2022年 1月 5 日

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.



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: https://www.info.gov.hk/tpb/en/plan application/apply.html

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, 讀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 _ 諸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 請在適當的方格內上加上「v」號

•			
For Official Use Only	Application No. 申請編號	· A/NE-LT/FB	
請勿填寫此關	Date Received 收到日期	5 JAN 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 楼城市規劃委員會(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 http://www.info.gov.hk/tpl/. 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). 请先细閱〈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/)亦可向委員會秘書庭(香港北角查華道 333 號北角政府合署 15 樓一 電話:2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000) (香港北角查華道 333 號北角政府合署 17 樓及新界沙田上禾紫路 「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戰,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濟全,委員會可拒絕處理有關申請。,

1.	Name of Applicant	申請人姓名/名稱
		1 M3 / 4/11 / 11 / 11 / 11

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

鍾美華(CHYVIS ME, WAH)

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)

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)	新界大桶籽舒麵屬村 DD19 新国 ME GLZ272/1919 苯 (新生圖) 政府土地
(b)	Site area and/or gross floor area involved 涉及的地盤面積及/或總機面面積	☑Site area 地盤面積 65.03 sq.m 平方米□About 約 □Gross floor area 總樓面面積 sq.m 平方米□About 約
(0)	Area of Government land included (if any) 所包括的政府土地面積(倘有)	65、03 sq.m 平方米 口About 約

(d)	Name and number of statutory plan(s) 有關法定圖則的名稱及		9/NE-(T/11	()10 3-200r				
(e)	Land use zone(s) involve 涉及的土地用途地帶	ed	AGR 4-ROAD					
(f)	Current use(s) 現時用途	·	(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、結在周則上顯示,並註明用涂及總機而面積)					
4.	"Current Land Own	ner" of Ap	oplication Site 申請地點的「現行土:	地擁有人」				
The	applicant 申請人		•					
	is the sole "current land or	wner"** (ple 写人」** (誚	ase proceed to Part 6 and attach documentary proof 继续填寫第 6 部分,並夾附業榷證明文件)。	of ownership).				
	is one of the "current land 是其中一名「現行土地排	owners""& 能有人」"&((please attach documentary proof of ownership). ;請夾附業權證明文件)。	·				
	is not a "current land own 並不是「現行土地擁有」							
	The application site is enti 申請地點完全位於政府出	irely on Gov 上地上(諸	ernment land (please proceed to Part 6). 数續填寫第 6 部分)。					
5.	Statement on Owner 就土地擁有人的同		nt/Notification 日土地擁有人的陳述					
(a)	According to the re	ecord(s) of	the Land Registry as at					
(b)	The applicant 申請人 -							
	☐ has obtained consent	(s) of	"current land owner(s)".".	•				
	已取得	名勺	見行土地擁有人」"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							
	「租行士训练海」	Registry whe	iddress of premises as shown in the record of the Land ire consent(s) has/have been obtained 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 she	ets if the space	ce of any box above is insufficient,如上列任何方格的3	 				

	De	tails of the "cur	rent land owner	(s)"# notified	已獲通知「	現行土地擁	有人」作	的詳細資料
	La:	of 'Current nd Owner(s)' 現行土地擁 人」數目	Lot number/ad Land Registry 根據土地註冊	where notificat	ion(s) has/ha	ve been giver	,	Date of notificatio given (DD/MM/YYYY) 通知日期(日/月/年)
				•			•	·
		•.						
	_							· · · · · · · · · · · · · · · · · · ·
	(Plea	ise use separate s	heets if the space	of any box above	is insufficien	1. 如上列任何	方格的空	間不足,請另頁說明)
			e steps to obtain 取得土地擁有。	-	_			•
	Reas	sonable Steps to	Obtain Consen	t of Owner(s)	取得一地接	有人的同意	听採取的	合理步骤
	□ 於_	sent request fo	n consent to the (日/月/年)["current land o 向每一名「現	wner(s)" on 亍土地擁有。	人」"郵遞要才	で同意書	_(DD/MM/YYYY)#4
•	Reas	sonable Steps to	Give Notificat	ion to Owner(s)		有人發出通知	3所採取	的合理步驟
		published noti	ces in local new (日/月	spapers on]/年)在指定報	章就申請刊:	(DD/I 登一次通知 ^{&}	MM/YY	(Y) ^{&}
			in a prominent p		ear applicatio	on site/premise	es on	
		於	(日/月	引年)在申請地	點/申請處	听或附近的题	明位置!	站出關於該申請的通
		office(s) or ru	ral committee or	n	(D	D/MM/YYY	Ϋ́)&	committee(s)/manager
			(日/ <i>)</i> 対郷事委員會*	月/年)把通知管	F往相關的 第	全主立案法國	/業主委	員會/互助委員會或/
	<u>Oth</u>	ers 其他						
		others (please 其他(請指明		,				
	•							
		*						

6. Development P	roposal 擬議發	展計劃		
(a) Name(s) of indi villager(s) (if applicat 原居民姓名(如適用		重美華		
(b) 原居民所屬的原居劍 (如適用) The related indi village of the indi villager(s) (if applicab	genous +	埔 林 松	有重要行	
(c) Proposed gross floor a 擬議總樓面面積	rea	190		□About 約
(d) Proposed number house(s) 擬議房屋隨數	of	1	Proposed number of storeys of each house 每幢房屋的擬議層數	3
(e) Proposed roofed over a each house 每幢房屋的擬議上蓋	63-03	. sq.m 平方米	Proposed building height of each house 每幢房屋的擬議高度	270年8.23米
(f) Proposed use(s) uncovered area (if any 軽天地方 (倘有)的携 途	能致用 (Please illust tank, where a	pplicable)	umber and dimension of each car par 数,以及每個車位的長度和寬度及/	rking space, and/or location of septic 或化概池的位置 (如適用))
(g) Any vehicular access site/subject building? 是否有車路通往地盤 關建築物?		appropriate) 有一條現有 上上子 口 There is a p width)	車路・(講註明車路名稱(如注)	trate on plan and specify the
(h) Can the proposed how be connected to passewer? 「擬議的屋宇發展能否至公共污水渠?	oublic .	接駁公共污水渠	的路線) on plan the location of the pro	on proposal. 謫用圖則顯示 posed septic tank. 請用圖則

7. Impacts of Develo	pment Proposal 擬巖發展計劃的影響
justifications/reasons for not	arate sheets to indicate the proposed measures to minimise possible adverse impacts or give providing such measures. J盡量減少可能出現不良影響的措施,否則請提供理據/理由。
	Yes 是 Please provide details 請提供詳情
Does the development proposal involve alteration	5 ************************************
of existing building?	* *************************************
擬議發展計劃是否包括 理方法等(##\$1745#8	***************************************
現有建築物的改動?	No 否 U
	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) (簡用地盤平面圖藍示有關土地/池塘界線,以及河道改道、填塘、填土及/或挖土的細餅
	及/或範圍)
	□ Diversion of stream 河道改道
Does the development	□ Filling of pond 填塘
proposal involve the	Area of filling 填塘面積sq.m 平方米 □About 約 Depth of filling 填塘深度
operation on the right? 擬議發展是否涉及右列	_ · · · · · · · · · · · · · · · · · ·
的工程?	│ │ │ │ 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
•	□ 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
	No 否 U
<u> </u>	•
	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 □ No
	Affected by slopes 受斜坡影響 Yes 會 □ No 不會 □
	Landscape Impact 構成景観影響 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 □
Would the development proposal cause any adverse	/
impacts?	
擬議發展計劃會否造成	Please state measure(s) to minimise the impact(s). For tree felling, please state the number,
不良影響?	diameter at breast height and species of the affected trees (if possible) 謂註明盡量減少影響的措施。如涉及砍伐樹木,謂說明受影響樹木的數目、及胸高度的
	樹幹直徑及品種(倘可)

8. Justifications 理由	
The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary. 現請申請人提供申請理由及支持其申請的資料・如有需要,請另頁說明。	:
成是原的,也提出自成行中或了产品现本人及意	
人在一間(一層放光的相层的三百史程 跨過	ن و الرو
第一生或不理想,因此是需放意居住最境。	⊋
2/15上地已荒废近60年,政府提高,查用土在本人建全区村合政府政第	1
3度土地以前50-60年代汽车太人药益	••
年代围业观查信物摄放.	•
少了摆是本人思有权利,希望能的长年	••
本人的 中共	••• •
	,

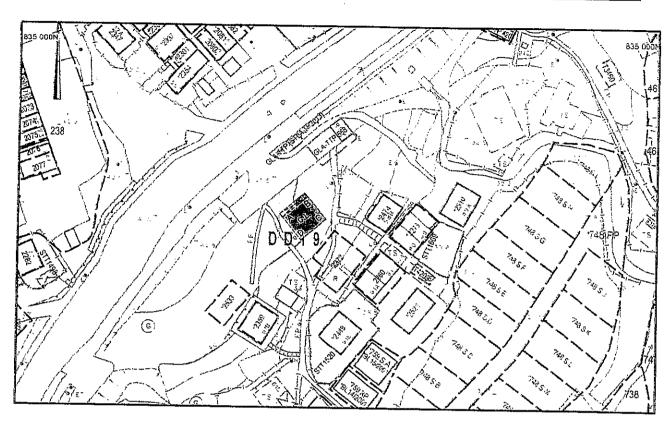
A D I II MEDIT
9. Declaration 聲明
I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief. 本人謹此聲明,本人就這宗申諧提交的資料,據本人所知及所信,均屬真質無誤。
I hereby grant a permission to the Board to copy all the materials submitted in an application to the Board 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. 本人現准許委員會的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 / Applicant 申 的人 / D Authorised Agent 獲授權代理人 簽署
黄菜 美 華
Name in Block Letters Position (if applicable) 姓名(請以正错填寫) 職位 (如適用)
Professional Qualification(s) □ Member 會員 / □ Fellow of 資深會員 □ 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 (大表)
□ Company 公司 / □ Organisation Name and Chop (if applicable) 機構名稱及蓋章(如適用)
Date 日期 7-/2-2-2 / (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戰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
副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《紀德》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 Applic	ation	申請摘要	•		
consultees, uploaded deposited at the Plan (請 <u>盡量</u> 以英文及中	d to the ming Er 文填寫 署規劃	both English and Chinese Town Planning Board's V nquiry Counters of the Plan 6。此部分將會發送予相關 資料查詢處以供一般參閱	Vebsite for browsing and ming Department for gen I諮詢人士、上載至城市 •)	d free downloadin eral information.	g by the public and
Application No. 申謝編號	(For O	Official Use Only) (請勿填寫	(比模)		
Location/address 位置/地址		事林村 鍾 <i>臺</i> 有土地		19	, .
		-MJ-1-100			
Site area 地盤面積		•	65-03	sq. m 平方	所米□ About 約
	(includ	les Government land of 包	括政府土地(」、。	ろ sq. m 平方	「米 □ About 約)
Plan 圖則.	5/1	NE-CT/11			
Zoning 地帶	ЯG	RB ROAD			
Applied use/ development 申請用途/發展	New	Territories Exempte	d House 新界豁匀	色管制屋宇	
	⊠ Sm	all House 小型屋宇			
i) Proposed Gross area	s floor	•		W	D A1 6/7
擬議總樓面面	積	195.09	. :	sq.m 平方米	□ About 約
ii) Proposed No. o house(s) 擬議房屋幢數	f	3/8 1			
iii) Proposed buildi height/No. of st 建築物高度/バ	oreys	8,23米		□ (Not	m 米 more than 不多於)
		3			Storeys(s) 層

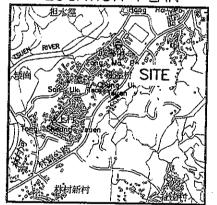
	<u>Chinese</u> 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總網發展藍圖/布局設計圖	. 🗆 .	
Block plan(s) 模字位置圖		
Floor plan(s) 樓宇平面圖		· 🗹
Sectional plan(s) 截視圖	a Ö	
Elevation(s) 立視圖		
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片		
Master landscape plan(s)/Landscape plan(s) 圆境設計總圖/園境設計圖		
Others (please specify) 其他(請註明) イン 子 词	_	☑ .
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據		
Environmental assessment (noise, air and/or water pollutions)		
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		
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)		□
·	_	

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 上述申請渝要的资料是由申請人提供以方便市民大眾会考。對於所載资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 NEW GRANT LOT ERECTED ON GOVERNMENT LAND NEAR LOT No. 2272 IN D.D.19



LOCATION PLAN



SCALE 1 : 20 000

Coloured Pink Area = 65.03 sq.m. (About)

Point	Bearing	Distance	Northing	Easting
A B C D A	50° 13' 37" 140° 13' 37" 230° 13' 37" 320° 13' 37"	8.534 7.620 8.534 7.620	834953.671 834959.131 834953.274 834947.815 834953.671	832600.955 832607.514 832612.389 832605.830 832600.955

Legend:

C≥3 Balcony (8.534m x 1.22m)

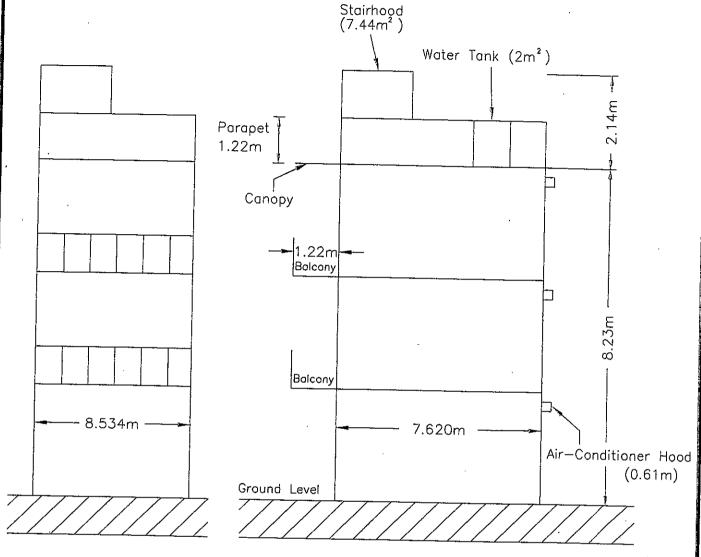
G.L. = Government Land

Scale 1: 1000

Survey Sheet No. : 7-NW-2D

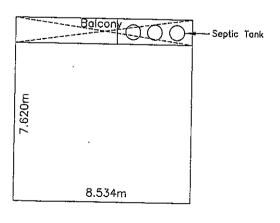
Plan No.: G-L2272/19 Date : 24 March 2020 SHIU YIP SURVEY SERVICES COMPANY

SKETCH FOR GOVERNMENT LAND NEAR LOT No. 2272 IN D.D.19



Front View

Side View



<u>Plan View</u>

香港潭道 333 號 此角政府会者 十五樓 成市 想 基 基 章

Appendix Ia of RNTPC Paper No. A/NE-LT/713B

大埔林村 程屋村丈量 钓份第19约 政府土地 特绮能(A/NE-(T/7/3)

秋鍾美華,現中請一問小形。全字在林村 超座村逛近(地步如上)。有関申請地上邊然有標 的蘭樹,它處在的位置不会影响建屋的,建等節可以 將屋位置離它三呎多。

致於污水渠問題,因為中請建屋地上接聚分类公共污染口相隔一条交通相當繁忙的一条林錦公蹬,申請人鄉望建屋地上擊時送個化粪池去處理污水運作等,到政府的超过設到馬路定邊都有污水渠。 不過馬路定邊都有二十餘間分隔閉已程建設好的小 的屋子,都是用化糞池運作多的。申請人, 超美華

貴會檔號:TPB/A/NE-LT/713

致:規劃署

擬議屋宇(新界豁免管制屋宇-小型屋宇) 大埔林村鍾屋村丈量約份第 19 約的政府土地

本人為上述申請之代理人,現就是項申請作出陳述,擬建屋宇位置 現已再次作出較遠遷移盡量遷離現場之白蘭村,隨信付上最新位置圖, 受影響的祇會是一些較柔弱之樹枝,建屋時祇會進行最輕微之削枝動作, 申請人本身亦是喜愛樹木之人,他保證會確保樹木可持續健康生長,並 在此聲明會嚴守以下恆常的樹木保養計劃:—

- 1. 每天為樹木進行適量之澆水;
- 2. 經常在樹木附折清除雜草;
- 3. 定期為樹木作出適當修剪、施肥及除蟲;
- 4. 盡量避免切斷樹枝及其根或莖;
- 5. 不會改變樹木四周之泥土狀況及原有地面水平高度;
- 6. 不會敷置實硬物料於樹木之四周;
- 7. 不會釘掛任何物品在樹木上;
- 8. 任何時間接獲 貴委員會提供最新保護樹木意見,必定全力依從執行。

另由於申請位置附近暫時未有合適可接駁之公共排污渠口,而申請人已年老亦並無合適土地建屋,建屋祇為安享晚年,故懇請相關部門可接受現階段先可建造環保式化糞池用作排污,日後渠務署再加建排污渠接駁設施時,申請人聲明會立即進行排污渠接駁工程,並將化糞池填封,懇請 貴署及相關部門接納建議給予批准,在此感謝 貴署對個案之協助及關注。祝安!

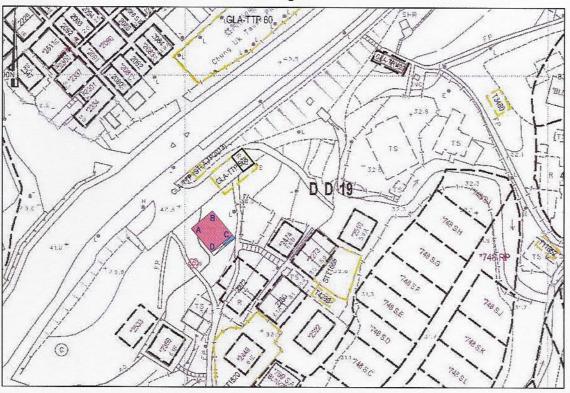
代理人: _____(許 軍 兒)

23 AUG 2022

日期:

聯絡地址:聯絡電話:

Proposed Small House on Government Land near Lot 2272 in D.D. 19, Chung Uk Tsuen, Tai Po



Balcony (7.620 x 1.22)

Coloured Pink Area 65.03 square metres (About)

Proposed Septic Tank (3.6 x 1.22)

Scale 1: 1000

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

Side Bearing . , "	Bearing	Distance in Metres	Pt.	Co-ordinate Data (1980 Datum)		
	. , ,			Northing (m)	Easting (m)	Remarks
A - B	50 13 37	7.620	А	834957.937	832601.800	
B - C	140 13 37	8.534	В	834962.812	832607.657	
C - D	230 13 37	7.620	С	834956.253	832613.116	
D - A	320 13 37	8.534	D	834951.378	832607.260	

Legend:

Exiting Michelia x alba Tree

Survey District: Tai Po	Survey Sheet No.: 7-NW-2D	
Ref. Plan: 	Plan No.: TP/GL/19/SH_rev01	
Ref. SRP No.:	Date: 24 July 2022	King Fung Surveying Company

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.

Appendix III of RNTPC Paper No. A/NE-LT/713B

Similar Applications within the same "AGR" zone in the vicinity of the Site on the Lam Tsuen Outline Zoning Plan

Approved Applications

Application No.	Proposed Development	Date of Consideration
A/NE-LT/333	Proposed House (New Territories Exempted House - Small House)	22/7/2005 (on Review)
A/NE-LT/386	Proposed House (New Territories Exempted House - Small House)	1/8/2008
A/NE-LT/580	Proposed House (New Territories Exempted House - Small House)	15/7/2016

Rejected Applications

Application No.	Proposed Development	Date of Consideration	Rejection Reason(s)
A/NE-LT/385	Proposed House (New Territories Exempted House - Small House)	1/8/2008	R1, R2
A/NE-LT/525	Proposed House (New Territories Exempted House - Small House)	27/2/2015	R1, R3, R4
A/NE-LT/527	Proposed House (New Territories Exempted House - Small House)	27/2/2015	R1, R3-R5
A/NE-LT/592	Proposed House (New Territories Exempted House - Small House)	11/11/2016	R1, R3, R5
A/NE-LT/621	Proposed House (New Territories Exempted House - Small House)	22/12/2017	R3, R5, R6
A/NE-LT/631	Proposed House (New Territories Exempted House - Small House)	13/7/2018 (on Review)	R1, R3, R5

Rejection Reasons

- R1 The proposed development did not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the applicant failed to demonstrate that the proposed development located within water gathering grounds would be able to be connected to the existing or planned sewerage system and would not cause adverse impact on the water quality in the area.
- R2 The application site fell within an area shown as 'Road', which might affect the future widening of Lam Kam Road.
- R3 The proposed development was not in line with the planning intention of the "Agriculture" ("AGR") zone, which was primary to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. The "AGR" zone was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission for a departure from the planning intention.
- R4 The approval of the application would set an undesirable precedent for similar applications in the area. The cumulative impact of approving such applications would result in a general degradation of the environment of the area.
- R5 Land was still available within the "V" zones of Chung Uk Tsuen, Fong Ma Po, Tong Min Tsuen and San Uk Tsai which are 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.

R6 The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that it would cause adverse landscape impact on the surrounding areas.

Detailed Comments from Relevant Government Departments

1. Land Administration

Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) no objection to the application;
- (b) the applicant is an indigenous villager of Chung Uk Tsuen as confirmed by the Indigenous Inhabitant Representative (IIR). However, his eligibility of Small House grant has yet to be ascertained;
- (c) the Site is on unallocated government land and not covered by Modification of Tenancy or Building Licence;
- (d) the Small House application submitted by the applicant for the Site is still under processing;
- (e) the number of outstanding Small House applications and the number of 10-year Small House demand for the villages concerned are as follows:

	No. of outstanding	No. of 10-year		
Village	Small House applications	Small House demand*		
Chung Uk Tsuen	9	190		
Tong Min Tsuen	5	152		
Fong Ma Po	4	15		
San Uk Tsai	4	40		

(*The figure of 10-year Small House demand is estimated and provided by the IIR of concerned villages (i.e. Chung Uk Tsuen, Tong Min Tsuen, Fong Ma Po and San Uk Tsai) and the information so obtained is not verified in anyway by DLO/TP, LandsD)

(f) if and after planning permission has been granted by the Town Planning Board (the Board), LandsD will process the Small House application. However, there is no guarantee at this stage that the Small House application would be approved. If the Small House application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD. There is no guarantee to the grant of a right of way to the Small House concerned or approval of the Emergency Vehicular Access thereto.

2. Agriculture

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

(a) the Site is currently a piece of vacant land. There are active agricultural activities in the vicinity, and agricultural infrastructures such as road access and water source is available. The Site can be used for agricultural activities

such as open-field cultivation. greenhouses, plant nurseries, etc.

(b) the Site possesses potential for agricultural rehabilitation. As such, the application is not supported from agricultural point of view.

3. Traffic

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

- (a) the Small House development should be confined within the "Village Type Development" 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 involves development of a Small House could be tolerated on traffic grounds; and
- (c) there is currently no road widening programme for the concerned section of Lam Kam Road.

4. Environment

Comments of the Director of Environmental Protection (DEP):

- (a) there are public sewers in the vicinity;
- (b) the Site falls within the water gathering grounds (WGG) and the applicant proposes to use septic tank as sewerage disposal means and the wastewater generated from the proposed Small House will have the potential to cause water pollution to WGG;
- (c) the use of septic tank should be avoided within WGG according to Chapter 9 of the HKPSG; and
- (d) he does not support the application unless the applicant will provide adequate sewer connection for disposal of sewage from the Small House to the existing public sewerage system at his own costs and reserve adequate land for the sewer connection work.

5. <u>Landscape</u>

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

(a) the Site is located in an area of settled valleys landscapes character comprises village houses, vacant lands, vegetated areas and clusters of tree groups. The proposed development is not entirely incompatible with the surrounding environment;

- the Site is partly covered by wild grass and partly paved. A *Michelia x alba* 白蘭 (with approximate 750mm DBH) in good condition in close proximity to the southern site boundary is observed. The tree crown of the concerned tree may encroach into the site boundary and its root may be affected by the site formation works;
- (c) she has no further comment from the landscape planning perspective as the applicant has revised the Small House footprint to approximately 5m from the existing tree and clarified that the existing level of the concerned tree would not be affected by the proposed development and minor tree pruning would be required; and
- (d) 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 works.

6. **Drainage and Sewerage**

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

- (a) no adverse comment on the application from public drainage viewpoint;
- (b) if the application is approved, a condition on submission and implementation of drainage proposal for the Site is required to ensure that it will not cause adverse drainage impact to the adjacent area;
- the applicant should have his own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site. Any existing flow path affected should be reprovided. 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;
- (d) there are existing DSD maintained public sewers 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;
- (e) should the applicant choose to dispose of the sewage of the proposed development through other means, views and comments from EPD should be sought;

- (f) 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);
- (g) the cost and work of drainage and sewerage connection as well as future maintenance responsibility shall be borne by the applicant(s); and
- (h) there is no planned village sewerage project of DSD near the Site.

7. <u>Fire Safety</u>

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.

8. Water Supply

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

- (a) objects to the application; and
- (b) the Site is located within the upper indirect WGG and is about 34m away from the nearest stream. As the applicant proposes to adopt septic tank system for foul water disposal and the wastewater generated from the proposed Small House will have the potential to cause water pollution to the WGG. It is considered that compliance with the "Interim Criteria for Consideration of Applications for NTEH/Small House in New Territories" item (i) cannot be established.

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 Chung Uk Tsuen, Fong Ma Po, Tong Min Tsuen and San Uk Tsai is 22 while the 10-year Small House demand forecast for the same villages is 397. Based on the latest estimate by the Planning Department, about 2.86 ha of land (or equivalent to about 114 Small House sites) are available within the "V" zone of the concerned villages. Therefore, the land available cannot fully meet the future demand of 419 Small Houses (equivalent to about 10.48 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:

220121-160623-50669

提交限期

Deadline for submission:

04/02/2022

提交日期及時間

Date and time of submission:

21/01/2022 16:06:23

有關的規劃申請編號

The application no. to which the comment relates: A/NE-LT/713

「提意見人」姓名/名稱

先生 Mr. Lam Ka Hing

Name of person making this comment:

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。

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☐ Urgent	Return Receipt Requested	☐ Sign ☐ Encrypt	☐ Mark Subject	Restricted [Expand person	al&pı
	A/NE-LT/713 DD 19 C 03/02/2022 03:48	hung Uk Tsuen		.		
From: To: File Ref:	tpbpd <tpbpd@pland.gov.hk></tpbpd@pland.gov.hk>					
A /NIC 1 T/7	40					

A/NE-LT/713

Government Land in D.D.19, Chung Uk Tsuen, Lam Tsuen, Tai Po

Site area: 65.03sq.m

Zoning: "Agriculture" and area shown as 'Road'

Applied development: NET House

Dear TPB Members,

This is government land and outside the 'V' zone.

Land is still available within the "Village Type Development" ("V") zones of Chung Uk Tsuen, Fong Ma Po, Tong Min Tsuen and San Uk Tsai which are 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.

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 is subject to the discretion of the Lands Department. This indicates that as the OZP stipulates that the sites are zoned for Agriculture then they are designated for other use.

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

Mary Mulvihill

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that if the Small House application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to 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 thereto:
- (b) to note the comments of the Director of Environmental Protection (DEP) that the applicant should provide adequate sewer connection for disposal of sewage from the Small 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 (CE/MN, DSD) that:
 - (i) the applicant should have his own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site. 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 should 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) there are existing DSD maintained public sewers 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;
 - (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(s);
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) 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 works;
- (e) to note the comments of the Director of Fire Services (D of FS) that the applicant should observe 'New Territories Exempted Houses A Guide to Fire Safety Requirements' published by the LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD; 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 the Town Planning Board where required before carrying out the road works.