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:
- 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.

Similar S.16 Applications for Proposed House (NTEH - Small House) in the vicinity of the Application Sites within / partly within the "Agriculture" zone, "Green Belt" zone in the Man Uk Pin Area

Approved Applications

Application No.	Use / Development	Date of Consideration
A/NE-MUP/39	New Territories Exempted House (NTEH) (Small House)	11.1.2002
A/NE-MUP/73 ¹	Proposed House (New Territories Exempted House - Small House)	6.7.2012
A/NE-MUP/74 ²	Proposed House (New Territories Exempted House - Small House)	6.7.2012
A/NE-MUP/76	Proposed 2 Houses (New Territories Exempted Houses - Small Houses)	9.11.2012
A/NE-MUP/125 ²	Proposed House (New Territories Exempted House - Small House)	13.1.2017
A/NE-MUP/126 ¹	Proposed House (New Territories Exempted House - Small House)	13.1.2017
A/NE-MUP/144	Proposed House (New Territories Exempted House - Small House)	29.11.2019
A/NE-MUP/145	Proposed House (New Territories Exempted House - Small House)	29.11.2019
A/NE-MUP/159 ¹	Proposed House (New Territories Exempted House - Small House)	9.7.2021

Remarks:

Application Nos. A/NE-MUP/73, A/NE-MUP/126 and A/NE-MUP/159 are the same site

² Application Nos. A/NE-MUP/74 and A/NE-MUP/125 are the same site

Rejected Applications

Application No.	Use / Development	Date of Consideration	Rejection Reasons
A/NE-MUP/141	Proposed House (New Territories Exempted House – Small House)	31.5.2019	R1– R4
A/NE-MUP/142	Proposed House (New Territories Exempted House – Small House)	31.5.2019	R1 – R4
A/NE-MUP/160	Proposed House (New Territories Exempted House – Small House)	15.10.2021	R1 – R3

Rejection Reasons

- R1 The proposed development is not in line with the planning intention of "Green Belt" ("GB") zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention of the "GB" zone.
- R2 The proposed development does not comply with the Town Planning Board Guidelines No. 10 for Application for Development within "GB" zone under section 16 of the Town Planning Ordinance and the Interim Criteria for consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas.
- R3 Land is still available within the "Village Type Development" zone of Loi Tung 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.
- R4 The approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such applications would result in adverse impacts on the natural environment and landscape character of the area.

Government Departments' General Comments

1. Land Administration

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

- the Site falls within the 'VE' of Loi Tung;
- the applicant claimed himself to be an indigenous villager of Loi Tung. His eligibility for Small House grant has yet to be ascertained;
- the Site is not covered by any Modification of Tenancy/Building Licence;
- the number of outstanding Small House applications and the number of 10-year Small House demand for the village concerned are as follows:

Villages	No. of outstanding Small House applications	No. of 10-year Small House demand*
Loi Tung	25	476

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

• the Small House application was made to his office on 13.10.2014; and the Small House application is currently under processing.

2. Traffic

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

- there is reservation on the application from traffic engineering perspective. Such type of development should be confined within the "V" zone as far as possible. Although additional traffic generated by the proposed development is not expected to be significant, such type of development outside the "V" zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic could be substantial;
- notwithstanding the above, the application only involves the construction of one Small House. It is considered that the application can be tolerated unless it is rejected on other grounds;
- the access road leading to the Site from Sha Tau Kok Road is not managed by TD;
 and

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

• the access road adjacent to the Site is not maintained by the Highways Department.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- in view of the small scale of the proposed development, the application alone is unlikely to cause major pollution; and
- the 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 EPD" and are duly certified by an Authorised Person.

4. Landscape

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

- no objection to the application from landscape planning perspective;
- the Site is located in an area of rural inland plain landscape character comprising of village houses, vegetated areas, clusters of tree groups and woodland in the "GB" zone. Significant adverse impact on existing landscape resources arising from the proposed development is not anticipated. However, there is a concern that approval of the application may further alter the landscape character and degrade the landscape quality of the "GB" zone; and
- should the application be approved, it is considered not necessary to impose a landscape condition as there is insufficient space within the Site for meaningful landscaping and 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):

- he has no objection to the application from the public drainage viewpoint;
- should the application be approved, conditions should be included to request the applicant to submit and implement a drainage proposal for the Site; and
- the Site is in an area where no public sewerage connection is available.

6. Fire Safety

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

- no in-principle objection to the application provided that the proposed development would not encroach on any existing Emergency Vehicular Access (EVA) or planned EVA under application in accordance with LandsD's record; and
- the applicant is reminded to observe 'NTEHs A Guide to Fire Safety Requirements' published by LandsD. Detailed fire safety requirements will be formulated upon

receipt of formal application by LandsD.

7. Agriculture

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

Agriculture

- does not support the application from agricultural perspective;
- the Site possesses potential for agricultural rehabilitation, and agricultural activities are active in the vicinity;
- agricultural infrastructures such as road access and water source are also available in the vicinity of the Site, the Site can be used for agricultural activities such as openfield cultivation, greenhouses, plant nurseries, etc; and

Nature Conservation

• as the Site is vacant, DAFC has no strong view on the application from nature conservation perspective.

8. District Officer's Comments

Comments from the District Officer (North) (DO(N)):

• he has consulted the locals. The Chairman of the Sha Tau Kok District Rural Committee, the incumbent North District Councilor of N16 Constituency, the Indigenous Inhabitant Representative and the Representative of Loi Tung had no comment on the application.

9. Demand and Supply of Small House Site

According to DLO/N's record, the total number of outstanding Small House applications for Loi Tung Village is 25 while the 10-year Small House demand forecast for the same village cluster is 476. According to the latest estimate by PlanD, about 1.56 ha (equivalent to about 62 Small House sites) of land is available within the "V" zone of Loi Tung Village. There is insufficient land in the "V" zone of Loi Tung Village to meet the future demand of Small Houses (i.e. about 12.53 ha of land which is equivalent to 501 Small House sites).

10. Other Departments

The following government department has no comment on/no objection to the application:

- Project Manager (North), Civil Engineering and Development Department (PM (N), CEDD); and
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).



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

參考編號

Reference Number:

221104-162829-79427

提交限期

Deadline for submission:

25/11/2022

提交日期及時間

Date and time of submission:

04/11/2022 16:28:29

有關的規劃申請編號

The application no. to which the comment relates: A/NE-MUP/173

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Lam Ka Hing

意見詳情

Details of the Comment:

反對,住屋過於密集,引至附近交通阻塞,環境污染,增加引發火警危機,影響村民安 全、生活質數及生態環境。

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 <u>A/NE-MUP/173</u>

意見詳情 (如有需要, 請另頁說明)

Details of the Comment (use separate sheet if necessary)

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簽署 Signature

日期 Date 2022、11、9

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Dear Sir/ Madam,

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

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

Email Disclaimer:

The information contained in this e-mail (including any attachments) is confidential and is intended solely for the addressee. If you are not the intended recipient, please notify the sender immediately and delete this e-mail from your system. Any unauthorised use, disclosure, copying, printing, forwarding or dissemination of any part of this information is prohibited. KFBG does not accept responsibility and shall not be liable for the content of any e-mail transmitted by its staff for any reason other than bona fide official purposes. There is no warranty that this e-mail is error or virus free. You should not rely on any information that is not transmitted via secure technology.



嘉道理農場暨植物園公司 Kadoorie Farm & Botanic Garden Corporation

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

22th November, 2022.

By email only

Dear Sir/ Madam,

Proposed House (New Territories Exempted House - Small House) (A/NE-MUP/173)

- 1. We refer to the captioned.
- 2. According to the information from the Statutory Planning Portal 2 website, there are some rejected applications for Small Houses in the Green Belt (GB) zone of concern (i.e., the GB area near Loi Tung Village). The reasons for the rejection of one of these applications (i.e., A/NE-MUP/160; rejected in 2021) are reproduced below:
 - (a) the proposed development is not in line with the planning intention of the "Green Belt" ("GB") zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong justification in the submission for a departure from the planning intention;
 - (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for Application for Development within "GB" zone under section 16 of the Town Planning Ordinance and the Interim Criteria for consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas; and

香港新界大埔林錦公路 Lam Kam Road, Tai Po, New Territories, Hong Kong Email: eap@kfbg.org



嘉道理農場暨植物園公司 Kadoorie Farm & Botanic Garden Corporation

- (c) land is still available within the "Village Type Development" ("V") zone of Loi Tung Village for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the "V" zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.
- 3. We urge the Board to reject the current application as the proposed use is not in line with the planning intention of the GB and Agriculture (AGR) zone (the site is largely within these two zones).
- 4. Thank you for your attention.

Ecological Advisory Programme Kadoorie Farm and Botanic Garden

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Dear Sir/Mada	m,					
See att	NF-Hong Kong's submission tached file: NE-MEP_173_2022 Nov(11		pplication.			
Thank you for	your attention.					
Yours faithfully Cynthia Tung						

Registered Name 註冊名稱: World Wide Fund For Nature Hong Kong 世界自然(香港)基金會 (Incorporated in Hong Kong with limited liability by guarantee於香港註冊成立的擔保有限公司)



世界自然基金會 香港分會

香港新界葵涌葵昌路 8 號 萬泰中心 15 樓 15/F, Manhattan Centre 8 Kwai Cheong Road Kwai Chung, N.T., Hong Kong **WWF-Hong Kong**

電話 Tel: +852 2526 1011 傳真 Fax:+852 2845 2764 wwf@wwf.org.hk wwf.org.hk

24 November 2022

Chairman and members
Town Planning Board
15/F North Point Government Offices,
333 Java Road, North Point, Hong Kong
(E-mail: tpbpd@pland.gov.hk)

Dear Sir/Madam.

By E-mail ONLY

Re: Proposed House (New Territories Exempted House - Small House) in "Agriculture", "Green Belt" and "Village Type Development" in Man Uk Pin in North District (A/NE-MUP/173)

WWF would like to lodge an objection to the captioned proposal.

Application site falling within "Green Belt" ("GB") zoning

The application site of the captioned proposal stradles land zoned "Agriculture" ("AGR"), "Green Belt" ("GB") and "Village Type Development" ("V") in the approved Man Uk Pin Outline Zoning Plan No. S/NE-MUP/11.

We note that previous applications for "Proposed House (New Territories Exempted House - Small House)" in nearby land zoned "AGR" and "V" have been approved with conditions. However, these approved applications are not comparable with the captioned proposal as about half of the current application site falls within land zoned "GB". Instead, reference should be made to recent applications nearby in land zoned "GB" (namely Application Nos. A/NE-MUP/141, A/NE-MUP/142 and A/NE-MUP/160), which were rejected/not agreed on the basis that:

(a) the proposed development was not in line with the planning intention of "GB" zone, there is a general presumption against development within this zone, and there was no strong planning justification for a departure from the planning intention of the "GB" zone;

together possible.

贊助人:中華人民共和國 香港特別行政區行政長官 李家超先生、大集荊勳賢、SBS, PDSM 主 席:白丹尼先生 行政總裁:賣豬閱女士 義務核數部:香港立信德桑會計節事務所有限公司 義務公司秘書:墓信秘書服務有限公司 義務司庫:優豐銀行 註冊蘇莽機構 Patron: The Honourable John Lee Ke-chiu, CBM, SBS, PDSM The Chief Executive, Hong Kong Special Administrative Region People's Republic of China Chairman. Mr Daniel R Bradshaw CEO: Ms Nicole Wong

Honorary Auditors: BDO Limited Honorary Company Secretary: McCabe Secretarial Services Limited Honorary Treasurer: HSBC Registered Charity (Incorporated With Limited Liability)

- (b) the proposed development did not comply with the Town Planning Board Guidelines No. 10 for Application for Development within "GB" zone under section 16 of the Town Planning Ordinance and the Interim Criteria for consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas;
- (c) land was still available within the "Village Type Development" zone of Loi Tung where land is primarily intended for Small House development it was considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (d) the approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such applications would result in adverse impacts on the natural environment and landscape character of the area.

The captioned proposal (for New Territories Exempted House – Small House) should be rejected/not agreed on the same basis as Application Nos. A/NE-MUP/141, A/NE-MUP/142 and A/NE-MUP/160 as about half of the application site of the captioned proposal falls within land zoned "GB".

Suspected unauthorised development

By comparing the location plan and site plan in the gist of the captioned application with satellite images retrieved from Google Earth, it seems likely that the affected areas detailed below match with the boundary of the application site.

As of November 2000, the application site and the surrounding area was covered with dense vegetation and mature trees (Fig 1). However, by November 2010, massive habitat destruction had occurred due to significant vegetation removal in the application site and the surrounding area (Fig 2). According to the Town Planning Board Statutory Planning Portal 2, the earliest planning permission in the vicinity of the application site was not approved until 2012. From then on, it appears the application site and the surrounding area have been consistently cleared of vegetation and degraded, including to provide a rudimentary access route, even in areas which have not been approved for planning permission (see Figs 2-10).

We suspect a "destroy first, build later" approach has been adopted by degrading vegetation in order to obtain planning permission. As we do not have knowledge of the current environmental situation at the application site, we would ask the Town Planning Board to request the relevant government authorities to check whether the captioned proposal is linked with unauthorised development since at least 2010. If so, we would ask the Town Planning Board to proactively deter such "destroy first, build later" planning applications so as to be consistent with the Government press release on 4 July 2011 which states that "the [Town Planning] Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned".

Undesirable precedent

As mentioned above, approval of this proposal would set an undesirable precedent for other similar applications, the cumulative effect of which would adversely impact the surrounding areas.

We would be grateful if our comments could be considered by the Town Planning Board and the captioned proposal rejected.

Yours faithfully,
Cynthia Tung
Policy Analyst, WWF-Hong Kong

¹ http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm

Fig 1 Aerial view of application site and vicinity as of 1 November 2000



Fig 2 Aerial view of application site and vicinity as of 3 November 2010



Fig 3 Aerial view of application site and vicinity as of 25 March 2012



Fig 4 Aerial view of application site and vicinity as of 17 November 2014



Fig 5 Aerial view of application site and vicinity as of 2 January 2017



Fig 6 Aerial view of application site and vicinity as of 3 March 2017



Fig 7 Aerial view of application site and vicinity as of 18 September 2017



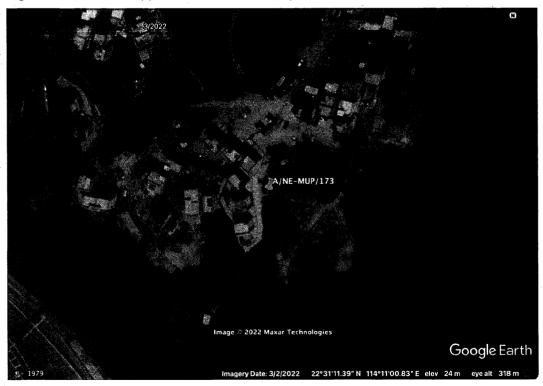
Fig 8 Aerial view of application site and vicinity as of 1 December 2017



Fig 9 Aerial view of application site and vicinity as of 29 October 2018



Fig 10 Aerial view of application site and vicinity as of 1 December 2017



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A/NE-MUP/	173				
Lot 569 S.A	in D.D. 46, Loi Tung Vil	llage, Sha Tau Ko	k		

Zoning: "Agriculture". "Green Belt" and "VTD"

Applied development: NET House

Site area: About 195.5sq.m

Dear TPB Members,

Objections, there is sufficient land within the "V" zone to accommodate demand for housing.

Encroachment onto farmland and GB should not be encouraged.

Mary Mulvihill



Recommended Advisory Clauses

- (a) to note the comments of the Commissioner for Transport that the access road leading to the application site (the Site) from Sha Tau Kok Road is not managed by the Transport Department;
- (b) to note the following 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 Authorised Person;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the Site is in an area where no public sewer connection is available;
 - (ii) the applicant is advised on the following general requirements of the drainage proposal:
 - surface channel with grating covers should be provided along the site boundary;
 - a drainage plan should be provided clearly showing the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections etc.) of the proposed drain/ surface channel, catchpits and the discharge structure shall be provided;
 - the cover levels of proposed channels should be flushed with the existing adjoining ground level;
 - a catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit with covers shall be provided;
 - catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap should be provided;
 - the applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. The applicant should also ensure that the flow from the Site will not overload the existing drainage system;
 - the applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD, unless justified not necessary;
 - the applicant is reminded that all existing flow paths as well as the run-off falling onto and passing through the Site should be intercepted and disposed

of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works;

- the proposed drainage works, whether within or outside the site boundary, should be constructed and maintained properly by the applicant and rectify the system if it is found to be inadequate or ineffective during operation.at his/her own expense;
- for works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from District Lands Officer/North and/or relevant private lot owners;
- the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
- the applicant shall allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works;
- the applicant and the successive lot owners shall allow connections from the adjacent lots to the completed drainage works on Government Land when so required;
- photos should be submitted clearly showing the current conditions of the area around the Site, the existing drainage/flowpaths around the Site, the proposed drainage from the Site to the downstream existing watercourse and the existing watercourse at about 20 m intervals. The locations of the camera and the direction of each photo should also be indicated on a plan; and
- (d) to note the following comments of the Director of Fire Services that the applicant should observe 'NTEHs A Guide to Fire Safety Requirements' published by Lands Department (LandsD). Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD.

出文件在<u>收到。城市規劃委員會</u> 只會在均可每个 內理**的資料及文件後才正式**時間收到

This decremand is received on 2 8 OCT 2022
The Town Francing 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,請瀏覽以下網址有關在指定的報章刊登通知: https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form 填寫表格的一般指引及註解

- "Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made 「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人
- & Please attach documentary proof 請夾附證明文件
- ^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足,請另頁說明

Please insert a 「 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-MUP/173
請勿填寫此欄	Date Received 收到日期	2 8 OCT 2022

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
 申請人須把填妥的申請表格及其他支持申請的文件(倘有),送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- 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/tpb/. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories). 請先細閱《申請須知》的資料單張,然後填寫此表格。該份文件可從委員會的網頁下載(網址: http://www.info.gov.hk/tpb/),亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓-電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輋路 1 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
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(☑Mr. 先生 /□Mrs. 夫人 /□Miss 小姐 /□Ms. 女土 /□Company 公司 /□Organisation 機構)

TANG KOK SHANG 鄧國順

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)

PANG HING YEUN 彭慶餘

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)	新界沙頭角萊洞丈量約份第46約地段第569號A分段 Lot No. 569 S.A in D.D. 46, Loi Tung, Sha Tau Kok, N.T.
(b)	Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面 積	☑Site area 地盤面積 195.50 sq.m 平方米☑About 約 ☑Gross floor area 總樓面面積 195.09 sq.m 平方米□About 約
(c)	Area of Government land included (if any) 所包括的政府土地面積(倘有)	sq.m 平方米 □About 約

				
(d)	Name and number of the statutory plan(s) 有關法定圖則的名稱及經		S/NE-MUP/11 萬屋邊分區計劃大綱圖	
(e)	Land use zone(s) involved 涉及的土地用途地帶	1	Village Type Development and Green I 鄉村式發展及綠化地帶及農業	Belt and Agriculture
(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) (如有任何政府、機構或社區設施,讀在圖則上顯示,	
4.	"Current Land Own	ner" of A	pplication Site 申請地點的「現行土地	达擁有人 」
The	applicant 申請人 -			
$ \mathbf{\nabla}$	is the sole "current land ov 是唯一的「現行土地擁有	wner" ^{#&} (ple 引人」 ^{#&} (詞	ease proceed to Part 6 and attach documentary proof g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 是其中一名「現行土地接	owners"# & 雅有人」 ^{#&}	(please attach documentary proof of ownership). (請夾附業權證明文件)。	
	is not a "current land ownor 並不是「現行土地擁有」			
	The application site is enti 申請地點完全位於政府	rely on Go 上地上(請	vernment land (please proceed to Part 6). 繼續填寫第6部分)。	
5.	Statement on Owner 就土地擁有人的同		nt/Notification 印土地擁有人的陳述	
(a)	involves a total of	"c	年	
(b)	The applicant 申請人 -			•
	has obtained consent		"current land owner(s)" [#] . 現行土地擁有人」 [#] 的同意。	
	Details of consent of	of "current	land owner(s)" ** obtained 取得「現行土地擁有人	」"同意的詳情
	Land Owner(s)	Registry wh	/address of premises as shown in the record of the Land nere consent(s) has/have been obtained 上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 sh	eets if the sp	pace of any box above is insufficient. 如上列任何方格的3	上

	etails of the "cur	rrent land o	wner(s)" # notif	ied 已獲建	9知「現行」	土地擁有人」	"的詳細資料	
La r	o. of 'Current and Owner(s)' 現行土地擁 人」數目	Land Reg	er/address of pr istry where noti 註冊處記錄已	ification(s) h	ias/have beei	n given	Date of n given (DD/MM/Y 通知日期(YYY)
7								
-		.2.						
(Ple	ase use separate s	heets if the s	pace of any box	above is insuf	ficient. 如上	別任何方格的	 空間不足・讀号	
	taken reasonabl 采取合理步驟以	•		-				
Rea	sonable Steps to	o Obtain Co	nsent of Owner	r(s) 取得二	土地擁有人的	的同意所採取	双的合理步驟	
□ 於_	sent request fo		o the "current la /年)向每一名					YYYY
Rea	sonable Steps to	o Give Noti	fication to Own	er(s) 向士	地擁有人發	出通知所採	取的合理步驟	
Rea	published noti	ices in local	fication to Own newspapers on 日/月/年)在指5			(DD/MM/Y		
Rea	published noti 於	ices in local(in a promin	newspapers on	上報章就申 or near appl	請刊登一次	(DD/MM/Y 通知 ^{&}		
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Rea	published notice posted notice 於 sent notice to office(s) or ru	ices in local in a promine () relevant ow ral committe	newspapers on 日/月/年)在指第 ent position on DD/MM/YYY 日/月/年)在申記 ners' corporation ee on 日/月/年)把通	定報章就申 or near appl Y) ^{&} 請地點/申 on(s)/owner	請刊登一次 ication site/p 請處所或附 s' committee (DD/MM	(DD/MM/Y 通知 ^{&} premises on 近的顯明位 (s)/mutual ai /YYYY) ^{&}	YYY) ^{&} 置貼出關於該 id committee(s	申請的)/manag
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6.	Development Proposa	l 擬議發展	亳計劃		
	Name(s) of indigenous villager(s) (if applicable) 原居民姓名(如適用)	TANG KOK SHANG 鄧國順			
	原居民所屬的原居鄉村 (如適用) The related indigenous village of the indigenous villager(s) (if applicable)	LOI TUNG 萊洞			
	Proposed gross floor area 擬議總樓面面積	195.09 sq.m 平方米 口About 約			
	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
	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
	Proposed use(s) of uncovered area (if any) 露天地方(倘有)的擬議用	tank, where a	小型屋守 rate on plan the total n pplicable)	on Area for the Small He E的通道地方 umber and dimension of each car park 數,以及每個車位的長度和寬度及風	ing space, and/or location of septic
-	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)) There is a proposed access. (please illustrate on plan and specify the width) 有一條接議車路。(請在圖則顯示,並註明車路的闊度)			
(h)	Can the proposed house(s) be connected to public	No 否 Yes 是□	☑ (Please indicate 接駁公共污水渠	on plan the sewerage connectio 语的路線)	n proposal. 請用圖則顯示
	sewer? 擬議的屋宇發展能否接駁 至公共污水渠?	No 否☑	(Please indicate 顯示化糞池的化	on plan the location of the prop	posed septic tank. 請用圖則

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。					
	Yes 是				
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?	No 否 ☑				
	Yes 是				
	diversion, the extent of filling of land/pond(s) and/or excavation of land)				
	(諸用地盤平面圖顯示有關土地/池塘界線,以及河道改道、填塘、填土及/或挖土的細節 及/或範圍)				
	□ Diversion of stream 河道改道				
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				
operation on the right? 擬議發展是否涉及右列	Depth of filling 填塘深度 m 米 □About 約				
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 m 米 □About 約				
	□ Excavation of land 挖土				
	Area of excavation 挖土面積 sq.m 平方米□About 約				
	Depth of excavation 挖土深度				
	No 否 ☑				
	On environment 對環境 Yes 會 □ No 不會 ☑				
	On traffic 對交通 Yes 會 □ No 不會 ☑ On water supply 對供水 Yes 會 □ No 不會 ☑				
	On drainage 對排水 Yes 會 🗌 No 不會 🗸				
	On slopes 對斜坡 Yes 會 □ No 不會 ☑ Affected by slopes 受斜坡影響 Yes 會 □ No 不會 ☑				
	Affected by slopes 受斜坡影響 Yes 會 □ No 不會 □ Landscape Impact 構成景觀影響 Yes 會 □ No 不會 □				
	Tree Felling 砍伐樹木 Yes 會 □ No 不會 □				
	Visual Impact 構成視覺影響 Yes 會 □ No 不會 ☑ Others (Please Specify) 其他 (請列明) Yes 會 □ No 不會 ☑				
Would the development	- Parady Notes (May 200)				
proposal cause any adverse					
impacts? 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 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
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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。

块
1. 本人是沙頭角萊洞的原居民,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. 申請位置位于大塘湖的鄉村界線範圍內。
3. 本人沒有其他土地,而申請位置是本人唯一可供申請小型屋宇的土地。
4. 申請位置附近亦有小型屋宇,因此申請位置與鄰近面貌互相協調。
5. 萊洞村可供申請小型屋宇的位置不多,而現時尚有許多申請位於政府土地之上,因此確實
難以於村內尋找到合適的土地去申請小型屋宇。
6. 萊洞村可供申請小型屋宇最大幅土地的位置,一幅為村內的風水塘,其他的土地多數為其
他村落祖堂擁有,因此現時屬於本村原居民的土地極少,要購入合適土地亦很困難。
7. 申請雖然大部份為綠化地帶,只有少部份為鄉村式發展,但申請位置多年前已被鄰近建屋
的工程而引至土壤變質而再沒有複耕價值。
8. 申請位置只屬小型發展,相對影響比較少,對環境沒太大影響。
9. 新界鄉村的村界原於當年理民府制定給予原居民興建小型屋宇的範圍,因此到現在仍然具
有一定的參考價值,及後規劃署的成立才制定所有地方的用途,才導致申請小型屋宇的範
有所偏差及有不同的準則,因此本人希望貴署會因應不同的情況,放寬一些村界內的土地
給予原居民興建小型屋宇。
10. 本人定必遵從貴處及有關部門的意見,確保不會影響環境。
••••••••••••••••••••••••••••••••••

		Form No. S16-II 表格第 S16-II 號			
9. Declaration 聲明					
I hereby declare that the partice 本人謹此聲明,本人就這宗母	ulars given in this application are correct an 申請提交的資料,據本人所知及所信,均	nd true to the best of my knowledge and belief. 归屬真實無誤。			
to the Board's website for brov	vsing and downloading by the public free-o	d in this application and/or to upload such materials of-charge at the Board's discretion. 上載至委員會網站,供公眾免費瀏覽或下載。			
Signature 簽署	Applica □ Applica	ant 申請人 / ☑ Authorised Agent 獲授權代理人			
PAN	G HING YEUN				
	e in Block Letters (請以正楷填寫)	Position (if applicable) 職位 (如適用)			
Professional Qualification(s) 專業資格	□ HKIS 香港測量師學會 / □□	會員 HKIA 香港建築師學會 / HKIE 香港工程師學會 / HKIUD 香港城市設計學會			
	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	Date 日期				
	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魯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 I 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				
consultees, uploaded available at the Pland (請 <u>盡量</u> 以英文及中	l to the I ning Enq 文填寫	oth English and Chinese <u>as far as possible</u> . Town Planning Board's Website for browsing a uiry Counters of the Planning Department for ge,此部分將會發送予相關諮詢人士、上載至城	nd free downloading by the public and neral information.)	
Application No. 申請編號	(For Of	ficial Use Only) (請勿填寫此欄)		
Location/address 位置/地址		新界沙頭角萊洞丈量約份第46約地 Lot No. 569 S.A in D.D. 46, Loi Tun		
Site area 地盤面積		195.50	sq. m 平方米 ☑ About 約	
	(includ	es Government land of包括政府土地	sq. m 平方米 □ About 約)	
Plan 圖則		S/NE-MUP/11 萬屋邊分區計劃大綱圖		
Zoning 地帶		Village Type Development and Gree 鄉村式發展及綠化地帶及農業	n Belt and Agriculture	
Applied use/ development 申請用途/發展		Territories Exempted House 新界割 all House 小型屋宇	学免管制屋宇	
(i) Proposed Gros area 擬議總樓面面		195.09	sq.m 平方米 □ About 約	
(ii) Proposed No. of house(s) 擬議房屋幢數		1 .		
(iii) Proposed build height/No. of 建築物高度/	storeys	8.23	m 米 □ (Not more than 不多於)	

3

Storeys(s) 層

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件				
	<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				
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)		\square		
Location Plan, Small House Plan				
Reports 報告書				
Planning Statement/Justifications 規劃綱領/理據	П	П		
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 樹木調査				
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: May insert more than one「レ」. 註:可在多於一個方格內加上「レ」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。



메 地段索引

LOT INDEX PLAN

緒要說明:本地段索引圖在其背景的地形圖上標示了各僅永久和短期持有的土地的圖像界線。這些土地包括私人地段、政府撥地、短期相約批地,以及其他作核准用途的土地。請注意:(1)本業引圖上的資料會被不時更新而不作事先趙知; (2)索引圈的更新或者延後於有關資料的實際變更;以及(3)本索引圈中顯示的界線循供類別之用,資料是否非確可數,經濟則再架上部ప屬的的表現。 各實說明:別位使用本地段素引圖,或因所依據的本类引圖減料出錯,猶請,過時與穩定可以任何損失或過暫,以府稱不承擔任不法,猶請,過時與穩而引致任何損失或過暫,政府概不承擔任何法律責任。 Explanatory notes: This plan shows the graphical boundaries of different kinds of permanent and temporary land holdings with the topographic map in the backdrop. The land holdings as shown may include private lots, government land allocations, short term tenancies and other permitted uses of land. It must be noted that: (!) the information shown on this plan is subject to update without prior notification;

may be time lag between an update and the related changes taken place; and (3) the graphical boundars as stroom are for identification purpose only and interpretation of their accuracy and reliability requires the advice from professional land surveyor Disclaimer: The Government shall not be responsible for any loss or damage howscever arising from the use of this plan or in reliance upon its correctness, completeness, timeliness or accuracy.

地政總署測繪處

Survey and Mapping Office Lands Department

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* metres 比例尺 SCALE 1:1000 [و

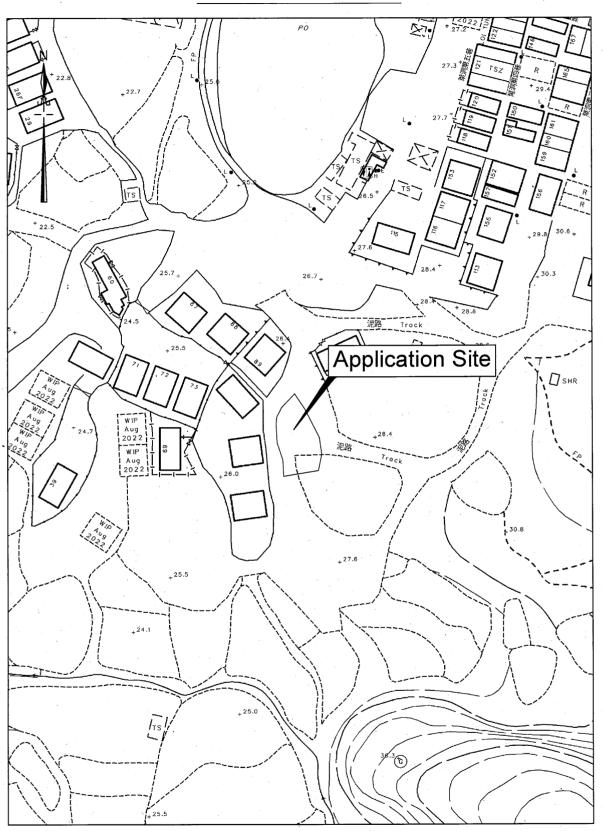
Locality:

Lot Index Plan No.: ags_S00000102079_0001

District Survey Office : Lands Information Center Date :19-Oct-2022

Reference No.: 3-NW-25D

LOCATION PLAN



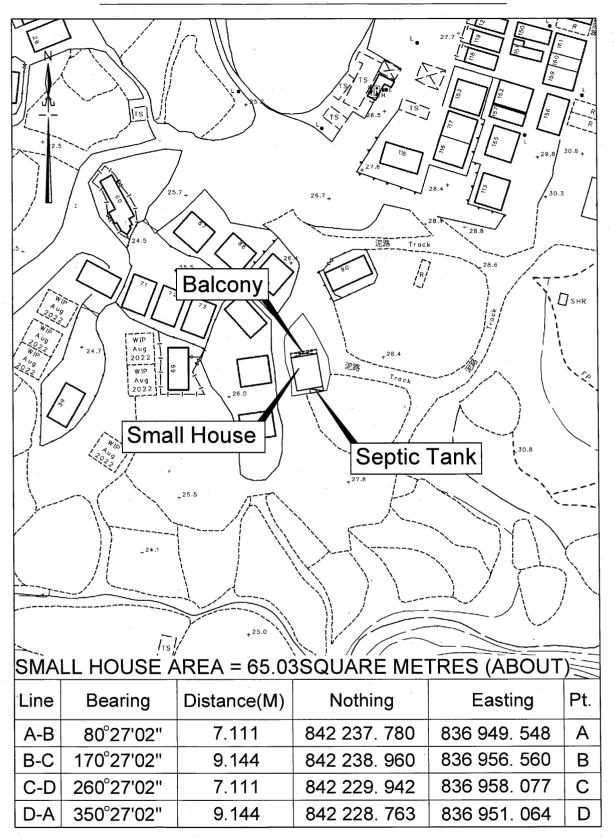
卓 弘 測 量 服 務 公 司 CHUO WANG SURVEY SERVICES COMPANY

Scale: 1:1000

Survey Sheet No. : 3-NW-25D

Date: October 2022

PROPOSED SMALL HOUSE PLAN



卓 弘 測 量 服 務 公 司 CHUO WANG SURVEY SERVICES COMPANY

Scale: 1:1000

Survey Sheet No.: 3-NW-25D

Date: October 2022



{In Archive} D.D. 46 Lot 569 S.A01/11/2022 12:35

From:

To: "nlwwong@pland.gov.hk" <nlwwong@pland.gov.hk>

File Ref:

History:

This message has been forwarded.

Archive: This message is being viewed in an archive.

2 Attachments





D.D. 46 Lot 569 S.A Location Plan.pdf D.D. 46 Lot 569 S.A Small House Plan.pdf

Dear Ms Wong,

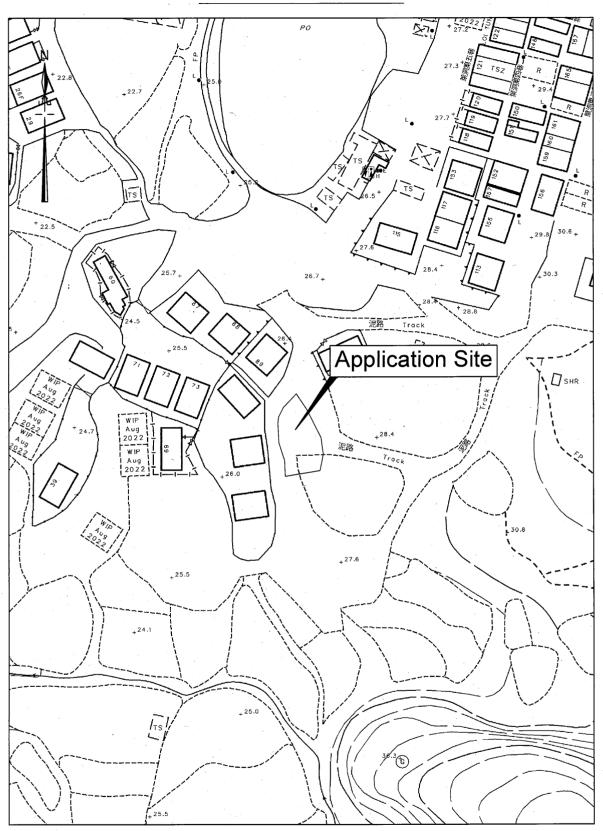
Please find the enclosed revised plans for your reference.

Thanks!

Regards,

從 Windows 的郵件傳送

LOCATION PLAN



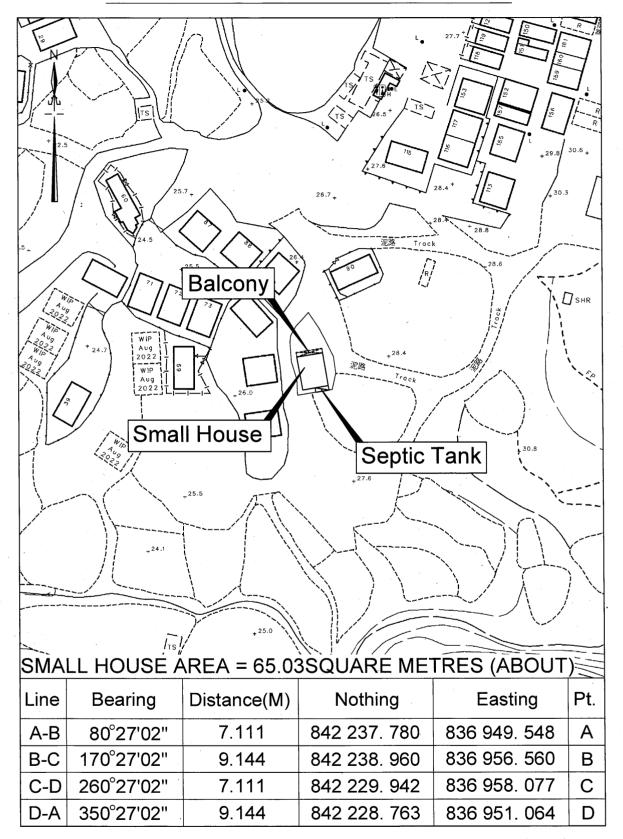
卓 弘 測 量 服 務 公 司 CHUO WANG SURVEY SERVICES COMPANY

Scale: 1:1000

Survey Sheet No.: 3-NW-25D

Date: October 2022

PROPOSED SMALL HOUSE PLAN



卓 弘 測 量 服 務 公 司 CHUO WANG SURVEY SERVICES COMPANY

Scale: 1:1000

Survey Sheet No.: 3-NW-25D

Date: October 2022