

2022年 5月 3 日

此文件在 收到・城市規劃委員會
只會在收到所有資料後才正式確認收到
申請的日期。
- 3 MAY 2022

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

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

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-LK/144
	Date Received 收到日期	- 3 MAY 2022

- 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	
<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	
張國建 Cheung Kwok Kin	
2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)	
<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	
許軍兒 Hui Kwan Lee	
3. Application Site 申請地點	
(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Lot 1367 in D.D. 39, Ma Tseuk Leng, Sha Tin Kok, 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	<input checked="" type="checkbox"/> Site area 地盤面積 194.5 sq.m 平方米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 195.09 sq.m 平方米 <input type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有) sq.m 平方米 <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	S1N2-LK/11 Luk Keng and Ho Hang OZP
(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"[#] (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)"#
已通知 名「現行土地擁有人」#。

Details of the "current land owner(s)"# notified 已獲通知「現行土地擁有人」#的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate 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)#&
於 _____ (日/月/年)向每一名「現行土地擁有人」#郵遞要求同意書&

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)&
於 _____ (日/月/年)在指定報章就申請刊登一次通知&
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)&
於 _____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知&
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)&
於 _____ (日/月/年)把通知寄往相關的業主立案法團／業主委員會／互助委員會或管理處，或有關的鄉事委員會&

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

6. Development Proposal 擬議發展計劃			
(a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)	張國建 Cheng Kwok Kun		
(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)	沙頭角麻荳嶺		
(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))沙頭角公路朱坑段..... <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 type="checkbox"/> No 否 <input checked="" 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，請另頁註明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。

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?

Yes 是 ☐ Please provide details 請提供詳情

No 否 ☒

Does the development proposal involve the operation on the right?
擬議發展是否涉及右列的工程?

Yes 是 ☐

(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)

☐ Diversion of stream 河道改道

☐ Filling of pond 填塘

Area of filling 填塘面積 sq.m 平方米 ☐ About 約

Depth of filling 填塘深度 m 米 ☐ About 約

☐ Filling of land 填土

Area of filling 填土面積 sq.m 平方米 ☐ About 約

Depth of filling 填土厚度 m 米 ☐ About 約

☐ Excavation of land 挖土

Area of excavation 挖土面積 sq.m 平方米 ☐ About 約

Depth of excavation 挖土深度 m 米 ☐ About 約

No 否 ☒

Would the development proposal cause any adverse impacts?

擬議發展計劃會否造成不良影響?

On environment 對環境

Yes 會 ☐

No 不會 ☒

On traffic 對交通

Yes 會 ☐

No 不會 ☒

On water supply 對供水

Yes 會 ☐

No 不會 ☒

On drainage 對排水

Yes 會 ☐

No 不會 ☒

On slopes 對斜坡

Yes 會 ☐

No 不會 ☒

Affected by slopes 受斜坡影響

Yes 會 ☐

No 不會 ☒

Landscape Impact 構成景觀影響

Yes 會 ☐

No 不會 ☒

Tree Felling 砍伐樹木

Yes 會 ☐

No 不會 ☒

Visual Impact 構成視覺影響

Yes 會 ☐

No 不會 ☒

Others (Please Specify) 其他 (請列明)

Yes 會 ☐

No 不會 ☒

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)

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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. 申請人是新界原居民，他僅有上述土地可用作申請建屋，他為著是可建成屋宇供家人居住，達成全家老少十多年來之安居願望。
2. 雖然申請地點所屬之麻雀嶺村的「鄉村式發展」地帶內仍有土地可供興建小型屋宇之用，但其他可提供適合申請地點的土地業權非申請人所擁有，官方資料更顯示申請地點附近曾有不少同類個案被接納，而擬建屋宇位置現時已被現存七至八幢已建成之同類屋宇重重包圍，在屋群中多建此幢屋宇完全不會對周邊環境造成不協調（見附圖），亦對構成市區範圍的擴展影響不大，故是項申請能被批准絕對不可說是不良先例，
3. 是項申請曾於早前向多個政府部門徵詢意見，相關政府部門（包括消防處、土木工程拓展署、水務署、環保署和運輸署）均不反對這宗申請，渠務署表示若擬建屋宇提交並落實排水建議便可以接受。
4. 特別一提直接負責處理小型屋宇申請的政府部門（包括大埔民政事務處和大埔地政處）都不反對這宗申請，特此希望 貴委員會給予仁慈考慮，申請人名下祇有此片土地可用作興建小型屋宇，申請人為該村原居民，興建屋宇以使一家大小可與同鄉鄰里相應同住，祈盼能獲得批准。

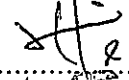
9. Declaration 聲明

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

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.

本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署


.....
許艷兒
.....

☐ 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

26 APR 2022

..... (DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，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 available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分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於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	D.D. 39 Lot No. 1367		
Site area 地盤面積	184.5	sq. m 平方米	<input 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	S/NZ - LK/11		
Zoning 地帶	A62		
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 type="checkbox"/> 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	<input type="checkbox"/> (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

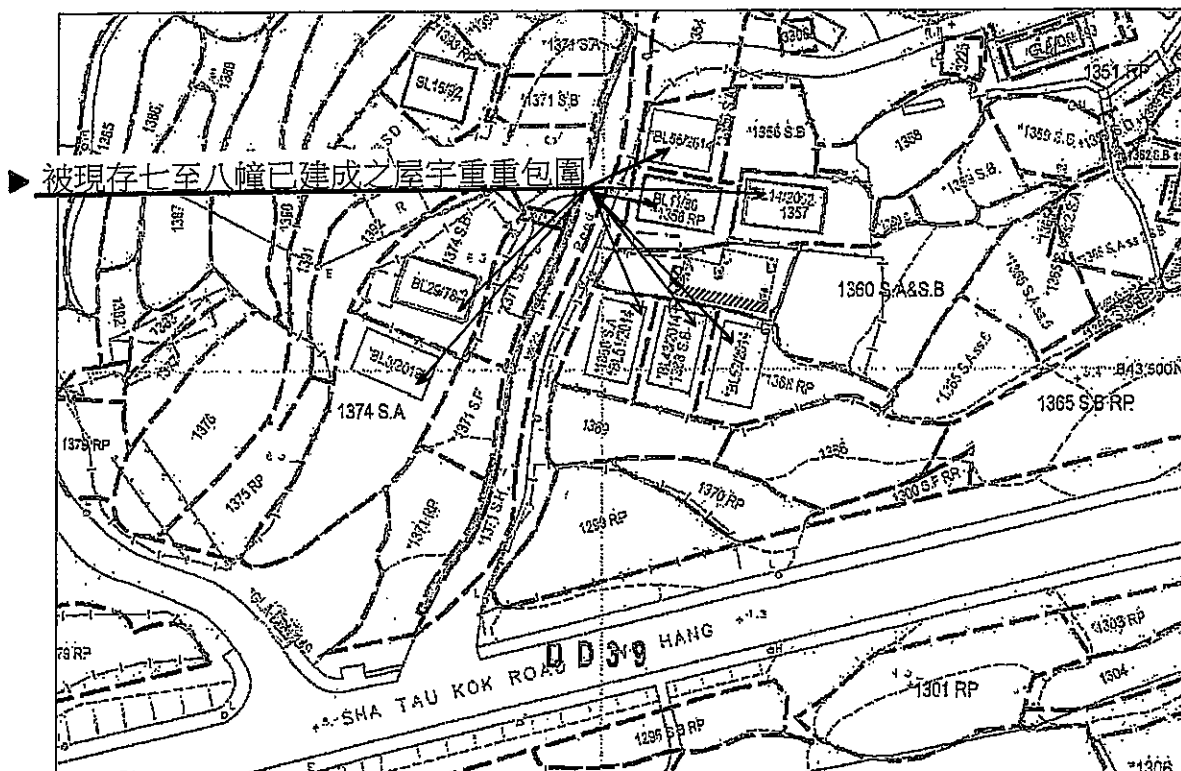
	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 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"/>
<i>Site Plan</i>		
Reports 報告書		
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。

Proposed Small House of Lot 1367 in D.D.39, North



Balcony (12.402 x 1.22)
 Proposed Septic Tank

Coloured Pink Area 65.03 square metres (About)
 Scale 1: 1000

Proposed Small House Dimensions: (Area = 65.03 sq.m)

Side	Bearing	Distance in Metres	Pt.	Co-ordinate Data (1980 Datum)		Remarks
				Northing (m)	Easting (m)	
A - B	102 01 16	4.867	A	843515.114	838811.350	
B - C	12 01 16	2.201	B	843514.100	838816.110	
C - D	102 01 16	7.535	C	843516.253	838816.568	
D - E	192 01 16	6.107	D	843514.683	838823.938	
E - F	282 01 16	12.402	E	843508.710	838822.666	
F - A	12 01 16	3.907	F	843511.293	838810.536	

Proposed Small Balcony Dimensions: (Area = 15.1 sq.m)

F - E	102 01 16	12.402	F	843511.293	838810.536	
E - G	192 01 16	1.220	E	843508.710	838822.666	
G - H	282 01 16	12.402	G	843507.517	838822.412	
H - F	12 01 16	1.220	H	843510.100	838810.282	

Survey District: NORTH	Survey Sheet No.: 3-NE-16D	
Ref. Plan: ---	Plan No.: DN/39/1367/SH_rev02	
Ref. SRP No.: ---	Date: 31 October 2020	King Fung Surveying Company Tel.: 9302 7520 E-mail: swwingho@gmail.com

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public



DD39 Lot No.1367
09/06/2022 10:45

From: Victor Hui
To: mlitchan@pland.gov.hk

History: This message has been forwarded.

1 attachment



39_1367 justification.pdf

Ms.Chan,

FYR.

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Best Regards,
Victor,Hui Kwan Yee

Tel:

Address:

1. 申請人是新界原居民，他僅有上述土地可用作申請建屋，他為著是可建成屋宇供家人居住，達成全家老少十多年來之安居願望。
2. 雖然申請地點所屬之麻雀嶺村的「鄉村式發展」地帶內仍有土地可供興建小型屋宇之用，但其他可提供適合申請地點的土地業權非申請人所擁有，官方資料更顯示申請地點附近曾有不少同類個案被接納，而擬建屋宇位置現時已被現存七至八幢已建成之同類屋宇重重包圍，在屋群中多建此幢屋宇完全不會對周邊環境造成不協調（見附圖），亦對構成市區範圍的擴展影響不大，故是項申請能被批准絕對不可說是不良先例。
3. 是項申請曾於早前向多個政府部門徵詢意見，相關政府部門（包括消防處、土木工程拓展署、水務署、環保署和運輸署）均不反對這宗申請，渠務署表示若擬建屋宇提交並落實排水建議便可以接受。
4. 北區民政事務處於作出諮詢後已表示麻雀嶺下的原居民代表支持是項申請，而沙頭角鄉事委員會主席和北區區議會的當區現任議員對申請沒有反對意見。
5. 北區地政專員則表示，擬建小型屋宇的覆蓋範圍完全位於麻雀嶺、麻雀嶺新屋下及禾塘崗的「鄉村範圍」。
6. 特此希望 貴委員會給予仁慈考慮，申請人名下祇有此片土地可用作興建小型屋宇，申請人為該村原居民，興建屋宇以使一家大小可與同鄉鄰里相應同住，祈盼能獲得批准。

**Relevant 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) if an application site involves more than one NTEH/Small House, application of the above criteria would be on individual NTEH/Small House basis;
- (f) the proposed development should not frustrate the planning intention of the particular zone in which the application site is located;
- (g) the proposed development should be compatible in terms of land use, scale, design and layout, with the surrounding area/development;
- (h) the proposed development should not encroach onto the planned road network and should not cause adverse traffic, environmental, landscape, drainage, sewerage and geotechnical impacts on the surrounding areas. Any such potential impacts should be mitigated to the satisfaction of relevant Government departments;
- (i) the proposed development, if located within water gathering grounds, should be able to be connected to existing or planned sewerage system in the area except under very special circumstances (e.g. the application site has a building status under the lease or the applicant can demonstrate that the water quality within water gathering grounds will not be affected by the proposed development*);

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

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

Previous s.16 Application

Rejected Application

Application No.	Uses/ Development	Date of Consideration	Rejection Reasons
A/NE-LK/134	Proposed New Territories Exempted House (NTEH) (Small House)	18.12.2020	R1 - R3

Rejection Reasons

- R1 The proposed development was not in line with the planning intention of the “Agriculture” zone which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and 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.
- R2 Land was still available within the "Village Type Development" zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster where land 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 infrastructures and services.

**Similar s.16 Applications in the vicinity of the Site within /partly within the “Agriculture”
zone in the vicinity of the Site in the Luk Keng and Wo Hang Area**

Approved Applications

Application No.	Uses/ Development	Date of Consideration
A/NE-LK/25	Proposed New Territories Exempted House (NTEH) (Small House)	8.12.2000
A/NE-LK/26	Proposed New Territories Exempted House (NTEH) (Small House)	16.2.2001
A/NE-LK/28	Proposed New Territories Exempted House (NTEH) (Small House)	21.9.2001
A/NE-LK/29	Proposed New Territories Exempted House (NTEH) (Small House)	21.9.2001
A/NE-LK/30 ¹	Proposed New Territories Exempted House (NTEH) (Small House)	12.7.2002
A/NE-LK/34	New Territories Exempted House (NTEH) (Small House)	7.3.2003
A/NE-LK/43	Proposed New Territories Exempted House (NTEH) (Small House)	24.9.2004
A/NE-LK/45	House (New Territories Exempted House (NTEH) - Small House)	19.5.2006
A/NE-LK/50	Proposed House (New Territories Exempted House (NTEH) - Small House)	9.3.2007
A/NE-LK/52	Proposed House (New Territories Exempted House (NTEH) - Small House)	23.3.2007
A/NE-LK/55	Proposed 4 Houses (New Territories Exempted Houses - Small Houses)	5.3.2010
A/NE-LK/57	Proposed House (New Territories Exempted House - Small House)	30.7.2010
A/NE-LK/58	Proposed House (New Territories Exempted House - Small House)	30.7.2010
A/NE-LK/59	Proposed House (New Territories Exempted House - Small House)	30.7.2010
A/NE-LK/64	Proposed House (New Territories Exempted House (NTEH) - Small House)	20.5.2011

A/NE-LK/65	Proposed House (New Territories Exempted House (NTEH) - Small House)	20.5.2011
A/NE-LK/66	Proposed House (New Territories Exempted House (NTEH) - Small House)	20.5.2011
A/NE-LK/67	Proposed House (New Territories Exempted House (NTEH) - Small House)	20.5.2011
A/NE-LK/73 ²	Proposed 2 Houses (New Territories Exempted Houses - Small Houses)	15.6.2012
A/NE-LK/77 ³	Proposed House (New Territories Exempted House - Small House)	1.3.2013
A/NE-LK/79	Proposed 4 Houses (New Territories Exempted Houses - Small Houses)	19.7.2013
A/NE- LK/80 ⁴	Proposed House (New Territories Exempted House - Small House)	6.9.2013
A/NE-LK/83 ⁵	Proposed House (New Territories Exempted House - Small House)	9.5.2014
A/NE-LK/84 ⁶	Proposed House (New Territories Exempted House - Small House)	9.5.2014
A/NE-LK/85	Proposed House (New Territories Exempted House - Small House)	17.10.2014
A/NE-LK/86	Proposed House (New Territories Exempted House - Small House)	17.10.2014
A/NE-LK/88	Proposed House (New Territories Exempted House - Small House)	17.10.2014
A/NE-LK/89	Proposed House (New Territories Exempted House - Small House)	17.10.2014
A/NE-LK/90	Proposed House (New Territories Exempted House - Small House)	17.10.2014
A/NE-LK/91	Proposed House (New Territories Exempted House - Small House)	17.10.2014
A/NE-LK/94 ⁷	Proposed House (New Territories Exempted House - Small House)	16.1.2015
A/NE-LK/95	Proposed House (New Territories Exempted House - Small House)	16.1.2015
A/NE-LK/106 ²	Proposed House (New Territories Exempted House - Small House)	23.12.2016
A/NE-LK/107 ²	Proposed House (New Territories Exempted House - Small House)	23.12.2016
A/NE-LK/109 ¹	Proposed House (New Territories Exempted House - Small House)	10.11.2017
A/NE-LK/111 ³	Proposed House (New Territories Exempted House - Small House)	16.3.2018
A/NE-LK/112 ⁴	Proposed House (New Territories Exempted House - Small House)	6.4.2018

A/NE-LK/138 ⁵	Proposed House (New Territories Exempted House - Small House)	10.9.2021
A/NE-LK/139 ⁶	Proposed House (New Territories Exempted House - Small House)	10.9.2021

Remarks

- *1: The application no. A/NE-LK/30 involves the same site as the application no. A/NE-LK/109
- *2: The site of application no. A/NE-LK/73 includes the site of the application no. A/NE-LK/106 and A/NE-LK/107
- *3: The application no. A/NE-LK/77 involves the same site as the application no. A/NE-LK/111
- *4: The rejected application no. A/NE-LK/78 and approved application no. A/NE-LK/80 involves the same site as the approved application no. A/NE-LK/112
- *5: The application no. A/NE-LK/83 involves the same site of the application no. A/NE-LK/138
- *6: The application no. A/NE-LK/84 involves the same site of the application no. A/NE-LK/139
- *7: The rejected application no. A/NE-LK/135 involves part of the site of the approved application nos. A/NE-LK/94

Rejected Applications

Application No.	Uses/ Development	Date of Consideration	Rejection Reasons
A/NE- LK/78 ¹	Proposed House (New Territories Exempted House - Small House)	1.3.2013	R1 & R2
A/NE-LK/92 ²	Proposed House (New Territories Exempted House - Small House)	17.10.2014	R1, R3 - R6
A/NE-LK/93 ²	Proposed House (New Territories Exempted House - Small House)	17.10.2014	R1, R3 - R6
A/NE-LK/114	Proposed House (New Territories Exempted House - Small House)	15.2.2019	R1 & R7
A/NE-LK/115	Proposed House (New Territories Exempted House - Small House)	2.11.2018	R1 & R7
A/NE-LK/116	Proposed House (New Territories Exempted House - Small House)	2.11.2018	R1, R7 & R8
A/NE-LK/117	Proposed House (New Territories Exempted House - Small House)	2.11.2018	R1 & R7
A/NE-LK/121	Proposed House (New Territories Exempted House - Small House)	6.9.2019	R1 & R7
A/NE-LK/122 ²	Proposed House (New Territories Exempted House - Small House)	15.11.2019	R1, R3, R4, R6 & R7
A/NE-LK/135 ³	Proposed House (New Territories Exempted House - Small House)	2.7.2021	R1 & R7

Remarks

- ^{*1}: The rejected application no. A/NE-LK/78 and approved application no. A/NE-LK/80 involves the same site as the approved application no. A/NE-LK/112
- ^{*2}: The application no. A/NE-LK/122 involves part of the site of the application nos. A/NE-LK/92 and A/NE-LK/93
- ^{*3}: The rejected application no. A/NE-LK/135 involves part of the site of the approved application nos. A/NE-LK/94

Rejection Reasons:

- R1 The proposed development was not in line with the planning intention of the "Agriculture" zone in the Luk Keng and Wo Hang area which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and 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.
- R2 The proposed development was located in the immediate vicinity of a natural stream. There was insufficient information in the subject application to demonstrate that the proposed development would not cause adverse impact on the stream.
- R3 The proposed development was not in line with the planning intention of the "Green Belt" ("GB") zone in the Luk Keng and Wo Hang area which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone. There was no strong planning justification in the submission for a departure from the planning intention.
- R4 The proposed development did not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories and Town Planning Board Guidelines No. 10 on 'Application for Development within "GB" Zone under Section 16 of the Town Planning Ordinance' in that the proposed development would involve clearance of vegetation and would affect the existing natural landscape on the surrounding environment.
- R5 Land was still available within the "Village Type Development" zone of Ma Tseuk Leng where land was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructure and services.
- R6 The approval of the application would set an undesirable precedent for similar applications in the area. The cumulative impacts of approving such applications would result in a general degradation of the environment and landscape quality of the area.
- R7 Land was still available within the "Village Type Development" zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster where land was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services.
- R8 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 development would cause adverse drainage impacts on the surrounding areas.

Detailed Comments from Relevant Government Departments

1. Land Administration

Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- (a) the Site falls within the village ‘environs’ (‘VE’) of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Wo Tong Kong;
- (b) the applicant claimed himself to be an indigenous villager of Ma Tseuk Leng, Sha Tau Kok Heung. His eligibility for Small House grant has yet to be ascertained;
- (c) the Site is not covered by any Modification of Tenancy / Building Licence;
- (d) the number of outstanding Small House applications and the number of 10-year Small House demand for the villages concerned are as follows:

Village	No. of outstanding Small House applications	No. of 10-year Small House demand*
Sheung Ma Tseuk Leng	39	50
Ha Ma Tseuk Leng		88
Shek Kiu Tau	6	380

* The figures of the 10-year Small House demand forecast were provided by the relevant Indigenous Inhabitant Representatives without any supporting evidence and his office is not in a position to verify the forecasts; and

- (e) the Small House grant application was made to his office on 17.8.2020. Since the applicant failed to obtain the planning permission from the Town Planning Board, the subject Small House application was rejected on 21.12.2021.

2. Traffic

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

- (a) 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 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 application involves the construction of one Small House. He considers that the application can be tolerated unless being rejected on other grounds.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- (a) in view of the small scale of the proposed development, the application alone is unlikely to cause major pollution; and
- (b) septic tank and soakaway system are acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the ProPECC PN 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department” and are duly certified by an Authorized Person.

4. Landscape

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

- (a) he has no objection to the application from the landscape planning point of view;
- (b) the Site is located in an area of settled valleys landscape character comprising of small houses, farmlands, clusters of tree groups and woodland. The proposed NTEH is considered not incompatible with the landscape character of the surrounding area. The layout of proposed house is not in conflict with any existing trees; and
- (c) as significant landscape impact arising from the proposed development is not anticipated, it is considered not necessary to impose any landscape condition should the application be approved by the Board.

5. Drainage

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

- (a) he has no objection to the application from the public drainage viewpoint;
- (b) should the application be approved, a condition should be included to request the applicant to submit and implement a drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent area; and
- (c) the Site is in an area where no public sewerage connection is available.

6. Nature Conservation and Agriculture

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

the Site is currently an abandoned land. Agricultural activities are active in the vicinity and agricultural infrastructures such as road access are 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 applications is not supported from agricultural point of view.

7. Fire Safety

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

- (a) he has 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.

8. District Officer’s Comments

Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

he has consulted the locals regarding the application. The Resident Representative (RR) of Ma Tseuk Leng Ha supports the application on the consideration that the indigenous villager is entitled to build a three-storey Small House and no traffic impact is envisaged. The Chairman of Sha Tau Kok District Rural Committee and the incumbent North District Council member of the subject Constituency have no comment on the application. The Indigenous Inhabitant Representative (IIR) of Ma Tseuk Leng Ha objects the application on the grounds that the proposed development would cause adverse drainage and traffic impact.

9. Demand and Supply of Small House Sites

According to DLO/N’s records, the total number of outstanding Small House applications for Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster is 45 while the 10-year Small House demand forecast for the same village cluster is 518*. According to the latest estimate by PlanD, about 2.27 ha (equivalent to 90 Small House sites) of land are available within the “V” zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster for Small House development (**Plan A-2b**). There is insufficient land in the “V” zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster to meet the demand of land for Small House development (i.e. about 14.1 ha of land which is equivalent to 563 Small House sites).

* The number of outstanding Small House applications and the number of 10-year Small House demand forecast for Ma Tseuk Leng and Ma Tseuk Leng San Uk Ha are 39 and 138 respectively, whereas that for Shek Kiu Tau are 6 and 380 respectively.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

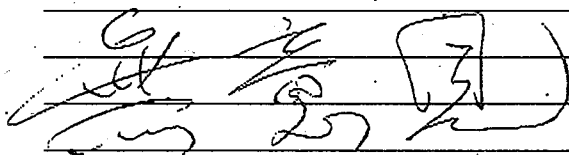
By e-mail : tpbpd@pland.gov.hk

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

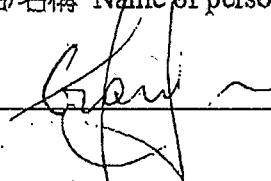
A/NE-LK/144

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)



「提意見人」姓名/名稱 Name of person/company making this comment 侯志強

簽署 Signature  日期 Date 2022.5.13

2

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

參考編號

Reference Number:

220518-164043-62448

提交限期

Deadline for submission:

31/05/2022

提交日期及時間

Date and time of submission:

18/05/2022 16:40:43

有關的規劃申請編號

The application no. to which the comment relates:

A/NE-LK/144

「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。

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&publi



A/NE-LK/144 DD 39 Ma Tseuk Leng San Uk Ha
29/05/2022 02:45

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
File Ref:

Dear TPB Members,

134 was rejected 18 Dec 2020

land is still available within the "Village Type Development" ("V") zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster where land is primarily intended for Small House development

The Application has no merit.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 26 November 2020 3:49 AM CST
Subject: A/NE-LK/134 DD 39 Ma Tseuk Leng San Uk Ha

A/NE-LK/134
Lot 1367 (Part) in D.D. 39, Ma Tseuk Leng San Uk Ha, Sha Tau Kok
Site area : About 184.5sq.m
Zoning : "Agriculture"
Applied Development : NET House

Dear TPB Members,

A previous Application 121 for this village was rejected because

(b) land is still available within the "Village Type Development" zone of Ma Tseuk Leng where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services;

There is therefore no justification to approve construction on Agriculture zoning. In addition there is the issue of the septic tank. TPB guidelines and Audit Commission recommend that approval for additional septic tanks is not desirable.

Mary Mulvihill

4

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&publi









KFBG's comments on six planning applications

31/05/2022 11:28

From: EAP KFBG <eap@kfbg.org>
To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
File Ref:

6 attachments

   
220531 s16 TKL 698.pdf 220531 s16 HLH 55.pdf 220531 s16 FTA 212.pdf 220531 s16 MUP 166.pdf
 
220531 s16 LK 144.pdf 220531 s16 SK 332.pdf

Dear Sir/ Madam,

Attached please see our comments regarding six applications. There are six pdf files attached to this email. If you cannot see/ download/ open these files, please notify us through email.

Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

31st May, 2022.

By email only

Dear Sir/ Madam,

Proposed House (New Territories Exempted House - Small House)
(A/NE-LK/144)

1. We refer to the captioned.
2. According to the Statutory Planning Portal 2 website, there is a rejected application for Small House covering the current application site. The reasons to reject this application (i.e., A/NE-LK/134; rejected in 2020) are reproduced below:

(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 and 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 Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster where land 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 infrastructures and services.

3. We urge the Board to investigate whether the nearby Village Type Development zone

would still contain space for Small House development.

4. We urge the Board to reject this application as the proposed use is unlikely to be in line with the planning intention of Agriculture zone.
5. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

Recommended Advisory Clauses

- (a) to note the comments of D of FS that the applicant should observe ‘New Territories Exempted Houses – A Guide to Fire Safety Requirements’ published by LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD;
- (b) to note the comments of CE/MN, DSD that the Site is in an area where no public sewerage connection is available;
- (c) to note the advice of DEP that septic tank and soakaway system are acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the ProPECC PN 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department” and are duly certified by an Authorized Person;
- (d) to note the comments of CTP/UD&L, PlanD that that a large *Dimocarpus longan* 龍眼 in good condition is in close proximity to the western site boundary, the applicant is reminded to adopt precautionary measures to avoid damaging the tree especially during construction period. The applicant should observe “Tree Care Practices – Tree Care during Construction 樹木護養方法 - 工程期間的樹木護理” promulgated by the DEVB (<https://www.greening.gov.hk/tc/tree-care/tree-care-practices/index.html>). The applicant is also reminded that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant should seek approval for any proposed tree works from relevant departments prior to commencement of the work; and
- (e) 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.