

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。

16 NOV 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-KLH/602
	Date Received 收到日期	16 NOV 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。

## 1. Name of Applicant 申請人姓名/名稱

(☒ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

張德健 CHEUNG Dak Kin

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

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

許軍兒 Hui Kwan Yee

## 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)

D.D.7 Lot No. 1065 S.A. and adjoining government Land in Wai Tau, Tai Po, 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 96 sq.m 平方米 ☒ About 約  
☒ Gross floor area 總樓面面積 195.09 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)

14 sq.m 平方米 ☐ About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	SINZ - KH 111 九龍坑內區計劃大綱圖
(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 LAND  (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" (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)。

☐ 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. 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 ..... (DD/MM/YYYY), this application involves a total of ..... "current land owner(s)".  
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」。

(b) The applicant 申請人 -

☐ has obtained consent(s) of ..... "current land owner(s)".  
已取得 ..... 名「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 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>遞送要求同意書<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）

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)	張德健 CHUNG Dak kw		
(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)	大埔圍頭村		
(c) Proposed gross floor area 擬議總樓面面積	.....195.09..... sq.m 平方米 <input type="checkbox"/> About 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	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	NIL  (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 checked="" type="checkbox"/>  No 否 <input type="checkbox"/>	<input checked="" 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>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>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> <p>.....</p> <p>.....</p> <p>.....</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>	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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**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。

- (1) 在安置農地上建屋居住
- (2) 並無其他可選擇之土地
- (3) 申請地點毗鄰均有建成之同類屋宇。

**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

(許軍兒)

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

Name in Block Letters  
姓名 (請以正楷填寫)

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

☐ RPP 註冊專業規劃師

Others 其他 .....

on behalf of  
代表 .....

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

Date 日期

22 OCT 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諮詢資料查詢處以供一般參閱。)

Application No. (For Official Use Only) (請勿填寫此欄)  
申請編號

Location/address 位置/地址  
D.D.7 Lot No. 1065S.A and adjoining government land in Wai Tau Tsuen, Tai Po, N.T.

Site area 地盤面積  
96 sq. m 平方米 ☒ About 約  
(includes Government land of 包括政府土地 14' sq. m 平方米 ☒ About 約)

Plan 圖則  
S/CNE - KLT/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  
☒ 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 ☒ About 約

(ii) Proposed No. of house(s) 擬議房屋幢數  
1

(iii) Proposed building height/No. of storeys 建築物高度/層數  
8.23 m 米 ☐ (Not more than 不多於)  
3 Storeys(s) 層

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

	Chinese 中文	English 英文
<b>Plans and Drawings 圖則及繪圖</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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Site Plan</u>		
<b>Reports 報告書</b>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input 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"/>

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 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。

圓頭村  
WA<sup>994</sup>-TAN  
TSUEN

擬接駁公共排污渠口

WAL, TAUS I

Proposed Balcony  
(2.180m x 1.219m)  
擬建露台  
(7.15 呎 x 4 呎)



Location of Proposed Development of  
Small House by way of Land Exchange  
on Lot No. 1065A + Govt Land in DD7  
擬以(地換地)形式申請興建一座  
三層高 (27 呎) 丁屋 位置

13.271m x 4,900m = 65.03 sq.m.  
(43.54 呎 x 16.07 呎 = 700 平方呎)

新界大埔 "圍頭村"

Wai Tau Village, Tai Po, NT

申請人: CHEUNG Kwok-keung (張國強)

Boundary of Lot No. 1065A in DD7

Lot 1065 S.B  
Open ground

13.271m  
43.54 Ft.

0.50m

4,900m  
16.07 Ft.

Boundary of Lot No. 1065A in DD7

Lot 1065 S.A  
Open ground

Width = 0.10m

10.25m

Width = 0.27m

1.219m  
4 Ft.

Lot 1065 RP  
Open ground

Lot 1064 S.A

Proposed Balcony  
(2.180m x 1.219m)  
擬建露台  
(7.15 呎 x 4 呎)

Boundary of Lot No. 1065A in DD7

Road

G.L.

G.L.



Boundary of Lot No. 1065A in DD7

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

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

(k) all other statutory or non-statutory requirements of relevant Government departments must be met. Depending on the specific land use zoning of the application site, other Town Planning Board guidelines should be observed, as appropriate.

^i.e. the applicant can demonstrate that effluent discharge from the proposed development will be in compliance with the effluent standards as stipulated in the Water Pollution Control Ordinance Technical Memorandum.

**Previous Applications**

**Rejected Applications**

<b>Applications No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Rejection Reasons</b>
A/NE-KLH/453	Proposed House (New Territories Exempted House - Small House)	19.7.2013	R1
A/NE-KLH/501	Proposed House (New Territories Exempted House - Small House)	2.9.2016 (on review)	R1, R2

**Rejection Reasons**

- R1. The proposed development did not comply with the Interim Criteria for Consideration of Applications for New Territories Exempted House/Small House in the New Territories in that the proposed development would involve tree felling and cause adverse landscape impact on the surrounding area. There was no information in the submission to demonstrate that the proposed development would not have adverse impact on the existing landscape resources within the application site as well as the woodland in the vicinity.
- R2. Land was still available within the “Village Type Development” (“V”) zone of Wai Tau Tsuen 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.





**Similar Applications**

**Approved Applications**

<b>Applications No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>
A/NE-KLH/381	Proposed Eight Houses (New Territories Exempted Houses)	22.5.2009
A/NE-KLH/545	Proposed Eight Houses (New Territories Exempted Houses)	4.5.2018

### **Rejected Applications**

<b>Applications No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Rejection Reasons</b>
A/NE-KLH/349	Eight Houses (New Territories Exempted Houses)	17.8.2007 (on review)	R1 – R3
A/NE-KLH/587	Nine Houses (New Territories Exempted Houses)	1.9.2020	R4 – R5

### **Rejection Reasons**

- R1. The proposed development was located within the water gathering grounds (WGGs) but was unable to be connected to the existing or planned public sewers in the area. There were reservation on technical and practicality aspects of the local application of the proposed communal sewage treatment plant as a permanent facility for treating the sewage generated from the proposed development in WGG to meet the required discharge standards. The proposed Deed of Mutual Covenant arrangement was also considered not a viable legal entity to ensure proper long term operation and maintenance of the sewage treatment plant nor did it guarantee continuous funding by the future house owners. There was insufficient information in the submission to demonstrate that the proposed development would not cause adverse impact on the water quality in the area.
- R2. The approval of the application would set an undesirable precedent for similar applications in the future/with the “AGR” zone, resulting in substantial cumulative effect of which would result in adverse impact on the rural landscape of the area environmental and traffic impacts.
- R3. There was insufficient information in the submission to demonstrate that the proposed development would not cause adverse impact on the existing large trees. The approval of the application might set an undesirable precedent, leading to gradual destruction of the remaining woodland in the vicinity which was an important landscape resource to the area.
- R4. 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.
- R5. The proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the site located within water gathering grounds would not be able to be connected to the existing or planned public sewerage system in the area. The applicants also fail to demonstrate that the proposed development would not cause

adverse landscape, geotechnical and water quality impacts on 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, Mr. CHEUNG Dak Kin, is an indigenous villager of Wai Tau Tsuen of Tai Po Heung, as confirmed by the respective Indigenous Inhabitant Representative (IIR). His eligibility of Small House (SH) grant has 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. The applicant is the registered owner of the subject lot and the Small House application was received on 6.9.2021 and is being processed;
- (e) in case the planning application is approved by Town Planning Board (the Board), LandsD will process the SH application according to the prevailing procedures. 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, approval would be subject to such terms and conditions as may be imposed by LandsD. There is also no guarantee to the grant of a right of way to the SH concerned or approval of the emergency vehicular access (EVA) thereto;
- (f) the application site and footprint of the proposed Small House falls within the 'VE' of Wai Tau Tsuen; and
- (g) the estimated number of outstanding Small House applications and the number of 10-year Small House demand for the villages concerned are as follows:

<u>Village</u>	<u>No. of outstanding Small House applications</u>	<u>No. of 10-year Small House demand *</u>
Wai Tau Tsuen	17	295

(\* The figure of 10-year Small House demand is estimated and provided by the IIR of Wai Tau Tsuen. The information so obtained is not verified in any way by DLO/TP).

**2. Traffic**

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

- (a) 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 the "V"

zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial; and

- (b) notwithstanding the above, the subject application only involves development of a Small House and TD considers that this application can be tolerated on traffic grounds.

### **3. Environment**

Comments of the Director of Environmental Protection (DEP):

- (a) there is existing public sewer in the vicinity of the Site available for connection which is 10m away from the proposed development;
- (b) the public sewerage in the area should have sufficient capacity to accommodate discharge from the proposed development; and
- (c) no in-principle objection to the application provided that the applicant will connect the house to the existing public sewer at his own costs and reserve adequate land for the sewer connection work.

### **4. Drainage**

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

- (a) if the captioned application is approved, a condition should be included to request the applicant to submit and implement the drainage proposal for the site to the satisfaction of Director of Drainage Services or the Town Planning Board to ensure that it will not cause adverse drainage impact to the adjacent area;
- (b) the applicant should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The applicant should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify/modify the nearby existing/original drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the development of the Site. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the modified drainage systems caused by their works;
- (c) public sewers exist in the vicinity but the feasibility of sewerage connection is subject to the invert level of discharge connection pipe leading from the Site. No stud pipe is reserved for sewage connection. The applicant shall

demonstrate the technical feasibility of sewerage connection. Should the applicant choose to dispose of the sewage of the proposed development through other means, views and comments from EPD should be sought;

- (d) provision of written consent(s) from relevant lot owner(s) and/or LandsD's permission for laying new drains/channels and/or modifying/upgrading existing ones outside the application lot(s) or on government land (where required); and
- (e) the cost and work of drainage and sewerage connection as well as future maintenance responsibility shall be borne by the applicant(s).

## **5. Water Supply**

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

- (a) the Site is located within the upper indirect WGG. He has no objection to the application subject to 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 upon its completion;
  - (ii) the construction of the Small House shall not be commenced before the completion of the public sewerage system; and
  - (iii) adequate protective measures shall be taken to ensure that no pollution or siltation occurs to the WGGs.

## **6. Fire Safety**

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

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

## **7. Agriculture**

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

- the Site falls within an "AGR" zone and is currently a piece of paved land. There are active agricultural activities in the vicinity, and agricultural infrastructure such as road access and water resources is available. The Site can be used for agricultural activities such as open-field cultivation,

greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the application is not supported from agricultural point of view.

## 8. **Landscape**

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

- (a) the Site is located to the southwest of Selecta Garden, falls within an area zoned “Agriculture” (“AGR”) on the approved Kau Lung Hang Outline Zoning Plan (OZP) No. S/NE-KLH/11. The Site is the subject of a previous planning application (No. A/NE-KLH/501) for the same use which was rejected by TPB in 2016;
- (b) based on the aerial photo of 2021, the Site is located in an area of settled valleys landscape character comprising village houses within “Village Type Development” (“V”) zone to the north and east, farmlands and clusters of trees. Wai Tau Tsuen Fung Chui Woodland is found adjoining the northwest of the Site. With reference to their site record taken on 10.12.2021, the Site is mainly hard paved and partly on vegetated slope. A large *Celtis sinensis* (朴樹) covered by vines/climbers is located at the fringe of Wai Tau Tsuen Fung Shui Woodland and close to the northwestern boundary outside the Site, while a 10m high *Litchi chinensis* (荔枝) in good condition is observed in close proximity to the western Site boundary. According to the proposed layout plan, tree root zone of the above concerned trees will be affected by the development. Noting that information on tree treatment, tree preservation and mitigation measures are not provided in the planning statement, potential impact on these existing trees is anticipated;
- (c) the proposed Small House under this application is considered not entirely incompatible with its surrounding environment. Consideration should be given whether approval of the application would encourage more village house developments into the “AGR” zone, resulting in irreversible alteration of the landscape character of the “AGR” zone;
- (d) the applicant shall revise the development layout to avoid the impact on the existing trees in close proximity to the Site; and
- (e) should the Board approve the 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.

## 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 Wai Tau Tsuen is 17 while the 10-year Small House demand forecast is 295. Based on the latest estimate by the PlanD, about 2.73 ha (or equivalent to about 109 Small House sites) of land are available within the “V” zone of Wai Tau Tsuen. Therefore, the land available cannot fully meet the future demand of 312 Small Houses (or equivalent to about 7.8 ha of land).

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

參考編號

Reference Number:

211130-161112-39595

提交限期

Deadline for submission:

14/12/2021

提交日期及時間

Date and time of submission:

30/11/2021 16:11:12

有關的規劃申請編號

The application no. to which the comment relates:

A/NE-KLH/602

「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，引至附近交通阻塞，環境污染，增加引發火警危機，影響村民安全、生活質數及生態環境。



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

參考編號

**Reference Number:**

211208-111942-56116

提交限期

**Deadline for submission:**

14/12/2021

提交日期及時間

**Date and time of submission:**

08/12/2021 11:19:42

有關的規劃申請編號

**The application no. to which the comment relates:**

A/NE-KLH/602

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. Cheung Chun Hing

意見詳情

**Details of the Comment :**

The adjoining government land is fung shui woodland, the owner poisoned a large healthy lychee tree and evacuated the tree stump and was prosecuted by the Lands Department and was fined for his actions. Such development will destroy more mature trees and affect the village fung shui.

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

參考編號

**Reference Number:**

211208-112409-47883

提交限期

**Deadline for submission:**

14/12/2021

提交日期及時間

**Date and time of submission:**

08/12/2021 11:24:09

有關的規劃申請編號

**The application no. to which the comment relates:** A/NE-KLH/602

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. Cheung Chun Hing

意見詳情

**Details of the Comment :**

The government land applied for the building is already fenced off by the Lands Department and there are water pipes immediately behind the fence.

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

參考編號

**Reference Number:**

211208-112741-71695

提交限期

**Deadline for submission:**

14/12/2021

提交日期及時間

**Date and time of submission:**

08/12/2021 11:27:41

有關的規劃申請編號

**The application no. to which the comment relates:**

A/NE-KLH/602

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. Chun Hing Cheung

意見詳情

**Details of the Comment :**

The government land is on a steep slope, further development will loosen soil and encroach more government land and further onto the steep slope causing landslide.

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

參考編號

**Reference Number:**

211208-112937-95825

提交限期

**Deadline for submission:**

14/12/2021

提交日期及時間

**Date and time of submission:**

08/12/2021 11:29:37

有關的規劃申請編號

**The application no. to which the comment relates:**

A/NE-KLH/602

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. Chun Hing Cheung

意見詳情

**Details of the Comment :**

The walls on all four sides have very little clearance to the boundary lines which are unacceptable to the neighbouring owners. Erection of bamboo scaffolding will not be possible within the boundary lines. Dirts and rubbish will dropped over boundary lines.

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

參考編號

**Reference Number:**

211208-113249-95365

提交限期

**Deadline for submission:**

14/12/2021

提交日期及時間

**Date and time of submission:**

08/12/2021 11:32:49

有關的規劃申請編號

**The application no. to which the comment relates:** A/NE-KLH/602

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. Chun Hing Cheung

意見詳情

**Details of the Comment :**

The balcony is too close to the main village road which is already very busy and causing problems amongst road users.

5-2 附加 5

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

## 參考編號

Reference Number:

211213-193913-26948

## 提交限期

Deadline for submission:

14/12/2021

## 提交日期及時間

Date and time of submission:

13/12/2021 19:39:13

## 有關的規劃申請編號

The application no. to which the comment relates:

A/NE-KLH/602

## 「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Chun Hing Cheung

## 意見詳情

Details of the Comment :

The land owner and his wife removed the public notice after only two days the notice was posted. They did the same in previous application. Their acts were inappropriate just for the sake of building houses and make money.

5-2 附力 6

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review****參考編號****Reference Number:**

211209-064138-48717

**提交限期****Deadline for submission:**

14/12/2021

**提交日期及時間****Date and time of submission:**

09/12/2021 06:41:38

**有關的規劃申請編號****The application no. to which the comment relates:**

A/NE-KLH/602

**「提意見人」姓名/名稱****Name of person making this comment:**

先生 Mr. Chun Hing Cheung

**意見詳情****Details of the Comment :**

The village road is already a major issue. The road side should be reserved for proper functioning of village road to ease traffic problems thereby the application of building a house so close to the road is against best interest of the village and will create more social problems.

寄件者: [REDACTED]  
寄件日期: 2021年12月13日星期一 14:46  
收件者: tpbpd@pland.gov.hk  
主旨: TPB/A/NE-KLH/602  
附件: A-NE-KLH-602.pdf

Dear Sir/Madam

Your Ref. : TPB/A/NE-KLH/602

Application No. : A/NE/KLH/602

I have some comments of the above application . please refer to my attachments and the letter will be followed by mail .

Please acknowledge receipt this email by return email with tks

Mr. Cheung Kwok Yiu/Wai Tau Tsuen

Tel : [REDACTED]



電郵及郵寄

貴處檔案：TPB/A/NE-KLH/602

敬啟者：

新界大埔圍頭村丈量約份第 7 約地段第 1065 號 A 分段  
和毗連政府土地擬建屋宇(新界豁免管制屋宇-小型屋宇)  
申請編號：A/NE-KLH/602)

本人為大埔圍頭村原居民，日前得悉 貴署有關上述標題事宜，茲因申請位置毗連之政府土地是本村之風水林，本村之風水命脈，該位置更是斜坡，平整時定必危害樹木之生長，破壞本村之風水，而且該位置並沒有排污渠設施，對周邊衛生環境亦受影響，隨函附上擬在政府土地建屋宇圖片供 貴署參閱，以便了解申請位置並不是一片荒地，而是樹木林立之風水林，希望 貴署關注風水在鄉村地方之重要性，故此，本人對上述申請表示反對。

此致  
城市規劃委員會

大埔圍頭村原居民： 張國耀  
(張國耀)

附圖

日期：2021 年 12 月 10 日

聯絡電話：[REDACTED]



# 平面圖 SITE PLAN

本摘要圖於2021年11月17日擬備，  
所根據的資料為測量圖編號  
3-SW-23C及7-NW-3A  
EXTRACT PLAN PREPARED ON 17.11.2021  
BASED ON SURVEY SHEETS No.  
3-SW-23C & 7-NW-3A

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

參考編號  
REFERENCE No.  
A/NE-KLH/602



圖(一)：斜坡



圖(二)：斜坡



圖(三)：風水林



圖(四)：風水林





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



**A/NE-KLH/602 Wai Tau Village**

14/12/2021 03:07

From: [REDACTED] <mm1947@netvigator.com>  
 To: tpbpd <tpbpd@pland.gov.hk>  
 FileRef:

Dear TPB Members,

The 2016 application was rejected on review.

While CFA ruled that the right to build small houses is protected by the Basic Law, the policy had never had a statutory basis and was subject to the discretion of the Lands Department. This indicates that as the OZP stipulates that the site is zoned for Agriculture then it is designated for other use.

The policy has always been subject to government discretion can cannot be an obstacle to effective land use.

Approval would encourage a host of similar applications seeking to manipulate the court ruling.

Mary Mulvihill

**From:** [REDACTED] <mm1947@netvigator.com>  
**To:** tpbpd <tpbpd@pland.gov.hk>  
**Date:** Thursday, 14 July 2016 1:47 AM CST  
**Subject:** Re: A/NE-KLH/501 Wai Tau Village

Dear TPB Members,

Application was rejected on 13 May for the following reasons :

“(a) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas;

and (b) land is still available within the “Village Type Development” (“V”) zone of Wai Tau Tsuen 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.”

As it is inconceivable that there be any material circumstances in the interim TPB should again reject the application.

Mary Mulvihill

**From:** mm1947@netvigator.com  
**To:** "tpbpd" <tpbpd@pland.gov.hk>  
**Sent:** Sunday, April 17, 2016 1:20:09 AM  
**Subject:** Fwd: A/NE-KLH/501 Wai Tau Village

Dear TPB Members,

A sewerage connection does not make it a good plan.

Previous objection upheld.

Mary

**From:** mm1947@netvigator.com  
**To:** "tpbpd" <tpbpd@pland.gov.hk>  
**Sent:** Friday, January 29, 2016 12:36:49 AM  
**Subject:** A/NE-KLH/501 Wai Tau Village

A/NE-KLH/501  
Lot 1065 S.A in D.D. 7 & Adjoining Government land, Wai Tau Village, Tai Po  
Site area: 95.48 m<sup>2</sup> Includes Government Land of about 13.54 m<sup>2</sup>  
Zoning : "Agriculture"  
Applied Use : NET house

Dear TPB Members,

This application should be rejected in line with TPB meeting decision re A/NE-KLH/453

- the proposed development did not comply with the Interim Criteria for Consideration of Applications for New Territories Exempted House/Small House in the New Territories in that the proposed development would involve tree felling and cause adverse landscape impact on the surrounding area. There was no information in the submission to demonstrate that the proposed development would not have adverse impact on the existing landscape resources within the application site as well as the woodland in the vicinity.

If conditions of the land have changed then it can only be due to deliberate attempts to degrade the site. In such instance approval would award mal practice and set an undesirable precedent.

Moreover in view of the announcement on the part of Secretary for Development that the Small House Policy will be resolved in the Court of Final Appeal, there should now be a moratorium on any application for NET houses outside designated VZT.

Mary Mulvihill  
13A, 8 Granville Road, TST

**Recommended Advisory Clauses**

- (a) to note the comments of District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that in case the planning application is approved by TPB, LandsD will process the Small House application according to the prevailing procedures. 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, approval would be subject to such terms and conditions as may be imposed by LandsD. There is also no guarantee to the grant of a right of way to the Small House concerned or approval of the emergency vehicular access (EVA) thereto;
- (b) to note the comments of the Director of Environmental Protection (DEP) that the applicant shall connect the house to the existing public sewer at his own costs and reserve adequate land for the sewer connection work;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
  - (i) the applicant should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The applicant should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify/modify the nearby existing/original drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the development of the Site. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the modified drainage systems caused by their works;
  - (ii) the applicant shall demonstrate the technical feasibility of sewerage connection. Should the applicant choose to dispose of the sewage of the proposed development through other means, views and comments from EPD should be sought;
  - (iii) provision of written consent(s) from relevant lot owner(s) and/or LandsD's permission for laying new drains/channels and/or modifying/upgrading existing ones outside the application lot(s) or on government land (where required); and
  - (iv) the cost and work of drainage and sewerage connection as well as future maintenance responsibility shall be borne by the applicant.
- (d) to note the comments of the Director of Fire Services (D of FS) that the applicant is advised to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD;

- (e) to note the comments of the Chief Town Planner/ Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the applicant shall revise the development layout to avoid the impact on the existing trees in close proximity to the Site; and
- (f) to note that the permission is only given to the development under application. If provision of an access road is required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complies with the provisions of the relevant statutory plan and obtain planning permission from Town Planning Board where required before carrying out the road work.