

Form No. S16-II
表格第 S16-II 號

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE

(CAP.131)

2021年 6月 2日

此文件在 收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

- 2 JUN 2021

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.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

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

“Current land owner” means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

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

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

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/SK-PK/265
	Date Received 收到日期	2 JUN 2021

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories). 請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

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

CHEUNG Po Wing Louis, CHEUNG Kwok Keung, CHEUNG Hung Kwan,
CHEUNG Kin Man, CHEUNG Shui Yeung.

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)

CHEER EXCEL ENGINEERING LIMITED

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Lot Nos. 1090s.A(Part), 1090s.B(Part), 1090s.C(Part), 1090s.D(Part), 1090s.E, 1090s.F & 1090R.P(Part) in D.D. 217, and adjoining Government Land, Kau Sai San Tsuen, Sai Kung, N.T.
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 680 sq.m 平方米 <input type="checkbox"/> About 約 <input type="checkbox"/> Gross floor area 總樓面面積 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) 333 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	Approved Pak Kong & Sha Kok Mei Outline Zoning Plan No.S/SK-PK/11
(e) Land use zone(s) involved 涉及的土地用途地帶	1. Village Type Development(V) : (53%) 2. Green Belt (GB) : (47%)
(f) Current use(s) 現時用途	Vacant Land (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

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

The applicant 申請人 –

- ☒ is the sole “current land owner”^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the “current land owners”^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。
- ☐ is not a “current land owner”[#].
並不是「現行土地擁有人」[#]。

- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

N.A.

就土地擁有人的同意/通知土地擁有人的陳述

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

(b) The applicant 申請人 –

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

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

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

- ☐ has notified “current land owner(s)”[#]
已通知 名「現行土地擁有人」[#]。

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

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

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

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

- ☐ sent request for consent to the “current land owner(s)” on _____ (DD/MM/YYYY)^{#&}
於 _____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

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

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

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

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

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Development Proposal 擬議發展計劃			
(a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)	1.CHEUNG Po Wing Louis , 2.CHEUNG Kwok Keung, 3.CHEUNG Hung Kwan, 4.CHEUNG Kin MAN, 5.CHEUNG Shui Yeung.		
(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)	KAU SAI SAN TSUEN VILLAGE		
(c) Proposed gross floor area 擬議總樓面面積975.45..... sq.m 平方米 <input type="checkbox"/> About 約		
(d) Proposed number of house(s) 擬議房屋幢數	5	Proposed number of storeys of each house 每幢房屋的擬議層數	3 Storeys
(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	Landscaping (Please illustrate on plan the total number and dimension of each car parking space, and/or location of septic tank, where applicable) (請在圖則上顯示，並註明車位總數，以及每個車位的長度和寬度及/或化糞池的位置 (如適用))		
(g) Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？	Yes 是 <input type="checkbox"/> No 否 <input checked="" type="checkbox"/>	<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，請另頁表示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	<p>.....</p> <p>.....</p> <p>.....</p>
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"/>	<p>(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)</p> <p>(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)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><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</p> <p><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</p> <p><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</p>
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?	<p>On environment 對環境</p> <p>On traffic 對交通</p> <p>On water supply 對供水</p> <p>On drainage 對排水</p> <p>On slopes 對斜坡</p> <p>Affected by slopes 受斜坡影響</p> <p>Landscape Impact 構成景觀影響</p> <p>Tree Felling 砍伐樹木</p> <p>Visual Impact 構成視覺影響</p> <p>Others (Please Specify) 其他 (請列明)</p>	<p>Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/></p> <p>Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/></p> <p>Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/></p> <p>Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/></p> <p>Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/></p> <p>Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/></p> <p>Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/></p> <p>Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/></p> <p>Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/></p>
	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	
	<p>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)</p> <p>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)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	

8. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
 現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

... (1) The applications are indigenous villagers of Kau sai San Tsuen, Sai Kung and are eligible for developing small houses in their village environs ("VE")

... (2) The applicants have been waiting for more than 35 years for the approval of their small house developments. the application site presents the last opportunity for them to build their small houses.

... (3) Government has plans to launch Hiram's Highway Improvement Works project for increasing traffic to the area. The approval of the proposed Five small houses within the VE will have little traffic impact.

... (4) The application site also generally complies with the Interim Criteria for Assessing Planning applications for NTEH/ Small House Development in the New Territories.

... (5) Since the previous application (No. A/SK-PK/184) have been approved by TPB. The 5Nos small houses application not yet approved by District Lands Office, Sai Kung , so that the applicants should seek the TPB approval of planning permission for carry on development of the Five NTEH (small houses) at the Application Site.

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 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


.....
ROGER CHAN CHOI SHING

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

Name in Block Letters
姓名（請以正楷填寫）

Project Manager
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 MAIB, PEng(UK)

on behalf of
代表

.....CHEER EXCEL ENGINEERING LIMITED.....

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）



Date 日期

13 MAY 2021

(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：

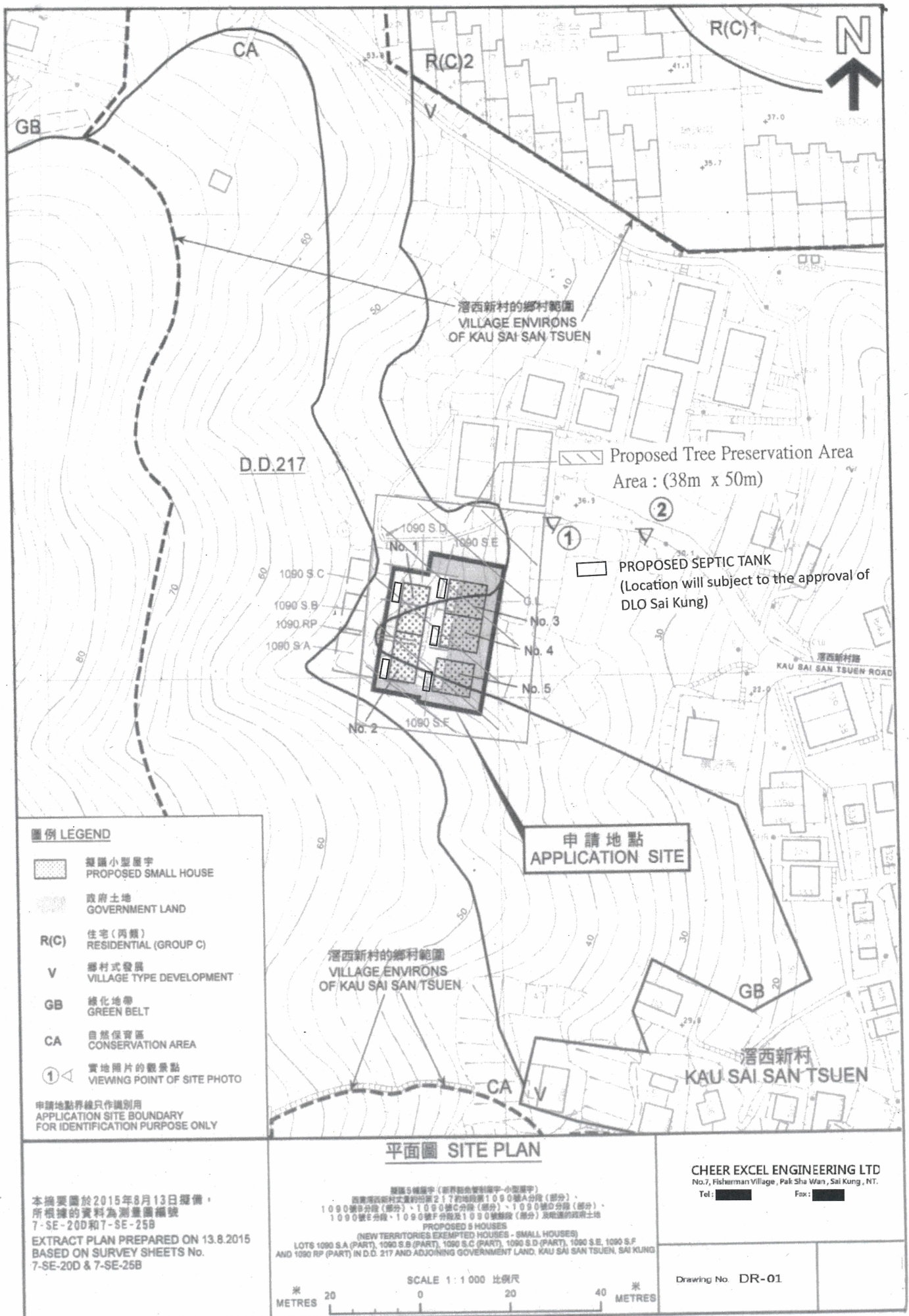
- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
(b) facilitating communication between the applicant and the Secretary of 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。

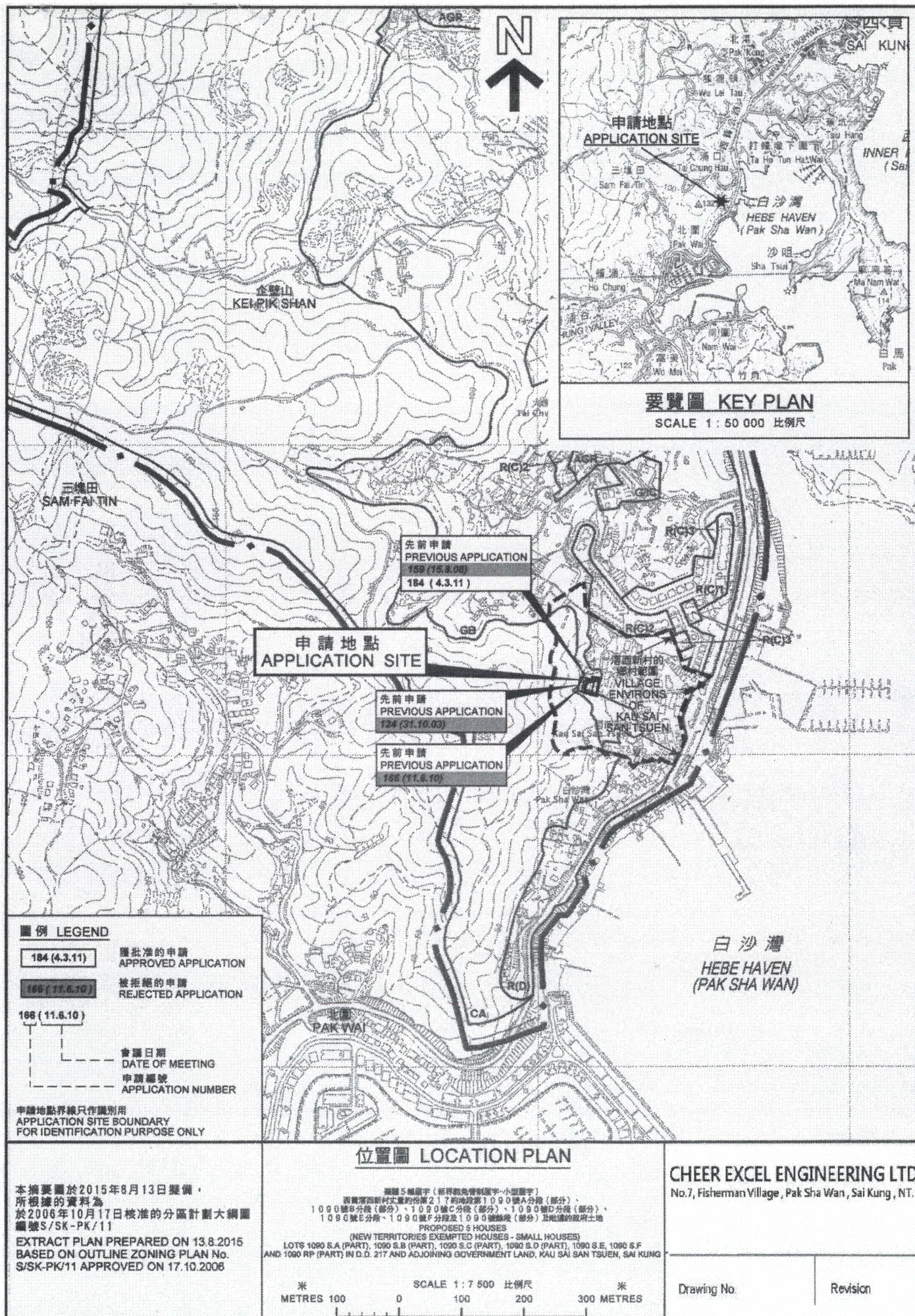
2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

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。





Idaho Engineering Limited

17/F, Hong Kong Jewellery Building
178-180 Queen's Road Central, Hong Kong
香港皇后大道中 178-180 號香港珠寶大廈 17 字樓

Tel: 2122-0135
Fax: 2124-0299
Email: michaelho@idaho.com.hk

Our Ref.: IEL/RC.40920/L07
Your Ref.: A/SK-PK/265

19 July 2021

BY HAND

Town Planning Board

15/F., North Point Government Offices
333 Java Road, North Point
Hong Kong

Dear Sirs,

**Re : Proposed 5 Houses (New Territories Exempted Houses - Small Houses) -
Lot Nos. 1090 S.A (Part), 1090 S.B (Part), 1090 S.C (Part), 1090 S.D (Part), 1090 S.E (Part)
1090 S.F and 1090 RP (Part) all in D.D. 217 and adjoining Government Land,
Kau Sai San Tsuen, Sai Kung
(Planning Application No. A/SK-PK/265)
Submission of Geotechnical Planning Review Report**

In connection with the Planning Application for the proposed 5 small houses (NTEH) at the captioned application site, we write to submit the following documents for your perusal and approval :

1. Eight (8) copies of Geotechnical Planning Review Report (GPRR).
2. One (1) disc containing softy copy of the above GPRR.

Should you have any query or require any further information, please do not hesitate to contact the undersigned at [REDACTED].

Yours faithfully,
For & on behalf of
Idaho Engineering Limited


Michael HO
Registered Professional Engineer (Geotechnical)

Encl.

c.c. Lot Owners

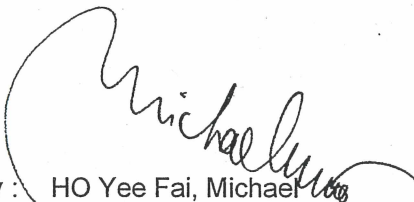
RECEIVED
2021 JUL 19 P 3:41
TOWN PLANNING BOARD

**PROPOSED 5 HOUSES
(NEW TERRITORIES EXEMPTED HOUSES - SMALL HOUSES)**

**LOT NOS. 1090 S.A (PART), 1090 S.B (PART), 1090 S.C (PART), 1090 S.D (PART),
1090 S.E (PART), 1090 S.F AND 1090 RP (PART) ALL IN D.D. 217
AND ADJOINING GOVERNMENT LAND
KAU SAI SAN TSUEN
SAI KUNG**

(APPLICATION NO. A/SK-PK/265)

GEOTECHNICAL PLANNING REVIEW REPORT

Prepared by :  HO Yee Fai, Michael
MHKIE
Registered Professional Engineer (Geotechnical)

Idaho Engineering Limited

17/F., Hong Kong Jewellery Building
178-180 Queen's Road Central
Central, Hong Kong

Tel : 2122-0135
Fax : 2124-0299

July 2021

(Report Ref. RC.40920/R01)



Re: Re : TPB/A/SK-PK/26527/08/2021 12:30

From: chan roger <[REDACTED]>

To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>, msywong@pland.gov.hk

Dear Sir

Refer to the caption application submitted Site Plan (app.1) , which showed the proposed tree preservation area . We will like to confirm that the caption section 16 planning application will not affect this area , the proposed tree preservation area is not a part of the caption section 16 planning application.

The proposed tree preservation area is for indication only.

Regards

Roger Chan

Cheer Excel Engineering Ltd

chan roger <[REDACTED]> 於 2021年8月27日 週五 上午11:48寫道 :

Dear Sir

Refer to the caption application submitted Site Plan (app.1) , which showed the proposed tree preservation area . We will like to confirm that the caption section 16 planning application will not affect this area , and we will not commence any development in this area.

Regards

Roger Chan

Cheer Excel Engineering Ltd

**Relevant Revised Interim Criteria for Consideration of Application for
NTEH/Small House in the 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.

**TOWN PLANNING BOARD GUIDELINES FOR APPLICATION FOR
DEVELOPMENT WITHIN GREEN BELT ZONE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

(Important Note :

The guidelines are intended for general reference only. The decision to approve or reject an application rests entirely with the Town Planning Board and will be based on individual merits and other specific considerations of each case.

Any enquiry on this pamphlet should be directed to the Planning Information and Technical Administration Unit of the Planning Department, 17th Floor, North Point Government Offices, 333 Java Road, Hong Kong - Tel. No. 2231 5000.

These guidelines are liable to revision without prior notice. The Town Planning Board will only make reference to the guidelines current at the date on which it considers an application.)

1. Introduction

- 1.1 The planning intention of the "Green Belt" ("GB") zone is primarily to promote the conservation of the natural environment and to safeguard it from encroachment by urban-type developments.
- 1.2 The "GB" zone covers mainly slopes and hillsides, most of which is naturally vegetated. Some "GB" areas are also designated as Country Parks. Most of the land within the "GB" zone is Government land, although there are also small pockets of private land, generally near built-up areas.
- 1.3 The main purposes of the "GB" zone include the following :
 - a. to conserve existing landscape features, areas of scenic value and areas of recognised "fung shui" importance;
 - b. to define the outer limits of urbanized districts and to serve as a buffer between and within urban areas; and
 - c. to provide additional outlets for passive recreational uses.
- 1.4 To preserve the character and nature of the "GB" zone, the only uses which will always be permitted by the Town Planning Board (the Board) are compatible uses which are essential and for public purpose such as waterworks, water catchment areas, nature reserves, agriculture, forestry and certain passive recreational uses. Other uses, including government/institution/community (G/IC), residential development and public utility installations will require planning permission from the Board and each proposal will be assessed on its individual merits. Applications for development will

be considered by the Board according to the criteria set out below.

2. Main Planning Criteria

- a. There is a general presumption against development (other than redevelopment) in a "GB" zone. In general the Board will only be prepared to approve applications for development in the context of requests to rezone to an appropriate use.
- b. An application for new development in a "GB" zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas. With the exception of New Territories Exempted Houses, a plot ratio up to 0.4 for residential development may be permitted.
- c. Applications for New Territories Exempted Houses with satisfactory sewage disposal facilities and access arrangements may be approved if the application sites are in close proximity to existing villages and in keeping with the surrounding uses, and where the development is to meet the demand from indigenous villagers.
- d. Redevelopment of existing residential development will generally be permitted up to the intensity of the existing development.
- e. Applications for G/IC uses and public utility installations must demonstrate that the proposed development is essential and that no alternative sites are available. The plot ratio of the development site may exceed 0.4 so as to minimize the land to be allocated for G/IC uses.
- f. Passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration.
- g. The design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment.
- h. The vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposals should be provided.
- i. The proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect

drainage or aggravate flooding in the area.

- j. The proposed development must comply with the development controls and restrictions of areas designated as water gathering grounds.
- k. The proposed development should not overstrain the overall provision of G/IC facilities in the general area.
- l. The proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigating measures are provided, and it should not itself be the source of pollution.
- m. Any proposed development on a slope or hillside should not adversely affect slope stability.

TOWN PLANNING BOARD
JULY 1991

Comments from Relevant Government Departments

1. Land Administration

Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) the Site is partly located on Lots 1090 S.A, 1090 S.B, 1090 S.C, 1090 S.D, 1090 S.E, 1090 S.F and 1090 RP and adjoining Government Land all in D.D. 217 where the private lots are New Grant agricultural lots. No buildings of any description shall be erected on the lots without prior approval from his Office pursuant to the lease restriction;
- (b) the Site and proposed Small House (SH) footprints fall completely within the 'Village Environs' of Kau Sai San Tsuen in Sai Kung Heung which is a recognized village under the New Territories Small House policy;
- (c) the Indigenous Inhabitant Representative (IIR) of Kau Sai San Tsuen has not provided 10-year forecast in the latest SH demand survey. The same figure in 2015 provided by the IIR of Kau Sai San Tsuen was 63. However, his Office is not in a position to verify the forecast;
- (d) the number of outstanding SH applications (including the proposed SHs under application) falling within and outside the "Village Type Development" ("V") zone in Kau Sai San Tsuen are 7 and 4 respectively;
- (e) the applicants have applied for a SH grant by way of Exchange at the locations within the Site. They have been certified as indigenous villagers of Kau Sai San Tsuen by the IIR of the village / Chairman of Sai Kung Rural Committee;
- (f) under the prevailing SH policy, the applicants concerned must be the sole beneficial owners of the private lot(s) under their respective applications of SH grant by way of Building Licence or land exchange. His Office would have no comment on the application provided that each of the proposed SHs would fall on the private lot(s) which is/are owned solely by the applicant concerned; and
- (g) notwithstanding the planning permission may be given, there is no guarantee that the SH applications will be approved.

2. Traffic

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

- (a) there is reservation on the application. Such type of development should be confined within the "V" zone as far as possible. Although additional traffic generated by the proposed development is not expected to be significant, such type of development outside the "V" zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial; and
- (b) notwithstanding the above, she considers that the application can be tolerated on traffic grounds.

3. Agriculture

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

since the development parameters are the same as those of the previously approved application, he has no comment on the application.

4. Environment and Sewerage

Comments of the Director of Environmental Protection (DEP):

- (a) in view of the small scale of the proposed development, the application alone is unlikely to cause major pollution;
- (b) it is noted that septic tank and soakaway system is proposed for treatment of sewage from the proposed house. Septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage. Nevertheless, it is also noted from **Drawing A-2** that the septic tanks for House No. 1 and 3 appear close to a nearby stream, and it is remarked that the locations of the tanks are subject to the approval of DLO/SK; and
- (c) in this connection, the applicants are reminded that the design and construction of septic tank and soakaway system should follow the requirements of the Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" and are duly certified by an Authorized Person (AP), and a minimum clearance distance of 15m from streams for non-drinking or non-domestic use is required.

5. Drainage

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

- (a) on the condition that adequate stormwater drainage collection and disposal facilities will be provided in connection with the proposed use to deal with the surface runoff of the Site and the same flowing on to the Site without causing any adverse impacts or nuisance to the adjoining areas, he has no in-principle objection to the application from drainage maintenance viewpoint; and
- (b) the concerned lots are currently not covered by DSD public sewerage networks. The requirements related to sewage treatment/disposal are subject to the views of EPD.

6. Water Supply

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

- (a) no objection to the application; and
- (b) for provision of water supply to the development, the applicants may need to extend their 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 WSD's standards.

7. **Landscape**

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

- (a) no objection to the application from landscape planning perspective;
- (b) the Site remains as scrubland surrounded by some trees and there is no significant change to the rural fringe landscape setting since the application was last approved. Significant adverse landscape impact arising from the proposed development, with the same layout as the last application, is not anticipated; and
- (c) given that there are existing trees close to the Site outside the application boundary, the applicants are reminded to avoid damaging the trees during construction stage and provide adequate protective measures to the trees when necessary.

8. **Building Matters**

Comments of the Chief Building Surveyor/NTE2 & Rail, Buildings Department (CBS/NTE2&Rail, BD):

- (a) no comment under the Buildings Ordinance (BO);
- (b) all non-exempted ancillary site formation and/or communal drainage works are subject to compliance with BO; and
- (c) AP must be appointed for the site formation and communal drainage works.

9. **Fire Safety**

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

- (a) no objection in-principle to the application; 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 referred by LandsD.

10. **Geotechnical**

Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) no comment on the Geotechnical Planning Review Report;
- (b) the applicants' commitment to implement necessary landslide mitigation measures as part of the development is noted. It is advised to include this as a condition in approving the application; and
- (c) the applicants are reminded to make necessary submissions to LandsD and/or BD for approval if any existing slope could affect or be affected by the proposed work (if any) in accordance with the provisions of the BO.

11. Demand and Supply of Small House Sites

According to DLO/SK, LandsD, the number of outstanding SH applications in Kau Sai San Tsuen is 11 while the 10-year Small House Demand Forecast for Kau Sai San Tsuen is 63. According to the latest estimate by PlanD, it is estimated that about 0.62 ha of land (equivalent to about 24 SH sites) is available within "V" zone of Kau Sai San Tsuen. Therefore, the land available in Kau Sai San Tsuen cannot fully meet the future Small House demand for 74 SH sites.

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

參考編號

Reference Number:

210616-163218-72481

提交限期

Deadline for submission:

02/07/2021

5-1

提交日期及時間

Date and time of submission:

16/06/2021 16:32:18

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-PK/265

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss 陳嘉琳

意見詳情

Details of the Comment :

由於申請位置在綠化地帶之上，不應批准

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups



A/SK-PK/265 DD 217 Kau Sai San Tsuen GB

29/06/2021 03:07

5-3

From:

To:

FileRef:

tpbpd <tpbpd@pland.gov.hk>

Dear TPB Members,

Minutes 2015: The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application from tree preservation point of view as the site was located in the fringe of a piece of woodland. The proposed Small Houses might affect trees within and adjacent to the site but the applicants had not provided any information on the impact on the existing trees.

The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservations on the application as no information had been provided in the submission to demonstrate that measures would be undertaken to minimise the potential adverse impact on the nearby existing tree and landscape and the landscape impact of the proposed development could not be ascertained;

The justification given for approval was that there is insufficient land within the 'V' zone to accommodate demand. However that is no longer an acceptable reason to allocate government land, zoned GB, as the intention of the Small House Policy was that development be limited to the village environs. It was never designed to have the entire NT covered in small houses.

There is also the issue of septic tanks:

Septic Tanks, Audit Commission recommended they be phased out

Septic tanks 25 Jan 2019

https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1194tpb_e.pdf

65. Members noted that the requirement of sewerage connection was clearly stated in the HKPSG, and generally considered that the Board should follow the requirement in considering the current application. Mr Elvis W.K. Au, Deputy Director of Environmental Protection (1) of EPD, said that after the promulgation of the guideline on controlling effluent discharge in WGGs under Chapter 9 of the HKPSG, it had been the government policy to require new developments within WGGs to be connected to public sewers. The Government had also briefed the Board on the environmental and health risks arising from septic tank installation in the areas. In 2002, the Board revised the "Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories" which clearly stated that generally the Board only supported new Small House development in WGG if it was connected to the public sewerage system. Notwithstanding that existing buildings with septic tanks in unsewered areas were tolerated, the requirement for sewerage connection would help avoid worsening the water quality in WGGs. So far, EPD and WSD had consistently followed that requirement in handling similar cases

5-3

Previous approval has lapsed. Most of the board members were appointed since 2017 and are required to make decisions with fresh eyes and in line with updated formula.

Mary Mulvihill

From: "[REDACTED]"
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Sunday, July 26, 2015 12:40:03 AM
Subject: A/SK-PK/220 Kau Sai San Tsuen
A/SK-PK/220
Kau Sai San Tsuen, Sai Kung
Site Area: Various Lots of 680.00 m² Includes Government Land of about 333.00
Lots 1090 S.A (Part), 1090 S.B (Part), 1090 S.C (Part), 1090 S.D (Part), 1090 S.E, 1090 S.F
and 1090 RP (Part) in D.D. 217
Zoning: Village / Green Belt

Dear TPB Members,

The application is for 5 houses. Approval with conditions was granted in 2011, expiring March 2015. This was despite strong objections with regard to building on Green Belt that belongs to government. It appears that conditions were not met. Of particular interest is:

6. The Committee also agreed to advise the applicant of the following :
(a) to note the comments of the District Lands Officer/Sai Kung that Lots 1090 S.D, 1090 S.E, 1090 S.F and 1090 RP(part) and adjoining government land could not meet the prevailing policy for in-situ land exchange. Each applicant should own his private land to apply for Small House grant by way of Free Building Licence (FBL) or in-situ exchange where appropriate. The Small House applications might be considered by his office according to the prevailing Small House Policy by way of FBL/in-situ exchange/Private Treaty Grant where appropriate

As this application has all the appearance of a development for sale to outsiders, TPB members must require proof to ensure that the applicants are indeed bona fide village residents.

I would remind members to familiarize themselves with the facts of the Judicial Review

Koon Ping Leung v. The Director of Lands [2012] 2 HKC 329

The judge ruled that the Small House Policy was an administrative measure that provided land on certain conditions to those who had no land so that they could exercise the right. Those with residence outside the territory do not qualify under the policy.

I would also include the following comments:

Transactions of land lots related to the captioned applications, the coordinated nature of the applications, the well-known history and well-advertised activities of local developers, and other relevant information are sufficient grounds to suspect that misrepresentations may have been made to the Director of Lands and to the Town Planning Board as to the intention of the owners of the land and the owners of the ding rights regarding the use of the house and the beneficial interests.

It appears that it would be reasonable to suspect that the applications are misrepresentations to Government and the Board, and that the small house applicants have no intention to build for themselves. If the Town Planning Board is reasonable and rational, it should ask for further information and clarifications.

Such unlawful schemes (misrepresenting the intention to build for oneself) are common and there is a high risk that the Town Planning Board could be aiding and abetting a scheme which in whole or in part could be unlawful or unauthorized under the small house policy and associated regulations.

In case the Town Planning Board is not aware of the risks of involvement in such unlawful but common schemes, the Board should make enquiries with the Department of Justice and the ICAC on the risk of involvement in conspiracies to defraud and misrepresentations by the applicants as there could well be adequate grounds for a healthy suspicion and for a thorough investigation.

In fact, the methods and instruments involved in schemes whereby indigenous villagers were recruited to act as front men to enable the land owners to develop small houses on their land are well known, including how land is carved into sections and assigned, from evidence discovered during many Court Cases. The Board may not have the investigative powers itself, but it can't pretend to be blind and must make comprehensive enquiries and themselves consider the information discovered.

It is a duty of the Town Planning Board to ensure it is not aiding and abetting unlawful schemes. It must first make sure that it has full knowledge of the background of the applications by verifying that the Lands Department undertook extensive investigations, including by soliciting the help from other agencies including the Immigration Department, Police and ICAC directly by the Board or by making sure the Lands Department has done so, including but not limited to the following information:

1. Were the captioned applications to the Town Planning Board fully coordinated and submitted as a whole by the same agent?
2. Who owns and has owned the land, and for what values was the land exchanged?
3. Which companies have been involved in the transactions and financing, where were they located and who are/were the directors?
4. Do the applicants ordinarily reside in Hong Kong according to entry and exit information from the Immigration Department?
5. And so forth.

Having considered the above information, the Board should ensure it is fully satisfied that it would be unreasonable to suspect that the applications are misrepresentations

5-3

to Government and the Board, and that the small house applicants are indeed applying for permission to build for themselves. If it can't be fully satisfied it should ask for further information and clarifications, or reject the captioned applications. The abuse of the small house policy must be discouraged.

Mary Mulvihill

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

參考編號

Reference Number:

210630-114246-38976

提交限期

Deadline for submission:

02/07/2021

5-18

提交日期及時間

Date and time of submission:

30/06/2021 11:42:46

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-PK/265

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. SHEK WAI HEE

意見詳情

Details of the Comment :

Objection to village house built on land exchange from Green Belt

I am writing to set forth my views on the above - referenced Application to land exchange that is originally land on the Green Belt in return for government land and erecting Residential housing. Given the Applicants intention to construct new village houses on at Kau Sai San Tsuen, Sai Kung, New Territories. I have number of concerns about the appropriateness of the transfer. My objections to the application to the Application are set forth below.

I object to the proposed land exchange and rezoning of a Green Belt site for the Applicant to construct new village houses on the grounds that there would be significant adverse visual and environmental impacts for a construction project in such a sensitive location.

1. The planning intention for Green Belt areas under the existing Town Planning Board Regulations is to conserve the existing natural environment along the urban fringe areas and retain such green belts as natural boundaries to contain urban sprawl and retain recreational open spaces. The Town Planning Board indicated that green belt areas are not appropriate for development.

2. We believe that the applicant cannot exchange existing land on the Green Belt for government land as this would open the flood gates to many others who are holding existing land on the Green Belt. This is different to government requesting for land in exchange for the land that is needed for protection.

3. It is my knowledge that Kau Sai San Tsuen has several acres of land that still belongs to the Government. If the Applicant succeeds in this application, then many others will follow the footsteps to exchange lands on the Green Belt to Government land in our village. This concept is not right, as Government Land should be preserved to all villagers and not specific villages who use original Land on Green Belt to exchange for Government Land. Moreover, Government Land are usually used in Auction and to be given to the highest bidders. This is a matter for public interest.

4. We also have reasons to believe that the Applicant abused his powers as a Village Representative during his term to bypass the villagers to exchange land from Green Belt to Government Land.

5-18

5. We expressly reserve our rights to take this matter to government enforcement departments.

Accordingly, I ask the Town Planning Board to reject the Application.

John Shek

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

參考編號

Reference Number:

210630-163106-69733.

提交限期

Deadline for submission:

02/07/2021

5-30

提交日期及時間

Date and time of submission:

30/06/2021 16:31:06

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-PK/265

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Shek

意見詳情

Details of the Comment :

反對以上3間在 政府土地 興建屋宇之申請.

並把該政府土地留待日後各原居民得到共識後再次向委員會申請建屋要求

首先我村有4個姓氏原居民,包括姓: 蘇, 石, 張, 樊, 但凡牽涉政府土地興建丁屋申請, 都是經由4姓人同意分配數目才進程序.

把上述政府土地只給予張氏申請小型屋宇,即剝削本村其餘3個姓氏在已經非常有限的政府土地上申請小型屋宇權利.

所以我們懇請各位慎重考慮我們要求,拒絕是次3間在政府地上建屋申請.
(對於2間興建屋宇在私人土地,我們並沒異議.)

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

參考編號

Reference Number:

210702-230247-26181

提交限期

Deadline for submission:

02/07/2021

5-38

提交日期及時間

Date and time of submission:

02/07/2021 23:02:47

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-PK/265

「提意見人」姓名/名稱

Name of person making this comment:

女士 Ms. Ho

意見詳情

Details of the Comment :

反對申請，原因如下：

1) 違反規劃原意：

反對於綠化地帶興建小型屋宇，這違反多年來對「綠化地帶」的規劃原意，綠化地帶是人和大自然的天然屏障，地理上綠化地帶不宜建屋。

2) 破壞天然屏障，加重環境負擔：

5間屋的排污和排水對附近居民會造成環境負擔，增加水浸危機。

3) 違泊問題惡化：

加上，附近車位缺乏，恐令現已嚴重的違泊問題增加。近滘西新村附近的西貢公路路旁一直有違泊車輛，霸佔土地，可是各政府部門互相卸責，問題毫無改善。

4) 不良先例，後患不絕：

批核非鄉村發展土地（V-zone）以外土地作興建小型屋宇，將會衍生更多改變土地用途申請，給投資者錯誤期望。

5) 最後，小型屋宇政策原意是回應原居民住屋需要，不是投資需要，希望貴部門及各委員查明申請者住屋需要的真確性，防止政策被濫用。

城市規劃委員會

A/SK-PK/265

姓名: 蘇志明

地址:

5-76

電話

敬啟者: 本人蘇志明是白沙灣西新村民。從 A/SK-PK/265 申請人提供圖則中發現申請人的 APPLICATION SITE 範圍界與本人家族耕地 S10793 界線重疊。此引起不必要土地糾紛。

另其 PROPOSED TREE PRESERVATION ZONE 圖中: 將本人家族耕地 S01793 劃入其範圍。本人及家族成員十分憤慨。為什麼申請人可擅自將他人的土地劃入他申請的圖則內, 此乃非法行為。請主席正視, 作出懲處, 並否決其申請。此致
城規會主席及各委員!



村民: 蘇志明

日期 16-8-2021

補充了 P2

接上頁

5-70

又發現申請人將 SEPTIC TANK 非法
設置在本人家族耕地 S10793 內。

蘇志明

16-8-2021

P2.

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

參考編號

Reference Number:

210702-143850-46534

提交限期

Deadline for submission:

02/07/2021

5-29

提交日期及時間

Date and time of submission:

02/07/2021 14:38:50

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-PK/265

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss MOMO WONG

意見詳情

Details of the Comment :

本人對規劃申請A/SK-PK/265 持保留意見，原因如下：

1. 該地帶申請範圍大部份位於綠化地帶（GB），據法定圖則註釋顯示規劃意向，主要利用天然地理環境作為市區和近郊的發展區的界限，以抑制市區範圍的擴展，並提供土地作靜態康樂場地。根據一般推定，此地帶不宜進行發展；
2. 此發展地帶沒有適宜的行人路供未來的村民遷入。同時，此地方位於山坡之上，並沒有緊急車輛通道（EVA），不能符合《建築物(規劃)規例》第41D條緊急車輛通道的規定；
3. 這個發展地帶並沒有完善的排污系統，對附近被劃為自然保育區（CA）的地方造成嚴重威脅；同時該地帶已有大量的村屋林立，新發展帶來的新化糞池，對該區地下水造成更大潛在壓力，對生態環境造成影響。

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

5-2

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/SK-PK/265

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

反對意見見下頁

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

蘇志華

簽署 Signature

蘇志華

日期 Date

29-6-2021



逕啟者：

5-2

關於申請編號：A/SK-PK/265），

我等是西貢白沙灣滘西新村原居民，歡迎政府將綠化地帶改為鄉村式發展用途。

但是次規劃申請者為張姓的原居民，鑑於滘西新村原居民是由姓石、樊、張、蘇共四姓原居民組成，從來由政府批出丁地，都是由四姓原居民協商抽籤，分配以示公允。

現 貴處待批的申請編號(A/SK-PK/265)，內有政府土地 330 平方米，申請人(張姓原居民)並未與其他三姓原居民(樊、石、蘇)就政府土地 330 平方米四姓協商分配，故我等反對 貴處批出(申請編號：A/SK-PK/265)的申請。

懇請 貴處暫緩此規劃申請，有待我們四姓原居民協商分配政府土地，謝謝！

此致

城市規劃委員會主席
及各委員

蘇志華

白沙灣滘西新村原居民代表

蘇志華 敬啟

2021 年 6 月 29 日

反對書

5-13

至 城市規劃委員會:

本人和其他村民就規劃申請編號: A/SK-PK/265 提出以下異議:

反對以上由 "綠化地帶" 上的私人土地換到, 並轉變為(鄉村式發展) 政府土地 之申請.

理由:

1. 以上土地原先為政府土地, 應該給予本村其餘姓氏原居民共同申請小型屋宇, (我村有 4 個姓氏原居民, 包括姓: 蘇, 石, 張, 樊) 並非只給予原私人地擁有人張氏申請.
2. 如把上述政府土地只給予張氏申請小型屋宇, 即剝削本村其餘 3 個姓氏在已經非常有限的政府土地上申請小型屋宇權利.
3. 以上申請只由當時張姓原居民村代表在未有得到各姓氏原居民同意和共識下私下繞過其餘村委進行申請, 直至登出告示下其餘人士才知悉此申請已經在進行中.

提議:

1. 改變是次規劃申請, 只批准原私人土地 2 間建屋申請.
2. 其餘只由張氏改用政府土地之申請則取消, 並改為 由本村其餘姓氏原居民申請建屋用地 或 暫緩是之申請直至本村 4 個姓氏原居民取得共識.

西貢滯西新村
原居民
石健洪 代行

2021 年 6 月 28 日

何幸媛



Advisory Clauses

- (a) to note the comments of the District Lands Officer/Sai Kung, Lands Department that under the prevailing Small House policy, the applicants concerned must be the sole beneficial owners of the private lot(s) under their respective applications of Small House Grant by way of Building Licence or land exchange; and that notwithstanding the planning permission may be given, there is no guarantee that the Small House applications will be approved;
- (b) to note the comments of the Director of Environmental Protection that the applicants are reminded that the design and construction of septic tank and soakaway system should follow the requirements of the Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" and are duly certified by an Authorized Person (AP), and a minimum clearance distance of 15m from streams for non-drinking or non-domestic use is required;
- (c) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department that the applicants should ensure adequate stormwater drainage collection and disposal facilities will be provided in connection with the proposed development to deal with the surface runoff of the Site or the same flowing onto the Site without causing any adverse impacts or nuisance to the adjoining areas;
- (d) to note the comments of the Chief Engineer/Construction, Water Supplies Department (WSD) that for provision of water supply to the development, the applicants may need to extend their 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 WSD's standards;
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that given there are existing trees close to the Site outside the application boundary, the applicants are reminded to avoid damaging the trees during construction stage and provide adequate protective measures to the trees when necessary;
- (f) to note the comments of the Chief Building Surveyor/New Territories East (2) & Rail, Buildings Department that all non-exempted ancillary site formation and/or communal drainage works are subject to compliance with Buildings Ordinance, and AP must be appointed for the site formation and communal drainage works;
- (g) to note the comments of the Director of Fire Services that the applicants are reminded to 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 referred by LandsD; and
- (h) to note the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department that the applicants are reminded to make necessary submissions to LandsD and/or the Buildings Department for approval if any existing slope could affect or be affected by the proposed work (if any) in accordance with the provisions of the Buildings Ordinance.