## Relevant Interim Criteria for Consideration of <u>Application for New Territories Exempted House (NTEH)/Small House in New Territories</u> (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 Applications**

#### **Rejected Applications**

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 – R2
A/NE-LK/144	Proposed House (New Territories Exempted House - Small House)	24.6.2022	R1 – R2

#### **Rejection Reasons**

- R1 The proposed development was not in line with the planning intention of the "Agriculture" zone. 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 & 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 for Proposed House (New Territories Exempted House - Small House) within/partly within the "Agriculture" zone in the vicinity of the application 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/30 <sup>1</sup>	Proposed New Territories Exempted House (NTEH) (Small House)	12.7.2002	
A/NE-LK/52	Proposed House (New Territories Exempted House (NTEH) - Small House)	23.3.2007	
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/67	Proposed House (New Territories Exempted House (NTEH) - Small House)	20.5.2011	
A/NE-LK/79	Proposed 4 Houses (New Territories Exempted Houses - Small Houses)	19.7.2013	
A/NE-LK/85 <sup>2</sup>	Proposed House (New Territories Exempted House - Small House)	17.10.2014	
A/NE-LK/86 <sup>3</sup>	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/95	Proposed House (New Territories Exempted House - Small House)	- I IN 1 /III 3	

A/NE-LK/109 <sup>1</sup>	Proposed House (New Territories Exempted House - Small House)	10.11.2017
A/NE-LK/149 <sup>3</sup>	Proposed House (New Territories Exempted House - Small House)	23.6.2023
A/NE-LK/150 <sup>2</sup>	Proposed House (New Territories Exempted House - Small House)	23.6.2023

#### Remarks

- \*1: The application no. A/NE-LK/30 involves the same site as the application no. A/NE-LK/109
- \*2: The application no. A/NE-LK/85 involves the same site as the application no. A/NE-LK/150
- \*3: The application no. A/NE-LK/86 involves the same site as the application no. A/NE-LK/149

#### **Rejected Applications**

Application No.	Uses/ Development	Date of Consideration	Rejection Reasons
A/NE-LK/92 <sup>4</sup>	Proposed House (New Territories Exempted House - Small House)	17.10.2014	R1 – R5
A/NE-LK/93 <sup>4</sup>	Proposed House (New Territories Exempted House - Small House)	17.10.2014	R1 – R5
A/NE-LK/114	Proposed House (New Territories Exempted House - Small House)	15.2.2019 (On Review)	R1 & R4
A/NE-LK/115	Proposed House (New Territories Exempted House - Small House)	2.11.2018	R1 & R4
A/NE-LK/116	Proposed House (New Territories Exempted House - Small House)	2.11.2018	R1, R4 & R6
A/NE-LK/117	Proposed House (New Territories Exempted House - Small House)	2.11.2018	R1 & R4
A/NE-LK/122 <sup>4</sup>	Proposed House (New Territories Exempted House - Small House)	15.11.2019	R1– R5

#### Remarks

\*4: 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

#### Rejection Reasons:

R1 The proposed development was not in line with the planning intention of the "Agriculture"

zone. There was no strong planning justification in the submission for a departure from the planning intention.

- R2 The proposed development was not in line with the planning intention of the "Green Belt" ("GB") zone. 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.
- R3 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.
- R4 Land was still available within the "Village Type Development" zone of Ma Tseuk Leng & San Uk Ha and Shek Kiu Tau village cluster.
- R5 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.
- R6 The proposed development would cause adverse drainage impacts on the surrounding areas.

#### **Detailed Comments from Government Departments**

#### 1. Land Administration

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

- (a) the Site falls entirely within the village environs of Ma Tseuk Leng;
- (b) the applicant claimed himself to be an indigenous villager of Ma Tseuk Leng, his eligibility for Small House grant is yet to be ascertained;
- (c) the Site is not covered by any Building Licence nor Modification of Tenancy;
- (d) the Small House grant application in respect to the Site was rejected on 21.12.2021; and
- (e) there is no "Fung Shui" area at Ma Tseuk Leng.

#### 2. Traffic

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

- (a) she has reservation on the application. Such type of development should be confined within the "Village Type Development" ("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;
- (b) notwithstanding the above, the application only involve the construction of one Small House. She considers that the application could be tolerated; and
- (c) the local village access adjacent to the Site is not managed by TD.

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

- (a) no comment on the application; and
- (b) the local village access adjacent to the Site is not maintained by HyD.

#### 3. Environment

Comments of the Director of Environmental Protection (DEP):

- (a) in view of the small scale of the proposed development, the application is unlikely to cause major pollution; and
- (b) septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the 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) she has no objection to the application from the landscape planning perspective;
- (b) according to the aerial photo, the Site is located in an area of settled valley landscape character comprising village houses, vegetated areas, farmlands, ponds, tree group cluster and woodland. The Site is covered by self-seeded vegetation. A large *Dimocarpus longan* 龍眼 in good condition outside the site boundary was observed at the west with part of the tree canopy encroached into the Site. According to the layout plan provided by the applicant, the proposed Small House is located at the eastern portion of the Site. Significant adverse impact significant adverse impact on the landscape character and existing landscape resources within the Site arising from the proposed use is not anticipated; and
- (c) should the application be approved by the Board, it is considered not necessary to impose a landscape condition as the Site is not abutting major public frontage and the effect of additional landscaping on enhancing the quality of public realm is not apparent.

#### 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; and
- (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 on the adjacent area, and the drainage system should be properly maintained at all times during the planning approval period and rectified if they are found inadequate / ineffective during operation; and
- (c) the Site is in an area where no public sewerage connection is available.

#### 6. Agriculture

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

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

#### 7. Fire Safety

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

- (a) he has no in-principle objection to the application at this stage provided that the proposed house would not encroach onto any existing emergency vehicular access (EVA) or planned EVA under application in accordance with LandsD's record; and
- (b) the applicant is reminded to observe 'New Territories Exempted Houses A Guide to Fire Safety Requirements' administrated by LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application via 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 Indigenous Inhabitant Representative (IIR) and the Resident Representative (RR) of Ma Tseuk Leng Village object to the application mainly on the grounds that the Site is not fall within the "V" zone and there are no supporting facilities for drainage and sewerage; and
- the Chairman of Sha Tau Kok District Rural Committee and the incumbent North District Councilor of N16 Constituency have no comment on the application.

#### 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 & San Uk Ha and Shek Kiu Tau village cluster is 33 while the 10-year Small House demand forecast for the same village is 693. According to the latest estimate by PlanD, about 1.7 ha (equivalent to 67 Small House sites) of land are available within the "V" zones of Ma Tseuk Leng & San Uk Ha and Shek Kiu Tau village cluster for Small House development. There is insufficient land in the "V" zones of Ma Tseuk Leng & San Uk Ha and Shek Kiu Tau village cluster to meet the future demand of land for Small House development (i.e. about 18.1 ha of land which is equivalent to 726 Small House sites).

#### Appendix VI of RNTPC Paper No. A/NE-LK/152

#### 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.bk

#### 有關的規劃申請編號 The application no. to which the comment relates A/NE-LK/152

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

簽署 Signature

日期 Date 2023.

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) _

☐ Urgent	☐ Return Receipt Requested	☐ Sign	☐ Encrypt	☐ Mark Subject Restricted	☐ Expand personal&put
	Re: A/NE-LK/152 DD 17/07/2023 03:21	39 Ma Tse	euk Leng (	San Uk Ha	

From:

To: File Ref: tpbpd <tpbpd@pland.gov.hk>

A/NE-LK/152

Lot 1367 (Part) in D.D. 39, Ma Tseuk Leng San Uk Ha, Sha Tau Kok

Site area: About 194.8sq.m

Zoning: "Agriculture"

Applied Development: NET House

Dear TPB Members,

Application 144 698th RNTPC MEETING ON 24.06.2022

After deliberation, the Committee decided to reject the application. The reasons were :

- (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.

A slight tweaking to the site size does not provided any justification.

Mary Mulvihill

From:

To: tpbpd <tpbpd@pland.gov.hk>

Date: Sunday, 29 May 2022 2:45 AM CST

Subject: A/NE-LK/144 DD 39 Ma Tseuk Leng San Uk Ha

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:

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

#### **Recommended Advisory Clauses**

- (a) to note the comments of Director of Fire Services that the applicant should observe 'New Territories Exempted Houses A Guide to Fire Safety Requirements' administrated by Lands Department (LandsD). Detailed fire safety requirements will be formulated upon receipt of formal application via LandsD;
- (b) to note the comments of the Director of Environmental Protection that septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the ProPECC PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" and are duly certified by an Authorized Person;
- (c) to note the comments of he Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):
  - (i) considering 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 Management Practice Note No.1 Tree Preservation during Construction 樹木管理作業備考第1號 施工期間保育樹木的工作" promulgated by the GLTM Section, DEVB; and
  - (ii) the applicant is 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;
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that;
  - (i) the Site is in an area where no public sewerage connection is available; and
  - (ii) there is no public stormwater system in the vicinity of the Site. The applicant should construct and maintain the proposed drainage works whether within or outside the lot boundary by lot owner at their own expense;
- (e) to note the comments of the Commissioner of Transport that the local village access leading the Site from Ping Che Road is not managed by TD;
- (f) to note the comments of the Chief Highway Engineer/ New Territories East, Highway Department that the local village access adjacent to the Site is not maintained by HyD; and
- (g) to note that the permission is only given to the development under application. If provision of an access road is required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complies with the provisions of the relevant statutory plan and obtain planning permissions from the Town Planning Board where required before carrying out the road works.

<u>Form No. S16-II</u> 表格第 S16-II 號

This document is received on 19 JUN 2023
The Town Planning Board will formally acknowledge the date of receipt of the application only upon receipt of all the required information and documents.

#### 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 <u>notice of application</u> in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers: <a href="https://www.info.gov.hk/tpb/en/plan\_application/apply.html">https://www.info.gov.hk/tpb/en/plan\_application/apply.html</a>

申請人如欲在本地報章刊登<u>申請通知</u>,以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟,請瀏覽以下網址有關在指定的報章刊登通知: 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
- A 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 「 v 」 at the appropriate box 請在適當的方格内上加上「 v 」號

15% by course Application No. NE-LK, 申請編號 For Official Use Only 請勿填寫此欄 Date Received 1 9 JUN 2023 收到日期

- 1. The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
  申請人須把填妥的申請表格及其他支持申請的文件(倘有),送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- 2. Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <a href="http://www.info.gov.hk/tpb/">http://www.info.gov.hk/tpb/</a>. 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 樓及新界沙田上禾器數 1 號沙田政府合署 14 橋內安斯。 田上禾盎路!號沙田政府合署 14 樓)索取。
- 3. This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
  此表格可從委員會的網頁下載,亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全,委員會可拒絕處理有關申請。

#### 1. Name of Applicant 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 )

#### CHEUNG KWOK KIN 張國建

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. 女上 /□Company 公司 /□Organisation 機構 )

#### PANG HING YEUN 彭慶餘

#### 3. Application Site 申譜地點 Full (a) address / location demarcation district and lot 新界沙頭角麻雀嶺丈量約份第39約地段第1367號 number (if applicable) Lot No. 1367 in D.D. 39, Ma Tseuk Leng, Sha Tau Kok, N.T. 詳細地址/地點/丈量約份及 地段號碼(如適用) (b) Site area and/or gross floor area ☑Site area 地盤面積 194.80 sq.m 平方米☑About 約 involved 涉及的地盤面積及/或總樓面面 ☑Gross floor area 總樓面面積 195.09 sq.m 平方米口About 約 Area of Government land included (c) (if any) ...... sq.m 平方米 🗆 About 約 所包括的政府土地面積(倘有)

(d)	Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	S/NE-LK/11 鹿頸及禾坑分區計劃大	綱圖				
(e)	Land use zone(s) involved 涉及的土地用途地帶	Agriculture 農業					
(f)	Current use(s) 現時用途	Vacant 空置  (If there are any Government, institution or community plan and specify the use and gross floor area)					
L		<u>(如)每任何政府、機構或社區設施,諸在圖則上顯示</u>					
4.	"Current Land Owner" of A	Application Site 申請地點的「現行土」	也擁有人」				
The ☑	applicant 中請人 - is the sole "current land owner"*& (p 是唯一的「現行土地擁有人」 "& (i	lease proceed to Part 6 and attach documentary proof 请繼續填寫第 6 部分、並夾附業權證明文件)。	of ownership).				
	is one of the "current land owners" 是其中一名「現行土地擁有人」 "	<sup>®</sup> (please attach documentary proof of ownership). 《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 Go 申請地點完全位於政府土地上(請	overnment land (please proceed to Part 6). 背繼續填寫第6部分)。					
5.	Statement on Owner's Conse 就土地擁有人的同意/通	,					
(a)	According to the record(s) of the La involves a total of	nd Registry as at(DD/Micurrent land owner(s) "#. 年					
(b)	The applicant 申請人 -						
	□ has obtained consent(s) of 已取得名「	"current land owner(s)"". 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)' 「暗行士排練症	/address of premises as shown in the record of the Land nere consent(s) has/have been obtained E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 sp	are of any boy above is insufficient. #11 1-771/17 (6) 1-49 650					

Do	etails of the "cui	rent land owner(s)	" notified 🗀	獲通知「現行	上地擁有人」	的詳細資料
. La	o. of 'Current and Owner(s)' 現行土地擁 人」數目	Lot number/addre Land Registry wh 根據土地註冊處	ere notification	(s) has/have be	en given	Date of notificatio given (DD/MM/YYYY) 通知日期(日/月/年)
			`			
(Ple	ase use separate s	heets if the space of a	ny box above is i	nsufficient. 如」	到任何方格的?	 告間不足,請另頁說明 )
has	taken reasonabl	e steps to obtain co	nsent of or give	notification to	owner(s):	
		取得土地擁有人的				
Rea	sonable Steps to	Obtain Consent of	f Owner(s) 取	得土地擁有人	的同意所採取	的合理步驟
□ 於_	sent request fo	or consent to the "cu (日/月/年)向包	irrent land owns 好一名「現行土	er(s)" on .地擁有人」"!	耶娅要求问意?	(DD/MM/YYYY)#《
Rea	sonable Steps to	Give Notification	to Owner(s) [	<u>到土地擁有人</u>	後出通知所採耳	<b>Q的合理步骤</b>
		ces in local newspa (日/月/年				′YY)&
		n a prominent posit		application site	premises on	·
	於	(日/月/年	)在申請地點/	'申請處所或附	<b>计近的顯明位置</b>	出出關於該申請的通
		relevant owners' co				committee(s)/manager
		(日/月/年			•	長員會/互助委員會或
<u>Oth</u>	ers 其他	•				
	others (please : 其他(請指明	•				
_						•
		•	-	•		
-						
· -						
					<u>.</u>	

6.	<b>Development Propos</b>	al 擬議發	<b>展計</b> 劃			
(a)	Name(s) of indigenous villager(s) (if applicable) 原居民姓名(如適用)	CHEUNG KWOK KIN 張國建				
(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)		MA TSEUK LENG 麻雀嶺			
(c)	Proposed gross floor area 擬議總樓面面積		195	.09 sq.m 平万米	□About ∰j	
(d)	Proposed number of house(s) 擬議房屋幢數		1	Proposed number of storeys of each house 每幢房屋的擬議屬數	3	
(e)	Proposed roofed over area of each house 每幢房屋的接識上蓋面積	65.03	. sq.m 平方米	Proposed building height of each house 每幢房屋的擬議高度	8.23 <sub> m</sub> 米	
	Proposed use(s) of uncovered area (if any) 露天地方(倘有)的擬識用 途	Circulation Area for the Small House 小型屋宇的通道地方  (Please illustrate on plan the total number and dimension of each ear parking space, and/or location of septic tank, where applicable) (蔣在剛則上顯示、並註明車位總數、以及每個車位的長度和寬度及/或化集池的位置(如適用))				
	Any vehicular access to the site/subject building? 是否有車路通往地盤/有 關建築物?	Yes 是  There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(講註明車路名稱(如適用))  麻雀嶺村車路  There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(講在圖則顯示,並註明車路的闊度)				
	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 是口 No 否叼	(Please indicate o 接駁公共污水渠	的路線) on plan the location of the pro	on proposal. 満用圖則顯示 pposed septic tank. 讚用圖則	

7. Impacts of Develo	pment Proposal 擬議發展計劃的影響	
justifications/reasons for not	arate sheets to indicate the proposed measures to minimise possible adverse impacts or gi providing such measures. I 盡量減少可能出現不良影響的措施,否則請提供理據/理由:	ve
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	
况何 建架初则以到:	No 否 □	•
	Yes 是	
Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	□ 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	
Would the development proposal cause any adverse impacts?	On environment 對環境 On traffic 對交通 On water supply 對供水 On water supply 對供水 On drainage 對排水 On slopes 對斜坡 Affected by slopes 受斜坡影響 Landscape Impact 構成景觀影響 Tree Felling 砍伐樹木 Visual Impact 構成視覺影響 Others (Please Specify) 其他 (請列明)  Yes 會	
擬議發展計劃會否造成 不良影響?	Please state measure(s) to minimise the impact(s). For tree felling, please state the numbe diameter at breast height and species of the affected trees (if possible) 講註明盡量減少影響的措施。如涉及砍伐樹木、講說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)	的 ·
· ·.		•

8.	Tris	tifics	ations	珊	山
u.	្យមន	ソレロエして	เนบแร	. ===	m

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. 本人是沙頭角麻雀嶺的原居民,根據現行的小型屋宇政策,本人有權獲批准興建小型屋宇
2. 申請位置位于麻雀嶺的鄉村界線範圍內。
3. 申請位置是本人唯一的土地可供申請小型屋宇。
4. 申請位置位于西北面為人村的車路,車路對面亦有小型屋宇,而申請位于的東北面有兩幢
小型屋宇,另外有一個已獲批的建屋牌照,而西南面有一幢小型屋宇,另外有兩個已獲批
的建屋牌照,因此我們申請位置是位于屋群照,而西南面有一幢小型屋宇,另外有兩個已
獲批的建屋牌照,因此我們申請位置是位于的建屋牌照,因此我們申請位置是位于屋群中
,因此申請位置與鄰近的面貌互相協調,而地理上合適興建小型屋宇。
5. 申請位置旁有一條車輛出入通道,可供任何緊急車輛及工程車輛出入。
6. 申請位置只興建一間小型屋宇,屬於小規模發展,對附近環境沒有太大影響。
7. 根據資料顯示,申請位置附近的鄉村式發展地帶包含三條村落,分別是我們下麻雀嶺張氏
,上麻雀嶺曾氏及石橋頭李氏,由此證明我們的鄉村式發展地帶並不單單我們使用,還有
其餘兩條村同屬一個鄉村式發展地帶內,因此該鄉村式發展地帶並不足夠滿足三條村落的
小型屋宇申請。
8. 我們的申請並非先例,過往附近亦有很多類似的規劃申請例子獲得批准,原因是因為該三
條村落沒有足夠的鄉村式發展用地給予原居民申請興建小型屋宇。
9. 我們查核有關申請位置之前所涉及絕大部份的部門都不反對,絕對可在附帶條件下獲得批
准,如要復耕,我相信位於本村對面,沙頭角公路另一面的農業地帶及石橋頭村旁石涌凹
段的農業地帶較具復耕潛力,而且面積相當大,足夠任何農業活動。
10. 我們希望貴署認真考慮有關申請,其於所屬的區域有足夠農業地帶,是否可以放寬一些土
給予原居民興建小型屋宇。
11. 香港住屋政策一向都是重要議題,有很多原居民需然有丁權,但沒有土地建屋,最後亦迫
不得已,無可奈何地去排隊輪候公屋,這絕對增加住屋政策的負擔,因此還望貴署放寬,
批准有關規劃許可。

Form No. S16-II 表格第 S16-II 號
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.  本人現准許委員會的情將本人就此中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
PANG HING YEUN
Name in Block Letters Position (if applicable) 姓名(謂以正楷填寫) 職位 (如適用)
Professional Qualification(s)  □ Member 會員 / □ Fellow of 資深會員 □ 事業資格 □ 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 10-06-2023 (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况下,就這宗申請提出在任何要項上是虛假的陳述或資料,即屬違反《刑事罪行條例》。

#### Statement on Personal Data 個人資料的聲明

- 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 處理這宗中請,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. 方便中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.
  中請人就這宗中請提供的個人資料,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 Applica	ation	中謂摘安					
consultees, uploaded   available at the Plan   (調 <u>盡量</u> 以英文及中	d to the ning End 文填寫 劃資料3	oth English and Chinese <u>as far as possible</u> . Fown Planning Board's Website for browsing puiry Counters of the Planning Department for 此部分將會發送予相關諮詢人士、上載至城 五詢處供一般參閱。)	and free general in	download formation.	ng by	the public and	
Application No.	(For O	ficial Use Only) (請勿填寫此欄)					
申請編號							
		· ·					
Location/address		<u> </u>				· · · · · · · · · · · · · · · · · · ·	
位置/地址		新界沙頭角麻雀嶺丈量約份第39約地段第1367號 Lot No. 1367 in D.D. 39, Ma Tseuk Leng, Sha Tau Kok, N.T.					
			U,		<b>,</b> -		
Site area 地盤面積		194.80		sq. m 平:	方米。	Z About 約	
	(includ	es Government land of 包括政府土地		sq. m 斑	方米	□ About 約)	
Plan 圖則		S/NE-LK/11 鹿頸及禾坑分區計劃大綱圖				,	
Zoning 地帶		Agriculture 農業					
Applied use/ development 申請用途/發展	☑ Sm	· Territories Exempted House 新界 all House 小型屋宇	豁免管	制屋宇			
(i) Proposed Gros area 擬議總樓面面	i積	195.09	sģ.m	平方米		About 約	
(ii) Proposed No. o 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		□ (No	ot more	m 米 than 不多於)	
		3			S	toreys(s) 層	

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件	<u>Chinese</u> 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		
Block plan(s) 樓宇位置圖		
Floor plan(s) 樓宇平面圖	Ö	
Sectional plan(s) 截視圖		
Elevation(s) 立視圖		
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片		
Master landscape plan(s)/Landscape plan(s) 園境設計總圖/園境設計圖		
Others (please specify) 其他 (請註明)	. 🗖	<u> </u>
Location Plan, Small House Plan & Range of Small Houses		_
	<del>-</del> . <del>-</del>	
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	П	П
Environmental assessment (noise, air and/or water pollutions)	П	<u> </u>
環境評估(噪音、空氣及/或水的污染)	_	
Traffic impact assessment (on vehicles) 就車輛的交通影響評估		П
Traffic impact assessment (on pedestrians) 就行人的交通影響評估		
Visual impact assessment 視覺影響評估	. 🔲	
Landscape impact assessment 景觀影響評估		
Tree Survey 樹木調查		
Geotechnical impact assessment 土力影響評估		
Drainage impact assessment 排水影響評估		
Sewerage impact assessment 排污影響評估	· 📙	
Risk Assessment 風險評估		
Others (please specify) 其他(請註明)		
	<del>-</del>	•

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. 

主述中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 PLAN /R/ **Small House** Septic Tank Balcony SHA TAU KOK ROAD SMALL HOUSE AREA = 65.03SQUARE METRES (ABOUT) Bearing Line Distance(M) Easting **Nothing** Pt. 102°01' 16" A-B 4.867 843 515. 114 838 811. 350 Α 12°01' 16" B-C 2.201 843 514. 100 838 816. 110 В 102°01' 16" C-D 7.535 843 516. 253 838 816, 568 C 192°01' 16" D-E 6.107 843 514, 683 838 823, 938 D 282°01' 16" 843 508. 710 E-F 838 822.666 12.402 E

F-A

12°01' 16"

3.907

Scale: 1:1000

843 511. 293

Survey Sheet No.: 3-NE-16D

838 810. 536

Date: June 2023

## RANGE OF SMALL HOUSES TS 6.9 LOT 1356 S.A BL55/2014 32 LOT 1356 RP BL11/80 38 LOT 1357 BL14/2002 LOT 1367 Proposed Small House +4.8 WO HANG

Scale: 1:500

Survey Sheet No.: 6-NE-16D

Date: June 2023