict with other underground utilities when making the sewer connection. The actual alignment and number of intermediate private manholes will depend on site conditions and the applicant is required to submit plans showing the actual connection works to DSD in association with its future technical audit under the prevailing mechanism. The applicant could check DSD and DEVB's Practitioners Guidelines on "*Arrangement for Private Developers to employ their own Contractors to carry out Drainage Connections*" regarding the procedures to be followed and the maintenance responsibility of the connection works;
- (d) to note the comments of the Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) that:
- (i) there is no existing DSD maintained public drain available for connection in the area. The applicant shall demonstrate the Site have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site. Sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The submission shall also demonstrate that neither overland flow will be obstructed nor the existing natural streams, village drains, ditches and the adjacent areas will be adversely affected. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims



and demands arising out of damage or nuisance caused by failure of the systems;

- (ii) there is existing public sewer running along Tai Wo Service Road East. The applicant shall submit a sewage connection proposal and provide written proof that the sewage connection alignment encroaching upon / running through other private lots have been obtained; and
  - (iii) for works to be undertaken outside the lot boundary, prior consent and agreement from LandsD and/or relevant private lot owners should be sought;
- (e) to note the comments of the Chief Engineer of Construction (CE/C, WSD) that:
  - (i) the applicant shall submit an executed Deed of Grant of Easement for each private lot through which the sewer connection pipes are proposed to pass to demonstrate that it is both technically and legally feasible to install sewerage pipes from the proposed Small House to the sewerage system via relevant private lots; and
  - (ii) for provision of water supply to the proposed development, the applicant may need to extend the inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;
- (f) to note the comments of the Director of Fire Services (D of FS) that the applicants are reminded to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by LandsD. Detailed fire safety requirements will be formulated during land grant stage; and
- (g) to note that the permission is only given to the development under application. If provision of an access road is required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complies with the provisions of the relevant statutory plan and obtain planning permission from the Town Planning Board where required before carrying out the road works.