

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) 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.

Relevant Extracts of Town Planning Board Guidelines No. 10
for “Application for Development within Green Belt Zone
under Section 16 of the Town Planning Ordinance”
(TPB PG-No. 10)

The relevant assessment criteria for assessing applications include:

- (a) there is a general presumption against development (other than redevelopment) in a “GB” zone;
- (b) an application for new development in “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;
- (c) 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;
- (d) 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;
- (e) 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;
- (f) the proposed development must comply with the development controls and restrictions of areas designated as water gathering grounds;
- (g) the proposed development should not overstrain the overall provision of Government, institution and community facilities in the general area; and
- (h) 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.

Previous Application covering the site on the
Tai Po Outline Zoning Plan

Rejected Application

Application No.	Proposed Development	Date of Consideration	Rejection Reasons
A/TP/686	Proposed House (New Territories Exempted House - Small House)	31.3.2023	R1-R3

Rejection Reasons

- R1 The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone, which was 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 was a general presumption against development within this zone. There was no strong planning justification in the submission for a departure from this planning intention.
- R2 The proposed development did not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the proposed Small House footprint fell outside the “Village Type Development” (“V”) zone and the village ‘environs’ of any recognized villages.
- R3 The proposed development did not comply with Town Planning Board PG-No. 10 for Application for Development within “GB” zone under section 16 of the Town Planning Ordinance in that the proposed development would affect the natural landscape and adversely affected drainage or aggravate flooding on the surrounding environment.

**Similar Applications
within “GB” zones in the vicinity of the Site**

Approved Applications

Application No.	Proposed Development	Date of Consideration
A/TP/487	Proposed House (New Territories Exempted House - Small House)	15.4.2011
A/TP/618	Proposed House (New Territories Exempted House - Small House)	17.2.2017
A/TP/673	Proposed House (New Territories Exempted House - Small House)	10.9.2021
A/TP/680	Proposed House (New Territories Exempted House - Small House)	6.5.2022

Rejected Applications

Application No.	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-TK/383	Proposed House (New Territories Exempted House - Small House)	4.1.2013 (Review)	R1, R2, R4, R6
A/NE-TK/384	Proposed House (New Territories Exempted House - Small House)	4.1.2013 (Review)	R1, R2, R4, R6
A/NE-TK/385	Proposed House (New Territories Exempted House - Small House)	4.1.2013 (Review)	R1, R2, R4, R6
A/NE-TK/386	Proposed House (New Territories Exempted House - Small House)	4.1.2013 (Review)	R1, R2, R4, R6
A/NE-TK/446	Proposed House (New Territories Exempted House - Small House)	6.9.2013	R1, R3, R5, R6
A/NE-TK/607	Proposed House (New Territories Exempted House - Small House)	7.4.2017	R1, R3, R5, R6, R7
A/TP/626	Proposed House (New Territories Exempted House - Small House)	28.4.2017	R1, R3, R5, R7

Rejection Reasons

- R1 The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone.
- R2 The proposed development would cause adverse landscape, drainage and geotechnical impacts on the surrounding areas. The applicant failed to address the landscape, drainage and geotechnical concerns.
- R3 The proposed development would cause adverse landscape impacts on the surrounding areas. There was insufficient information in the submission to address the landscape concerns.

- R4 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 in that the proposed development would affect the existing natural landscape and adversely affect drainage or aggravate flooding in the area.
- R5 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 in that the proposed development and the associated site formation works would involve tree felling, clearance of vegetation and affect the existing natural landscape in the surrounding areas.
- R6 The approval of the application would set an undesirable precedent for other similar applications in the area. The cumulative effect of approving such applications would result in a general degradation of the natural environment and landscape quality of the area.
- R7 Land was still available within the “Village Type Development” (“V”) zone of Ha Tei Ha which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

Detailed Comments from Relevant Government Departments

1. Land Administration

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

- (a) since no Small House application on the subject site was received from the applicant, LandsD does not have any information on the applicant's status;
- (b) the Site is held under Block Government Lease demised for agricultural use and is not covered by squatter control surveyed structures, Modification of Tenancy or Building Licence;
- (c) the applicant is not the registered owner of the subject lot;
- (d) there is no existing Emergency Vehicular Access (EVA) or planned EVA at the application site;
- (e) the number of outstanding Small House applications and the number of 10-year Small House demand for the village concerned are as follows;

<u>Village</u>	<u>No. of outstanding Small House applications</u>	<u>No. of 10-year Small House demand*</u>
Ha Tei Ha	4	55

(* The figure of 10-year Small House demand is estimated and provided by the Indigenous Inhabitant Representative (IIR) of Ha Tei Ha and the information so obtained is not verified in any way by LandsD); and

- (f) if and after planning application has been approved by the Town Planning Board, the applicant is required to apply for Small House application. As the application site does not fall within village 'environs' of a recognized village nor "Village Type Development" ("V") zone encircling a recognized village, the Small House application would generally not be considered;

2. Traffic

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

- (a) the proposed Small House 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;
- (b) notwithstanding the above, the application only involves development of a Small House can be tolerated on traffic grounds; and

- (c) the existing village access connecting Tung Tsz Road is not under Transport Department's management. The land status, management and maintenance responsibilities of the village access should be clarified with relevant lands and maintenance authorities in order to avoid potential land disputes.

3. **Landscape**

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

- (a) some reservations on the application from the landscape planning perspective;
- (b) the Site is vacant, paved and has no existing trees/vegetation. Further significant adverse impact on landscape resources arising from the proposed Small House development is not anticipated; and
- (c) comparing the aerial photos of 2021 and 2023 and site photos (**Plans A-3 and A-4**), it appears that vegetation had been cleared within the Site. There is concern that the proposed development will further encroach onto the "Green Belt" zone where existing woodland, grassland/shrub land serve as a buffer, and alter the landscape character.

4. **Drainage**

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

- (a) the proposed Small House is situated in a low lying area; and
- (b) has reservation on the application unless the applicant can provide the formation level of the proposed small house and demonstrate that there is no flooding risk to the proposed Small House and the neighbouring premises/property to his satisfaction.

5. **Nature Conservation**

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

no strong view on the application from nature conservation point of view.

6. **Fire Safety**

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

- (a) no in-principle objection to the application; and

- (b) the applicant should 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.

7. Demand and Supply of Small House Sites

According to the DLO/TP, LandsD’s record, the total number of outstanding Small House applications for Ha Tei Ha is 4 while the 10-year Small House demand forecast for the same village is 55. Based on the latest estimate by the Planning Department, about 0.12 ha of land (equivalent to about 4 Small House sites) are available within the “V” zone concerned. Therefore, the land available cannot fully meet the future Small House demand of 59 Small Houses (equivalent to about 1.48 ha of land).

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

From:
Sent: 2024-08-11 星期日 03:01:15
To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: A/TP/696 Ha Tei Ha Village Shuen Wan GB

Dear TPB Members,

Rejected again on 31 Mar 2023.

TPB should advise applicant not to waste resources as there cannot have been any changes in the span of one year that would reverse the decision.

Copy and paste rejection.

Mary Mulvihill

From:
To: tpbpd <tpbpd@pland.gov.hk>
Date: Monday, 13 March 2023 2:44 AM HKT
Subject: A/TP/686 Ha Tei Ha Village Shuen Wan GB

Dear TPB Members,

Application 625 was withdrawn and similar applications rejected.
"land is still available within the "Village Type Development" ("V") zone of Ha Tei Ha which is primarily intended for Small House development."

The application has no justification.

Mary Mulvihill

From:
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 16 March 2017 12:59 AM CST
Subject: A/TP/625 Shuen Wan

A/TP/625
Lot 14 S.A ss.1 in D.D. 26, Shuen Wan, Tai Po (c)
Site area : About 226.8 m²
Zoning : "Green Belt"
Applied Development : NET House

Dear TPB Members,

It is obvious that the proposed Small House development is far from the VTD and deep within Green Belt. It is therefore 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 are no exceptional circumstances or strong planning grounds in the submission for a departure from the planning intention.

The applicant fails to demonstrate that the proposed development would have no adverse landscape impact in the "GB" zone.

Approval of the application will set an undesirable precedent for other similar applications within the "GB" zone. The cumulative effect of approving such applications will result in a general degradation of the environment.

Mary Mulvihill

Recommended Advisory Clauses

- (a) to note the comments of the Commissioner for Transport (C for T) that the applicant should clarify with relevant lands and maintenance authorities on the land status, management and maintenance responsibilities of the village access, in order to avoid potential land disputes;
- (b) to note the comments of the Director of Environmental Protection (DEP) that septic tank and soakaway system is an acceptable means for collection, treatment and disposal of sewage provided that its design and construction 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;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) there is no existing DSD maintained public drain available for connection in the area. The proposed development should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/ fence are to be erected. Any existing flow path affected should be re-provided. The applicant should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
 - (ii) public sewerage are not available near the Site; and
 - (iii) for works to be undertaken outside the lot boundary, prior consent and agreement from LandsD and/or relevant private lot owners should be sought;
- (d) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant should resolve any land matter (such as private lots) associated with the provision of water supply and should 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 Director of Agriculture, Fisheries and Conservation (DAFC) that there is a woodland to the south of the Site. Should the application be approved, the applicant should avoid impacts to the woodland;
- (f) to note the comments of the Director of Fire Services (D of FS) that the applicant should observe “New Territories Exempted Houses – A Guide to Fire Safety

Requirements” published by LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD; and

- (g) to note the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that the applicant should make necessary submission to the LandsD to verify if the site satisfies the criteria for the exemption for site formation works as stipulated in Practice Note for Authorized Persons and Registered Structural Engineers (PNAP) APP-56. If such exemption is not granted, the application shall submit site formation plans to the Buildings Department in accordance with the provision of the Building Ordinance.

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。

Form No. S16-II
表格第 S16-II 號

This document is received on 15 JUL 2024.
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to Proposal Only Involving Construction of
“New Territories Exempted House(s)”**

適用於只涉及興建「新界豁免管制屋宇」的建議

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.tpb.gov.hk/en/plan_application/apply.html

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

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

2401648

9/7

By Post

Form No. S16-II 表格第 S16-II 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/TP/696
	Date Received 收到日期	15 JUL 2024

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

1. Name of Applicant 申請人姓名/名稱

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

盧力恒

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

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

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	DD26 Lot 14 SASS1 大埔船灣鄉下村
(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 227 sq.m 平方米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 195.09 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)	NA 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	大埔分區計劃大綱核准圖編號: S/TP/30
(e) Land use zone(s) involved 涉及的土地用途地帶	G.B.
(f) Current use(s) 現時用途	閒置荒地

(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

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 2024 年 6 月 6 日的記錄，這宗申請共牽涉 1 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 1 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)
1	DD26 lot 145A551	26/6/2024

(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)	盧力恒		
(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)	蝦地下村		
(c) Proposed gross floor area 擬議總樓面面積	195.09 sq.m 平方米 <input type="checkbox"/> About 約		
(d) Proposed number of house(s) 擬議房屋幢數	1	Proposed number of storeys of each house 每幢房屋的擬議層數	3
(e) Proposed roofed over area of each house 每幢房屋的擬議上蓋面積	65.03 sq.m 平方米	Proposed building height of each house 每幢房屋的擬議高度	8.23 m 米
(f) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途	花園 (Please illustrate on plan the total number and dimension of each car parking space, and/or location of septic tank, where applicable) (請在圖則上顯示, 並註明車位總數, 以及每個車位的長度和寬度及/或化糞池的位置 (如適用))		
(g) Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物?	Yes 是 No 否	<input type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input checked="" type="checkbox"/>	
(h) Can the proposed house(s) be connected to public sewer? 擬議的屋宇發展能否接駁至公共污水渠?	Yes 是 <input type="checkbox"/> No 否 <input checked="" type="checkbox"/>	(Please indicate on plan the sewerage connection proposal. 請用圖則顯示接駁公共污水渠的路線) (Please indicate on plan the location of the proposed septic tank. 請用圖則顯示化糞池的位置)	

7. Impacts of Development Proposal 擬議發展計劃的影響

If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures.

如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。

<p>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?</p>	<p>Yes 是 <input type="checkbox"/> Please provide details 請提供詳情 No 否 <input checked="" type="checkbox"/></p>																														
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?</p>	<p>Yes 是 <input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線，以及河道改道、填塘、填土及/或挖土的細節及/或範圍)</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> <p>No 否 <input checked="" type="checkbox"/></p>																														
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table> <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) 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>	On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													

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中請的資料。如有需要，請另頁說明。

..... 蝦地下村的規劃過於偏重保育綠化及過往欠缺車路設施，導致房屋發展.....
嚴重失衡，V Zone 大部份土地非村民業權被佔用作先入屋，過往基於欠缺土地或
申請被拒，形成極多放棄自己家園飛遷徙鄰村安厝的個案，故此村代表曾 5 次
要求檢討及修正這種惡性循環的現象。

.....現申請地段是圍積土地商家漏網之魚，屬本村業權，地點自成一角，不涉及斜坡，是蝦地下絕無僅有的合適建屋地段，在此建屋對景觀，交通及環境不會造成不良影響，排水方面早已設置 600 渠免除水浸風險。

……本人從 2012 年至今(共 12 年多),申請在自己的家鄉建屋都被拒絕,與村無
關的中轉屋卻轉瞬俯目皆是,感覺不公平,現重新申請,期望公道處理。

9. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.

本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署



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

Name in Block Letters
姓名（請以正楷填寫）

盧力恒

Position (if applicable)
職位（如適用）

Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 /

☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 /

☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 /

☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

on behalf of
代表

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

Date 日期

26/6/2024

(DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

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

(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

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

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)
(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	DD26 lot 14 SA 551 大埔船灣蝦地下村		
Site area 地盤面積	227	sq. m 平方米	<input type="checkbox"/> About 約
	(includes Government land of 包括政府土地	NA	sq. m 平方米 <input type="checkbox"/> About 約)
Plan 圖則	S/TP/30		
Zoning 地帶	G.B.		
Applied use/ development 申請用途/發展	New Territories Exempted House 新界豁免管制屋宇 <input checked="" type="checkbox"/> Small House 小型屋宇		
(i) Proposed Gross floor area 擬議總樓面面積	195.09	sq.m 平方米	<input type="checkbox"/> About 約
(ii) Proposed No. of house(s) 擬議房屋幢數	1		
(iii) Proposed building height/No. of storeys 建築物高度/層數	8.23	m 米 <input type="checkbox"/> (Not more than 不多於)	
	3	Storeys(s) 層	

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件

	<u>Chinese</u> 中文	<u>English</u> 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明) <i>SITE PHOTO. LOT INDEX PLAN</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<hr/>		

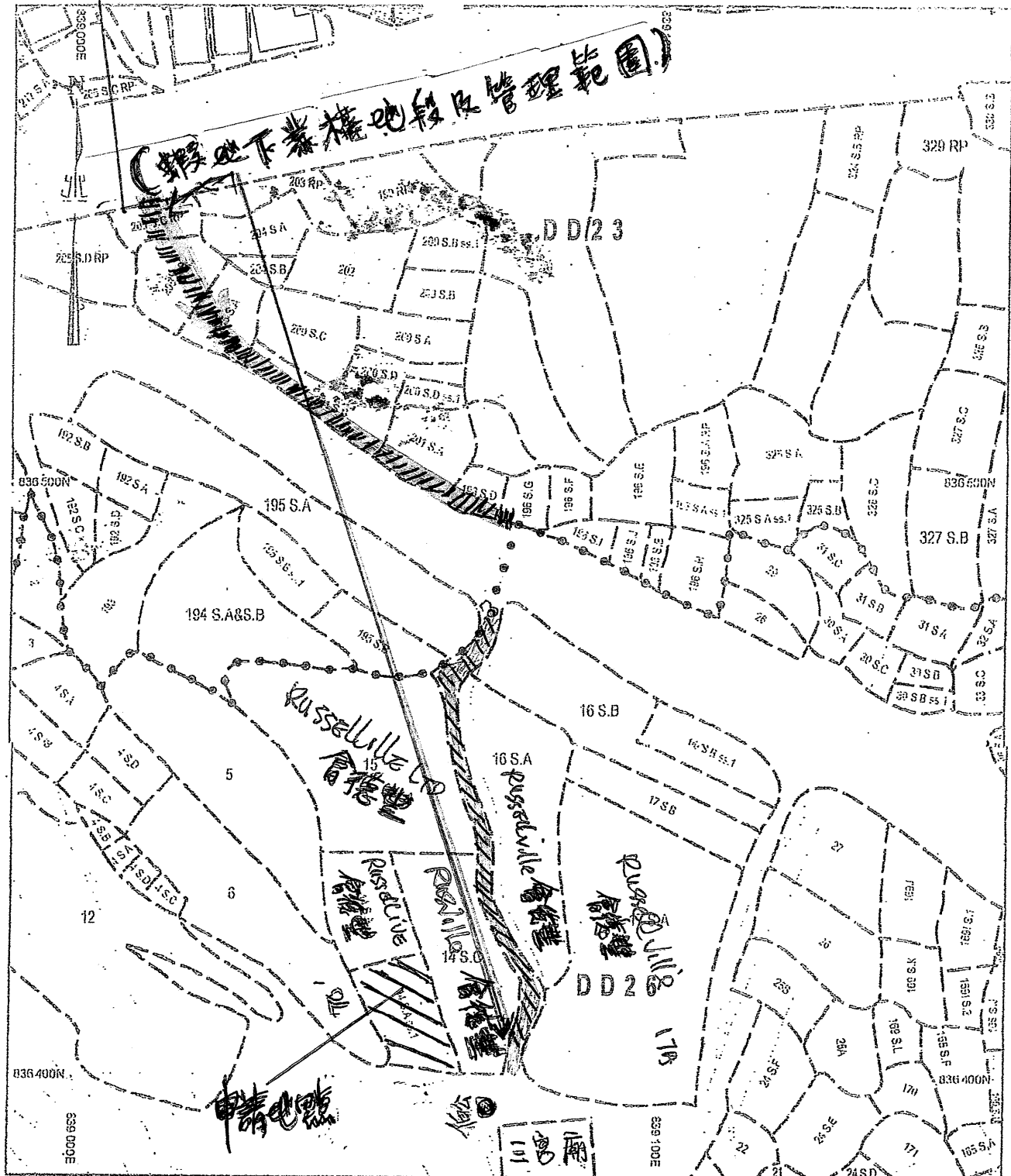
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號

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

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

(三宮廟垃圾站)

地段索引圖 LOT INDEX PLAN



地政總署測繪處 Survey and Mapping Office, Lands Department

比例尺 SCALE 1:1000

metres 10 0 10 20 30 40 50 metres

Locality :

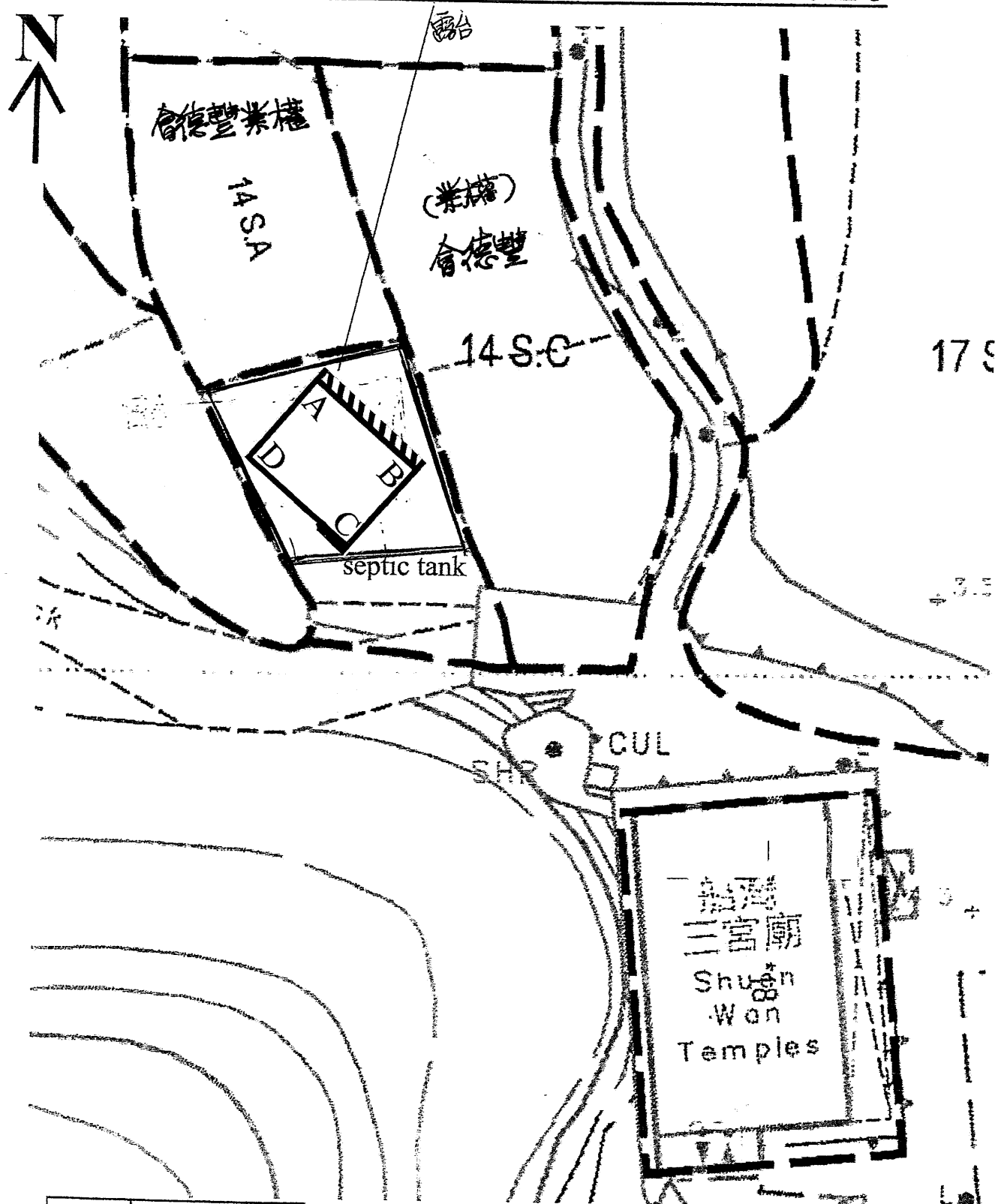
Lot Index Plan No. : TP0549102015

District Survey Office : Tai Po

免責聲明

本圖乃地政總署的圖本，顯示地界線的大致位置，包括根據政府土地、臨時政府土地、填海地段及政府土地准用牌照內為時佔用土地的情況。凡時佔用上地的情況可受有關規則知照而終止，因此應向有關的公地或填海地段，本圖所示的圖本必須經地政總署予以核實。請向地

LOT No. 14 S.A ss.1 IN D.D. 26



SIDE	DISTANCE IN METRES
AB	8.534
BC	7.620
CD	8.534
DA	7.620

 BALCONY



Black and White Photo

Shuen Wan Ha Tei Ha Village

船灣 - 蝦地下

通訊地址：

電話：

大埔地政處 林志明專員

13/5/2024

尊敬的專員：

過往的框架思維，令貧窮偏遠的蝦地下村雪上加霜，村民要安居，除自覓土地，自籌資金（政府及銀行均無借貸及按揭支援），每當涉及斜坡費用時定因財力卻步，申請過程之冗長、艱辛、煩複，更是罄竹難書，因此過往政府批出的丁屋多予財團，鮮有貧窮的村民受惠。

本村村民 Kevin Lo 表示 20/1/2012 A/NE-TK-384，及 21/2/2021 A/TP/686 的規劃申請被貴署拒絕，十多年來都無放棄在村建屋意念，由於申請地段是發展商囤積土地中漏網之魚，業權清晰，是絕無僅有的理想建屋地段，故此重新申請，懇請客觀審視並酌情處理。



蝦地下村原居民代表 盧建州

覆函請註明本署檔號

Please quote Our Reference in response to this

電話 Tel: 2654 1199

圖文傳真 Fax: 2650 9896

電郵地址 Email: gendlotp@landsd.gov.hk

本署檔號 Our Ref.: (35) in LM4 in DLO/TP 11/61/61A

來函檔號 Your Ref:



地政總署
大埔地政處
DISTRICT LANDS OFFICE,
TAI PO
LANDS DEPARTMENT

我們矢志努力不懈，提供盡善盡美的土地行政服務。
We strive to achieve excellence in land administration.

新界大埔汀角路一號大埔政府合署一樓
1/F., TAI PO GOVERNMENT OFFICES BUILDING,
1 TING KOK ROAD, TAI PO, N.T.
網址 Web Site: www.info.gov.hk/landsd

平 郵

盧先生：

根據《城市規劃條例》(第131章)第16條提出的許可申請
丈量約份第26約地段第14號A分段第1小分段(下稱「事涉地段一」)；及
丈量約份第26約地段第215號C分段(下稱「事涉地段二」)

大埔地政處(下稱「本處」)已於2024年5月13日收到你的來信，現回覆如下：

本處已備悉你對於蝦地下村申請興建小型屋宇的意見。在你的來信中，本處注意到你提及城市規劃委員會(下稱「城規會」)已拒絕你就事涉地段一及地段二兩宗根據《城市規劃條例》(第131章)第16條提出的許可申請，即申請編號為A/NE-TK/384及A/TP/686。

根據本處記錄，事涉地段一及地段二並無有效的興建小型屋宇申請。然而，日後再次收到規劃署要求，本處將根據適用指引，就每宗規劃許可申請提供相關資料和意見供城規會再考慮。城規會按個別情況考慮每宗申請。

關於評審新界豁免管制屋宇 / 小型屋宇發展規劃許可申請的臨時準則，請你參考規劃署於2023年1月6日寄予你的信內隨函附件的<附件二>。本處就此不再複述。

如你對地區規劃事宜仍有任何其他查詢，請聯繫規劃署(電話：2158 6225)。若對蝦地下村申請興建小型屋宇有任何其他查詢，請聯繫本處地政主任葉穎欣女士(電話：2654 1376)。再次感謝與我們聯絡。

大埔地政專員

(蔡健倫

代行)

2024年6月4日

副本抄送：DLO/TP 427/TLT/89