

Form No. S16-II  
表格第 S16-II 號

**APPLICATION FOR PERMISSION  
UNDER SECTION 16 OF  
THE TOWN PLANNING ORDINANCE  
(CAP. 131)**

2023年 9月 20日  
此文件在 收到・城市規劃委員會  
只會在 此日期前可取閱的資料及文件後才正 收到  
申請的日期。 20 SEP 2023

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.

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.tpb.gov.hk/en/plan\\_application/apply.html](https://www.tpb.gov.hk/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.tpb.gov.hk/tc/plan\\_application/apply.html](https://www.tpb.gov.hk/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

2302500 18/9 by post

Form No. S16-II 表格第 S16-II 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/NZ-LYT/809
	Date Received 收到日期	20 SEP 2023

- 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.tpb.gov.hk/>. 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.tpb.gov.hk/>), 亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.  
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

### 1. Name of Applicant 申請人姓名/名稱

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

鄧棋輝 Tang Kevin、鄧文輝 Tang Man Fai

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

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

許軍兒 Hui Kwan Yee

### 3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	Lots 639 S.A and 639 S.B in D.D. 83, Kwan Tei, Fanling
(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 361.2 sq.m 平方米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 390.18 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	S/NE-LYT/19 龍躍頭及軍地南分區計劃大綱圖
(e) Land use zone(s) involved 涉及的土地用途地帶	AGR, V
(f) Current use(s) 現時用途	Vacant  (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

#### 4. “Current Land Owner” of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

- ☒ is the sole “current land owner”<sup>#&</sup> (please proceed to Part 6 and attach documentary proof of ownership).  
是唯一的「現行土地擁有人」<sup>#&</sup> (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the “current land owners”<sup>#&</sup> (please attach documentary proof of ownership).  
是其中一名「現行土地擁有人」<sup>#&</sup> (請夾附業權證明文件)。
- ☐ is not a “current land owner”<sup>#</sup>.  
並不是「現行土地擁有人」<sup>#</sup>。
- ☐ The application site is entirely on Government land (please proceed to Part 6).  
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

#### 5. Statement on Owner's Consent/Notification 就土地擁有人的同意/通知土地擁有人的陳述

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

(b) The applicant 申請人 –

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

Details of consent of “current land owner(s)” <sup>#</sup> obtained 取得「現行土地擁有人」 <sup>#</sup> 同意的詳情		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

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

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

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):  
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on \_\_\_\_\_ (DD/MM/YYYY)<sup>#&</sup>  
於 \_\_\_\_\_ (日/月/年)向每一名「現行土地擁有人」<sup>#</sup>遞送要求同意書<sup>&</sup>

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

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

Others 其他

- ☐ others (please specify)  
其他（請指明）

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Note: May insert more than one 「✓」.

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

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

<b>6. Development Proposal 擬議發展計劃</b>			
(a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)	鄧棋輝 Tang Kevin、鄧文輝 Tang Man Fai		
(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)	沙頭角吉澳村		
(c) Proposed gross floor area 擬議總樓面面積	390.18 ..... sq.m 平方米 <input type="checkbox"/> About 約		
(d) Proposed number of house(s) 擬議房屋幢數	2	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	Garden  (Please illustrate on plan the total number and dimension of each car parking space, and/or location of septic tank, where applicable) (請在圖則上顯示, 並註明車位總數, 以及每個車位的長度和寬度及/或化糞池的位置 (如適用))		
(g) Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物?	Yes 是           No 否	<input type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) ..... <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input checked="" type="checkbox"/>	
(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 <input type="checkbox"/> Please provide details 請提供詳情	..... ..... .....
	No 否 <input checked="" type="checkbox"/>	
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 <input type="checkbox"/>	(Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線，以及河道改道、填塘、填土及/或挖土的細節及/或範圍)  <input type="checkbox"/> Diversion of stream 河道改道  <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 ..... m 米 <input type="checkbox"/> About 約  <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 ..... m 米 <input type="checkbox"/> About 約  <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 ..... m 米 <input type="checkbox"/> About 約
	No 否 <input checked="" type="checkbox"/>	
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 On traffic 對交通 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 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/>
	..... .....	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)
		..... ..... ..... ..... .....

**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。

此項申請其實早於2014年提交時已獲得批准，當時之申請編號為A/NE-LYT/527，其後申請人亦在2018年提交延長許可期限之申請，並在2019年9月時正式獲得北區地政處批核其小型屋宇申請，但後來一直未接獲北區地政處通知進行簽契事宜，直至稍早前北區地政通知，方得知原來規劃申請於2021年時已到期，現時需重新提交城規申請，重新獲得批准後方可到該處簽契，懇請 貴委員會體諒，並重新給予批准，以便申請人順利完成其小型屋宇申請程序。

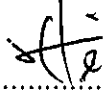
**9. Declaration 聲明**

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



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

.....  
許軍兒 Hui Kwan Yee

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

14 SEP 2013

..... (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。



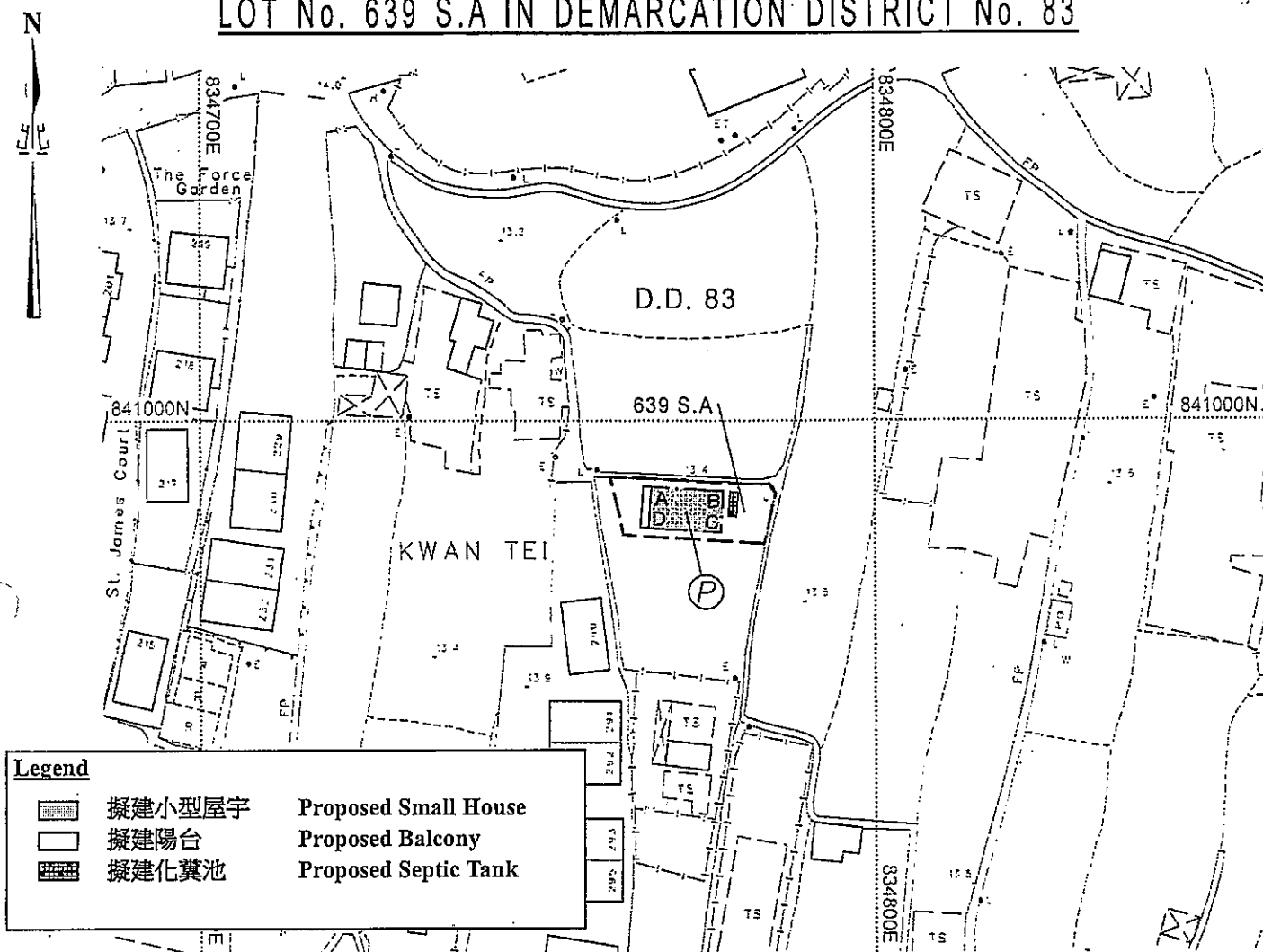
Gist of Application 申請摘要		
(Please provide details in both English and Chinese <u>as far as possible</u> . This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters 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	Lots 639 S.A and 639 S.B in D.D. 83, Kwan Tei, Fanling	
Site area 地盤面積	361.2 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/NE-LYT/19	
Zoning 地帶	AGR,V	
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	390.18	sq.m 平方米 <input type="checkbox"/> About 約
(ii) Proposed No. of house(s) 擬議房屋幢數	2	
(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
<b>Plans and Drawings 圖則及繪圖</b>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Site Plan		
<hr/>		
<b>Reports 報告書</b>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<hr/>		
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the 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。

**BUILDING LICENCE No. 74/2017**  
**LOT No. 639 S.A IN DEMARCATION DISTRICT No. 83**

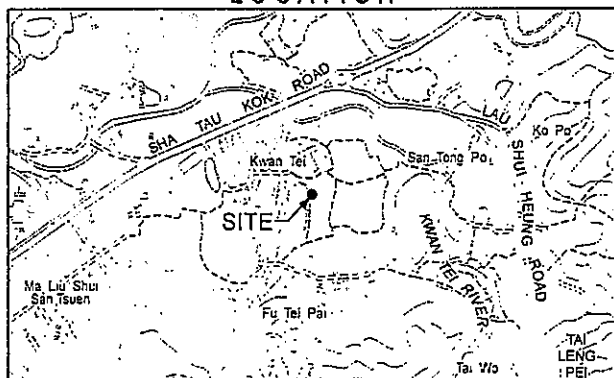


COLOURED PINK AREA 65.03 SQUARE METRES (ABOUT)

SCALE 1:1 000

metres 20 0 20 40 60 80 100 metres

**LOCATION**



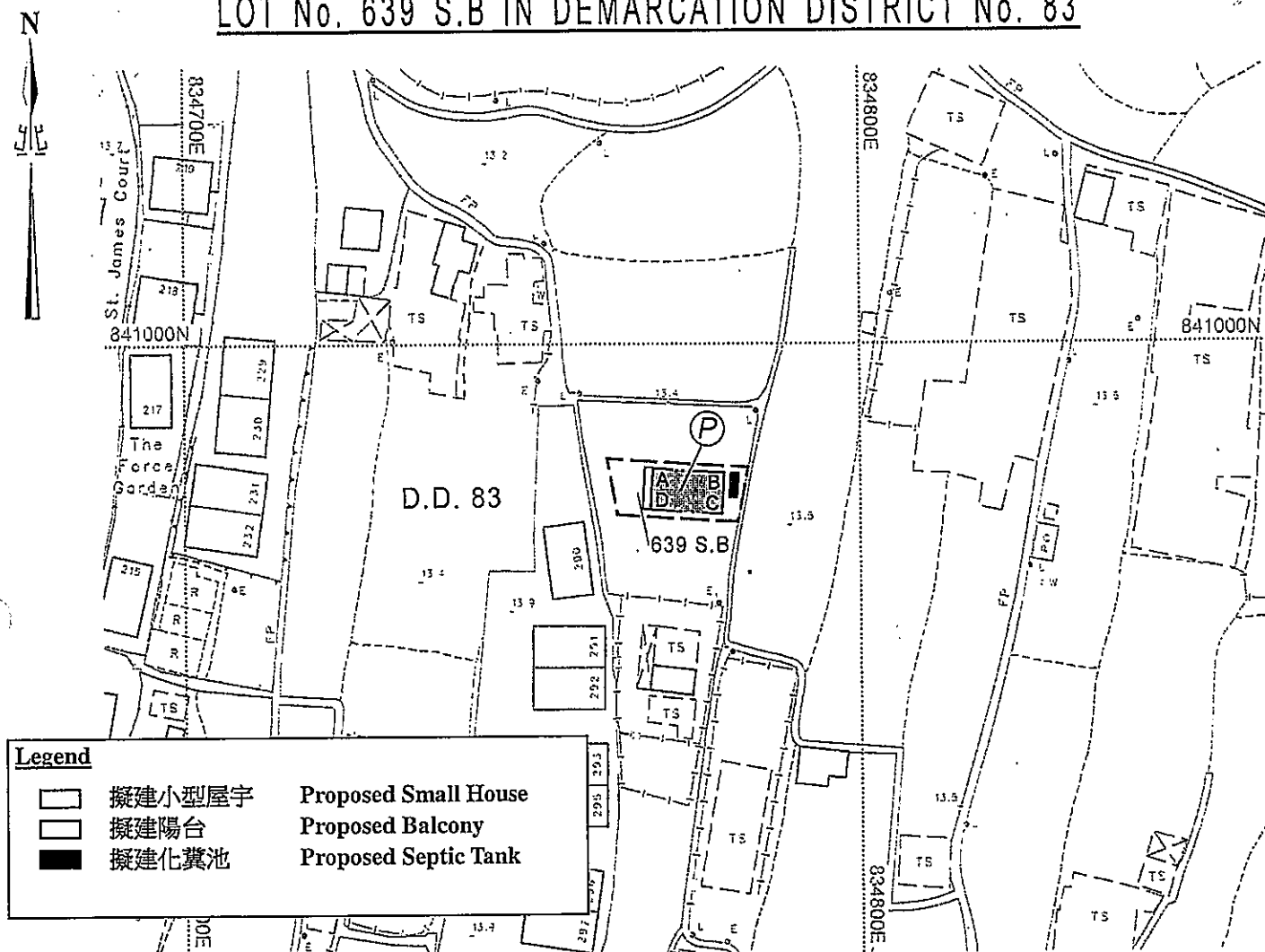
SCALE 1:20 000

SIDE	DISTANCE IN METRES	BEARING "	Pt.	CORNER MARKED BY
A B	10.668	93 22 03		
B C	6.096	183 22 03		
C D	10.668	273 22 03		
D A	6.096	3 22 03		

**NOTE:**

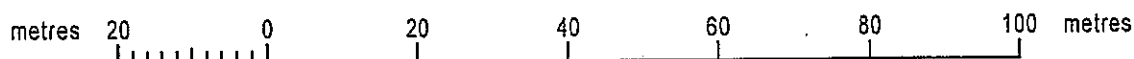
The lot boundaries as shown on this plan are for identification purpose only. They may be revised without prior notification when better lot boundary evidence becomes available.

**BUILDING LICENCE No. 75/2017**  
**LOT No. 639 S.B IN DEMARCATION DISTRICT No. 83**

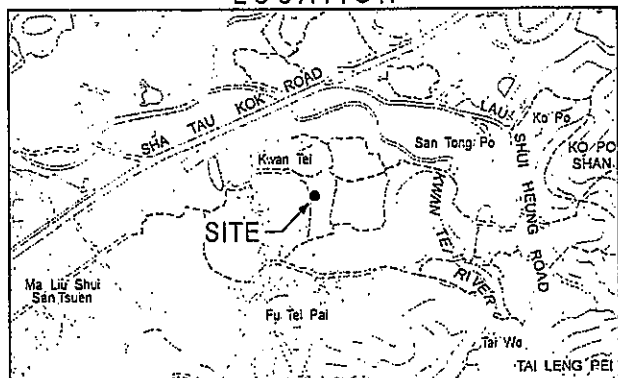


COLOURED PINK AREA 65.03 SQUARE METRES (ABOUT)

SCALE 1:1 000



**LOCATION**



SCALE 1:20 000

SIDE	DISTANCE IN METRES	BEARING "	Pl.	CORNER MARKED BY
A B	10.668	93 22 03		
B C	6.096	183 22 03		
C D	10.668	273 22 03		
D A	6.096	3 22 03		

**NOTE:**

The lot boundaries as shown on this plan are for identification purpose only. They may be revised without prior notification when better lot boundary evidence becomes available.

**Relevant Interim Criteria for Consideration of  
Application for New Territories Exempted House (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**

**Approved Application**

<b>Application No.</b>	<b>Uses/ Development</b>	<b>Date of Consideration</b>
A/NE-LYT/527	Proposed 2 Houses (New Territories Exempted Houses - Small Houses)	13.6.2014

**Similar S.16 Applications for Proposed House (NTEH – Small House)  
within/partly within the "Agriculture" zone in the vicinity of the Site in the  
Lung Yeuk Tau and Kwan Tei South Area**

**Approved Applications**

<b><u>Application No.</u></b>	<b><u>Uses/ Development</u></b>	<b><u>Date of Consideration</u></b>
A/NE-LYT/390	Proposed 5 Houses (New Territories Exempted Houses - Small Houses)	13.3.2009
A/NE-LYT/499	Proposed 3 Houses (New Territories Exempted Houses - Small Houses)	1.3.2013
A/NE-LYT/510 <sup>*1</sup>	Proposed House (New Territories Exempted House - Small House)	5.7.2013
A/NE-LYT/517	Proposed 2 Houses (New Territories Exempted Houses - Small Houses)	11.10.2013
A/NE-LYT/553 <sup>*2</sup>	Proposed House (New Territories Exempted House - Small House)	12.12.2014
A/NE-LYT/587 <sup>*3</sup>	Proposed House (New Territories Exempted House - Small House)	5.2.2016
A/NE-LYT/588 <sup>*3</sup>	Proposed House (New Territories Exempted House - Small House)	5.2.2016
A/NE-LYT/599	Proposed House (New Territories Exempted House - Small House)	26.8.2016
A/NE-LYT/603	Proposed House (New Territories Exempted House - Small House)	3.2.2017
A/NE-LYT/632 <sup>*1</sup>	Proposed House (New Territories Exempted House - Small House)	8.9.2017
A/NE-LYT/682	Proposed House (New Territories Exempted House - Small House)	4.1.2019
A/NE-LYT/721 <sup>*2</sup>	Proposed House (New Territories Exempted House - Small House)	26.5.2020
A/NE-LYT/722	Proposed House (New Territories Exempted House - Small House)	26.5.2020



A/NE-LYT/790 <sup>*3</sup>	Proposed House (New Territories Exempted House - Small House)	3.2.2023
A/NE-LYT/791 <sup>*3</sup>	Proposed House (New Territories Exempted House - Small House)	3.2.2023

#### Remarks

- <sup>\*1</sup>: The application no. A/NE-LYT/510 involves the same site as the application no. A/NE-LYT/632
- <sup>\*2</sup>: The application no. A/NE-LYT/553 involves the same site as the application no. A/NE-LYT/721
- <sup>\*3</sup>: The site of application no. A/NE-LYT/587, A/NE-LYT/588, A/NE-LYT/790 and A/NE-LYT/791 involves part of the site of rejected application no. A/NE-LYT/400.

#### **Rejected Applications**

<u>Application No.</u>	<u>Uses/ Development</u>	<u>Date of Consideration</u>	<u>Rejection Reasons</u>
A/NE-LYT/399	Proposed House (New Territories Exempted House - Small House)	4.9.2009	R1, R2 & R3
A/NE-LYT/400 <sup>*3</sup>	Proposed House (New Territories Exempted House - Small House)	4.9.2009	R1, R2 & R3

#### Remarks

- <sup>\*3</sup>: The site of application no. A/NE-LYT/400 involves part of the site of approved application no. A/NE-LYT/587, A/NE-LYT/588, A/NE-LYT/790 and A/NE-LYT/791.

#### **Rejection Reasons:**

- R1 The proposed development did not comply with the Interim Criteria for assessing planning application for New Territories Exempted House/Small House development as the application sites fell outside the “Village Type Development” zone and ‘village environs’ of a recognized village. There were no exceptional circumstances to merit special consideration of the applications.
- R2 The use under application was not in line with the planning intention of the “Agriculture” zone for the 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. There was no strong justification in the submission for a departure from the planning intention.

- R3        The approval of the application would set an undesirable precedent for other similar applications. The cumulative impacts of approving such applications would result in adverse traffic impact of the area.

**Detailed Comments from Relevant Government Departments**

**1. Land Administration**

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

- (a) the majority of the Site falls outside the village ‘environs’ (‘VE’) of Kwan Tei;
- (b) both applicants claimed themselves as the indigenous villagers (IV) of Kat O of Sha Tau Kok Heung. The applicants have to provide further information to substantiate that their IV status before the execution of the Building Licences;
- (c) the Site is not covered by any Modification of Tenancy/ Building Licence;
- (d) the Small House applications were approved on 6.10.2017. Offer letters were issued on 8.9.2019 and were accepted by the applicants. Building Licences have yet to be executed; and
- (e) there is no “Fung Shui” area at Kwan Tei.

**2. Traffic**

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

- (a) she has reservation on the application. Such type of developments 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 developments 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 construction of two Small House. She considers that the application can be tolerated unless being rejected on other grounds; and
- (c) the local village access leading to the Site from Sha Tau Kok Road (Lung Yeuk Tau) is not managed by Transport Department. The applicants should seek comments from the responsible party.

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

- (a) no comment on the planning application; and
- (b) the access road 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; and
- (b) the Site is located in an area of rural inland plain landscape character comprising village houses at the west within the “V” zone, farmland and clusters of tree groups. Comparing the aerial photos in 2014 and 2022, there is no significant change in the landscape character surrounding the Site. Based on the site record, the Site is occupied by farmlands without existing trees. According to the application form, there is no major change in the proposed layout. Significant adverse impact on the landscape character and the existing landscape resources within the Site arising from the proposed use is not anticipated.

### 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) the Site is in an area where no DSD stormwater drain and no public sewerage connection is available. EPD should be consulted regarding the sewage treatment/disposal aspects for the proposed development and the provision of septic tank.

### 6. **Nature Conservation and Agriculture**

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

- (a) the Site falls mainly within the “AGR” zone and is under cultivation. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the application is not supported from agricultural perspective; and
- (b) nevertheless, he has no comment on the planning application from nature conservation perspective.

**7. Fire Safety**

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

- (a) he has no in-principle objection to the application provided that the application would not encroach on any existing Emergency Vehicular Access (EVA) or planned EVA under applications in accordance with LandsD's record; and
- (b) the applicants are reminded to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by LandsD. Detailed fire safety requirements will be formulated 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. One Indigenous Inhabitant Representative (IIR) of Kwan Tei supports the application while the Chairman of Fanling District Rural Committee and the Chairman of Lung Shan Area Committee have no comment. The incumbent North District Councilor of N18 Constituency, one IIR and the Resident Representative of Kwan Tei have not replied HAD.

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

According to DLO/N's records, the total number of outstanding Small House applications for Kwan Tei Village is 43 while the 10-year Small House demand forecast for the same village is 110. According to the latest estimate by PlanD, about 2.5 ha (equivalent to 100 Small House sites) of land are available within the "V" zones of Kwan Tei Village for Small House development. There is insufficient land in the "V" zones of Kwan Tei Village to meet the demand of land for Small House development (i.e. about 3.8 ha of land which is equivalent to 153 Small House sites).

H+S

1

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-LYT/809

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

意見

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

簽署 Signature

侯志強

日期 Date

2023.10.6

**Recommended Advisory Clauses**

- (a) to note the comments of the Commissioner for Transport that the local village access leading to the Site from Sha Tau Kok Road (Lung Yeuk Tau) is not managed by Transport Department. The applicants should seek comments from the responsible party;
- (b) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the Site is in an area where no DSD stormwater drain and no public sewerage connection are available;
- (c) 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;
- (d) to note the comments of the Director of Water Supplies Department that for provision of water supply to the development, the applicants may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicants shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to Water Supplies Department’s standards;
- (e) to note the comments of the Director of Fire Services that the applicants should observe ‘New Territories Exempted Houses – A Guide to Fire Safety Requirements’ published by Lands Department (LandsD). Detailed fire safety requirements will be formulated upon receipt of formal application via LandsD; and
- (f) to note that the permissions are only given to the development under application. If provision of an access road is required for the proposed development, the applicants 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.