

2021年 4月 19日

A/YL Appendix I of RNTPC  
Paper No. A/YL-KTN/765

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。

表格第 S16-11 號

This document is received on 19 APR 2021.  
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.info.gov.hk/tpb/en/plan\\_application/apply.html](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](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	A19L-KTN/765
	Date Received 收到日期	19 APR 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 )

蔡美媛

## 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 )

黃榮健

## 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)	Plot NO. 71 RP in D.D. 110 新界元朗八鄉大江埔村
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input type="checkbox"/> Site area 地盤面積 ..... 880 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Gross floor area 總樓面面積 ..... 148.64 ..... 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)	N/A ..... 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	錦田北分區計劃大綱核准圖 編號 S/YL-KTN/9
(e) Land use zone(s) involved 涉及的土地用途地帶	農業
(f) Current use(s) 現時用途	荒廢空置  (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

N/A

(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)"<sup>#</sup>  
已通知 ..... 名「現行土地擁有人」<sup>#</sup>。

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

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

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

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

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

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

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

Others 其他

- ☐ others (please specify)  
其他（請指明）

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Note: May insert more than one 「✓」.

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

註: 可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料



<b>6. Development Proposal 擬議發展計劃</b>			
(a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)	N/A (註: 此項申請與一般其他申請, 主要是有關原居民申請新居小型屋宇, 而所申請地點完全或部分並非落在「綠帶」Zone 之內的情況, 完全是不同性質。申請人是否原居民不考慮。) 申請人並非新界原居民, 她更是女性。		
(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)	N/A		
(c) Proposed gross floor area 擬議總樓面面積	148.64 sq.m 平方米 <input type="checkbox"/> About 約		
(d) Proposed number of house(s) 擬議房屋幢數	2	Proposed number of storeys of each house 每幢房屋的擬議層數	2
(e) Proposed roofed over area of each house 每幢房屋的擬議上蓋面積	37.16 sq.m 平方米	Proposed building height of each house 每幢房屋的擬議高度	5.18 m 米
(f) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途	露天花園用地  (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, 其計劃車位數目, 以及每個車位的長度和寬度及/或化粪池的位置 (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)	
(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. 請用圖則顯示化粪池的位置)	

## 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。

<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>N/A ..... ..... ..... ..... .....</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"/>
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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申請的資料。如有需要，請另頁說明。

申請人老父蔡家基，於大約四十多年前，於申請地點西北方私人農地經營飼養雞隻農場（見附件一漁護署飼養禽畜牌照 no. 1K1152）。農場佔地面積約 7,430 m<sup>2</sup>，全屬錦田鄧氏祠堂及族人物業（見附件二）。蔡家老父居於農場內其中一個地段，約 1334 m<sup>2</sup> 內，一幢超過六十年的構築物，因應政府 1990 年的禽畜管制行動，大江埔村內的雞場，皆已結業多年，剩下朱係蔡家基現經營的龐大雞隻飼養農場，可以說是寥寥可數了，漁護署亦有詳細資料。

- 因應社會需求，農場多年飼養雞隻達 62,000，申請人老父及兩位兄長，工作勞累，故過往數年已僱多名工人，但因農場地點偏遠，以致工人流失率頗高，導致農場運作並不順暢。此外，去年入夜更有不法之徒潛入農場，把大批成熟雞隻偷去，損失慘重。面對以上農場運作的困難，若然能夠申請成功，便可以在申請地點建造兩幢構築物，一間作為工人宿舍，減低工人流失率，並可以在夜間看守農場。另外一間則可以改善申請人父兄的居住環境，利便他們管理農場，改善居住衛生條件，因上述他們居住的老構築物，非常接近雞舍，有感染禽流感病毒的風險。

- 因申請地點座落於農業用途地帶，而擬建兩幢構築物（註：構築物用途及建造符合建築物條例（新界適用）條例，Cap. 121 內的新界豁免管制屋宇條件）的用途性質，正是城規會指引准許的農地住用構築物（見附件三及四）。故此，申請人原以為不同經過城規申請，便於 1990 年直接去信元朗地政處申請短期豁免書（見附件五），並將申請事宜告知粉嶺上水及元朗東規劃專員（見附件六）。但是，兩封信久沒回音。就此問題，我黃榮健曾於去年 11 月向元朗地政處追問申請進展，得到的是負面答覆，詳情見附件四、五及區信件內容。

- 在失望及別無定法的情況之下，申請人接納我的建議，現惟有向城規會作出申請。
- 土地是香港最珍貴的資源，所以在法理情之下，土地應當「地盡其用」，才是恰當。在此情況之下，我實在找不到第二個理由，為何元朗地政處仍以「根據地政總署現行訓令，本處沒有批准同類個案的工作指引」為藉口，拒絕擬建構築物的申請。

- 此個案非常獨特，首先申請人父親經營了這麼一個大的飼養雞隻農場多年，而農場運作，實在有需要蓋建兩幢構築物，幫助飼養雞隻的農業發展。可惜的是，除了元朗地政處的僵化態度，粉嶺上水及元朗東規劃專員對此項申請，也是沒有任何答覆，實在令人失望！回看上世纪五、六十年代的新界，當時的新界理民府，為著當時的農民住屋需求批准他們建屋（見附件五信及 2. (i) 及附件區信內容）。

現今的政府，是否須要反思清楚，是否真的令非苦比啊！



**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

  
黃榮健

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

N/A

Name in Block Letters  
姓名（請以正楷填寫）

Position (if applicable)  
職位（如適用）

Professional Qualification(s)  
專業資格

☐ Member 會員 / ☐ Fellow of 資深會員

☐ HKIP 香港規劃師學會 /

☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 /

☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 /

☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

on behalf of  
代表

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

Date 日期

7.4.2021

(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。



# 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 deposited 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存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	新界元朗八鄉大江埔村 Lot NO. 71RP in D.D. 110		
Site area 地盤面積	880	sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地	N/A	sq. m 平方米 <input type="checkbox"/> About 約)
Plan 圖則	錦田分區計劃大綱核准圖 S/YL-KTN/g		
Zoning 地帶	農業		
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"/> <input type="checkbox"/> Small House 小型屋宇		
(i) Proposed Gross floor area 擬議總樓面面積	148.64	sq.m 平方米	<input type="checkbox"/> About 約
(ii) Proposed No. of house(s) 擬議房屋幢數	2		
(iii) Proposed building height/No. of storeys 建築物高度/層數	5.18 m 米 <input checked="" type="checkbox"/> (Not more than 不多於)		
	2 Storeys(s) 層		

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

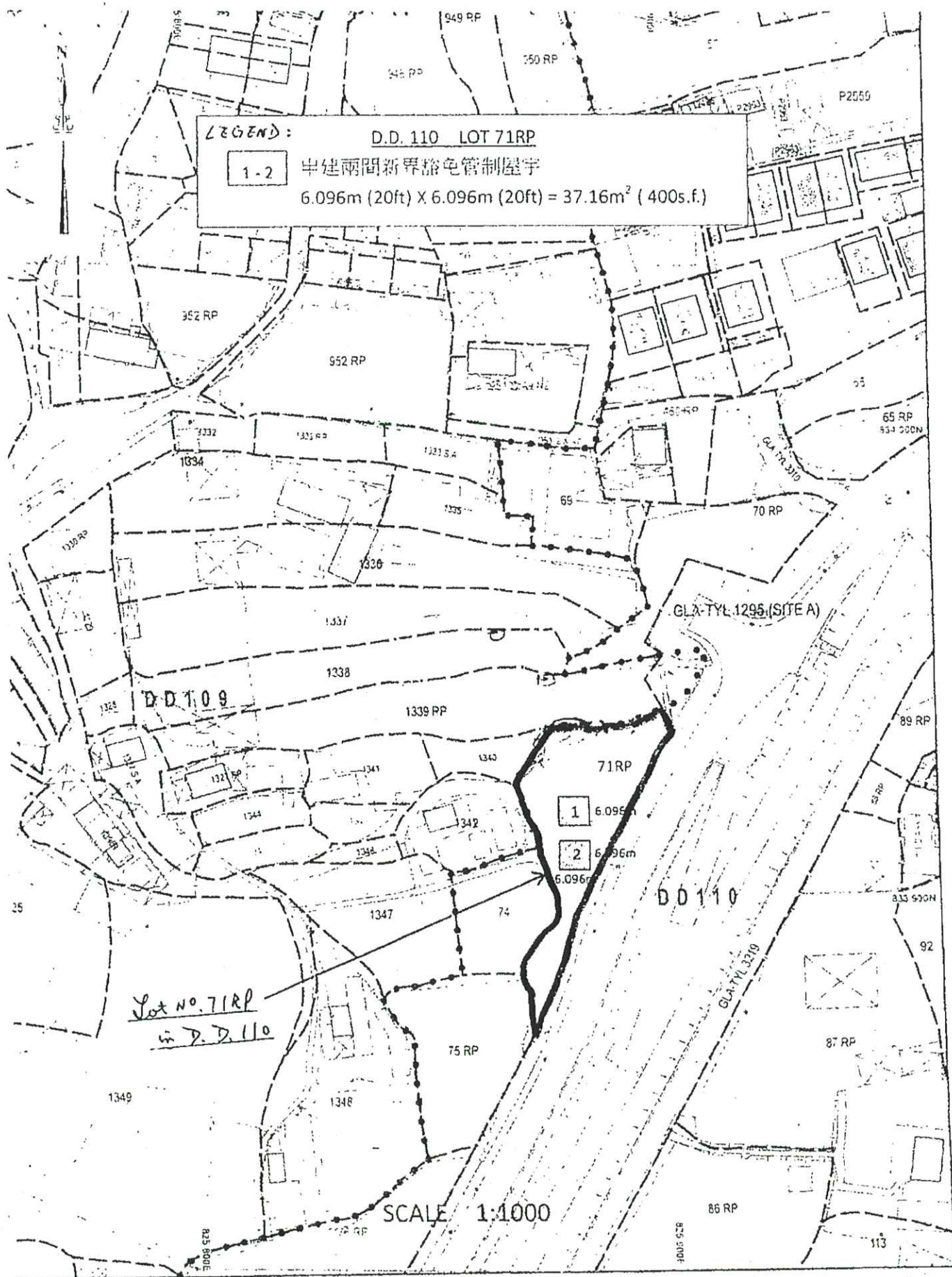
	Chinese 中文	English 英文
<b>Plans and Drawings 圖則及繪圖</b>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖/布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
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>Not print of DZP SYL-KTN/g Plan</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Justifications 理由陳述的附件 I 至 IV</i>	<input checked="" type="checkbox"/>	
<b>Reports 報告書</b>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及/或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>

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。





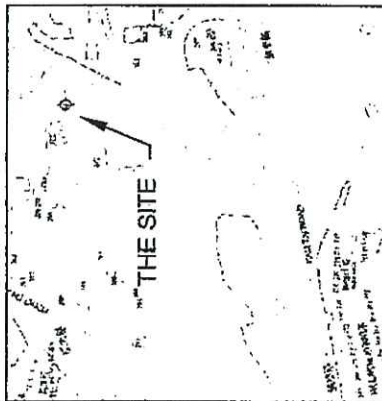
LEGEND: D.D. 110 LOT 71RP  
1-2 半建兩間新界豁免管制屋宇  
6.096m (20ft) X 6.096m (20ft) = 37.16m² (400s.f.)

Lot No. 71RP  
in D.D. 110

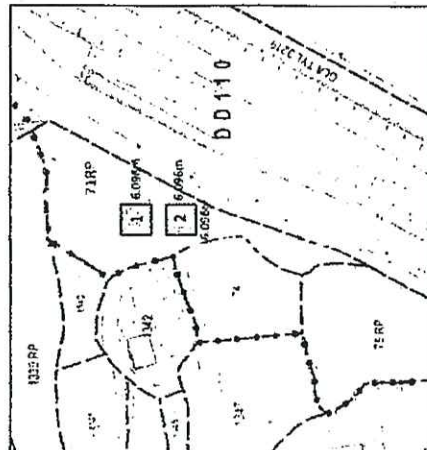
SCALE 1:1000

Lot Index Plan NO. = ND 0150102019

ND 0150102019



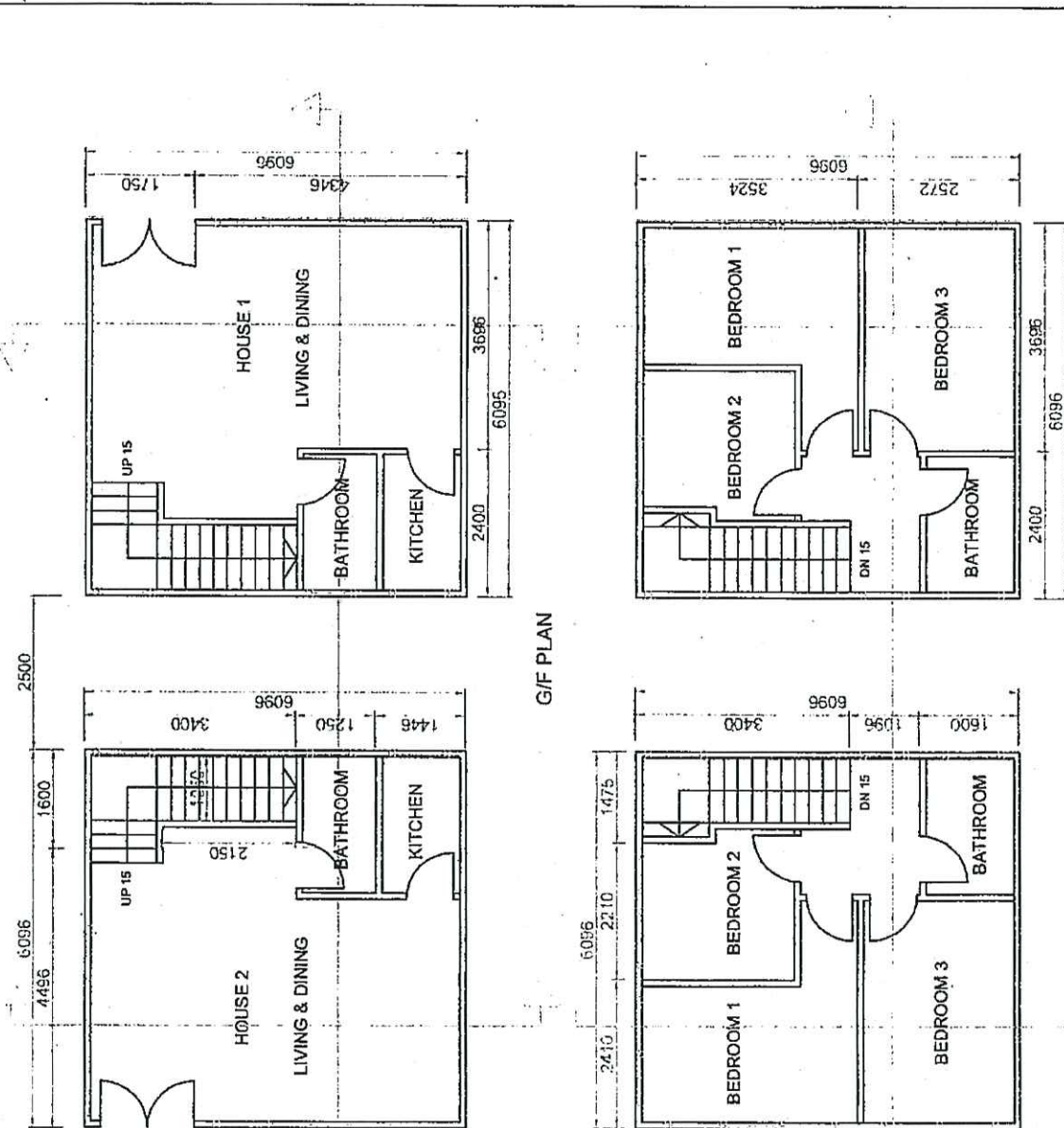
LOCATION PLAN



SITE PLAN

GENERAL NOTES:

1. ALL DIMENSIONS ARE IN MILLIMETER.
2. HIS PROPOSED DEVELOPMENT IS TO CONSTRUCT 2 N.T. EXEMPTED HOUSES AT D.D. 110 LOT 71 PR.
3. ALL DIMENSIONS SHALL BE VERIFIED ON SITE.
4. THE TOTAL COVERAGE AREA AND THE HEIGHT OF THE PROPOSED HOUSE SHALL NOT EXCEED 37.16m<sup>2</sup> AND 5.18m RESPECTIVELY.
5. ROVER DRAINAGE SYSTEM SHALL BE PROVIDED ON SITE.



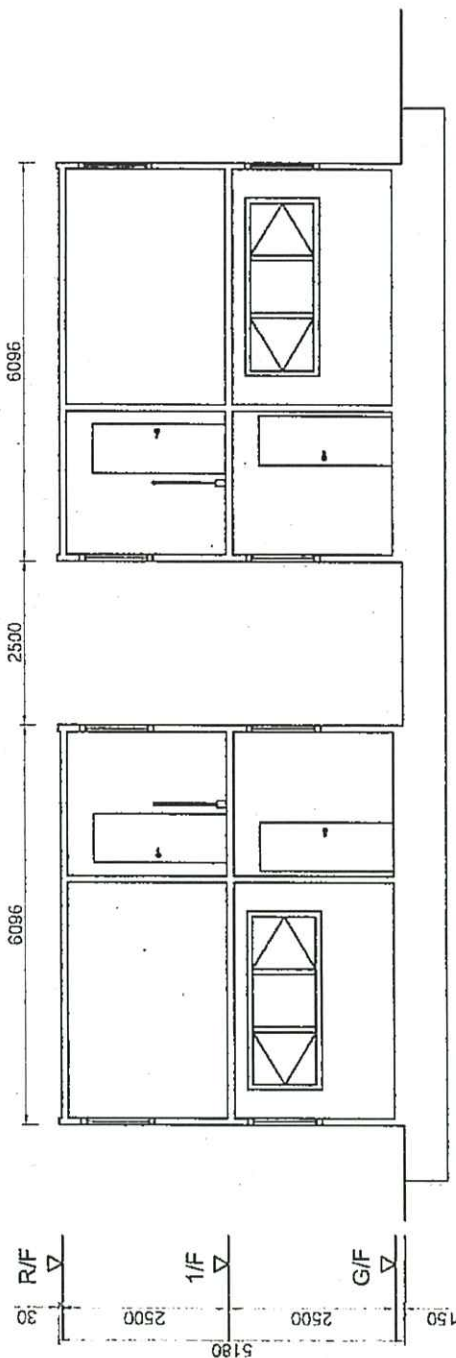
G/F PLAN

1/F PLAN

REV	DESCRIPTION	DATE	NOTES	DRAWING TITLE	GIF AND 1/F PLAN OF PROPOSED N.T. EXEMPTED HOUSE 1 AND 2
				DRAWING NO	TS-KT-2021-001
				JOB NO	
				DATE	23 FEBRUARY 2021
				SCALE	1 : 100
PROPOSED DEVELOPMENT OF 2 N.T. EXEMPTED HOUSES AT D.D. 110 LOT 71 RP					

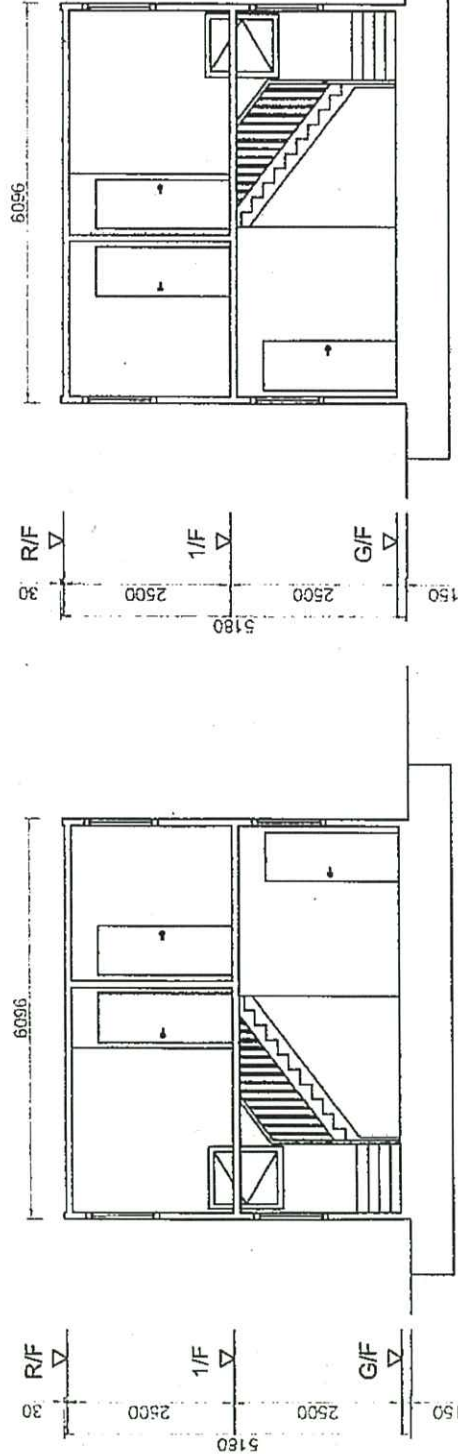
Prepared by: [Name]  
 Checked by: [Name]  
 Date: [Date]





PROPOSED N.T. EXEMPTED HOUSE 1

SECTION A-A



PROPOSED N.T. EXEMPTED HOUSE 2

SECTION B-B

PROPOSED N.T. EXEMPTED HOUSE 1

SECTION C-C

REV	DESCRIPTION	DATE	NOTES	DRAWING TITLE	SECTIONS
				DRAWING NO	TS-KT-2021-004
				JOB NO	23 FEBRUARY 2021
				DATE	SCALE 1:100

PROPOSED DEVELOPMENT OF 2 N.T. EXEMPTED HOUSES AT D.D. 110 LOT 71 RP

TS-KT-2021-004

23 FEBRUARY 2021

SCALE 1:100

DATE

JOB NO

DRAWING NO

DRAWING TITLE

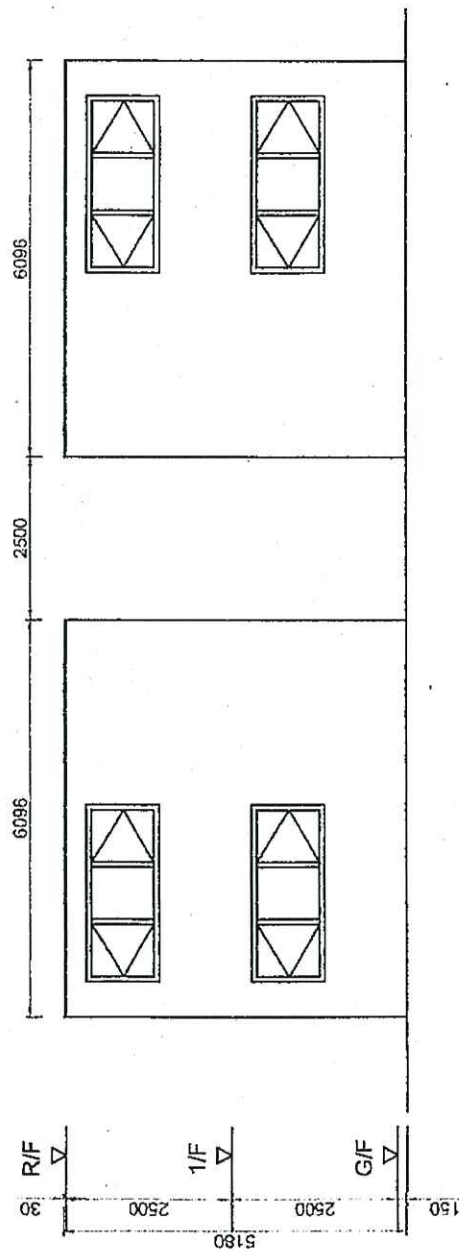
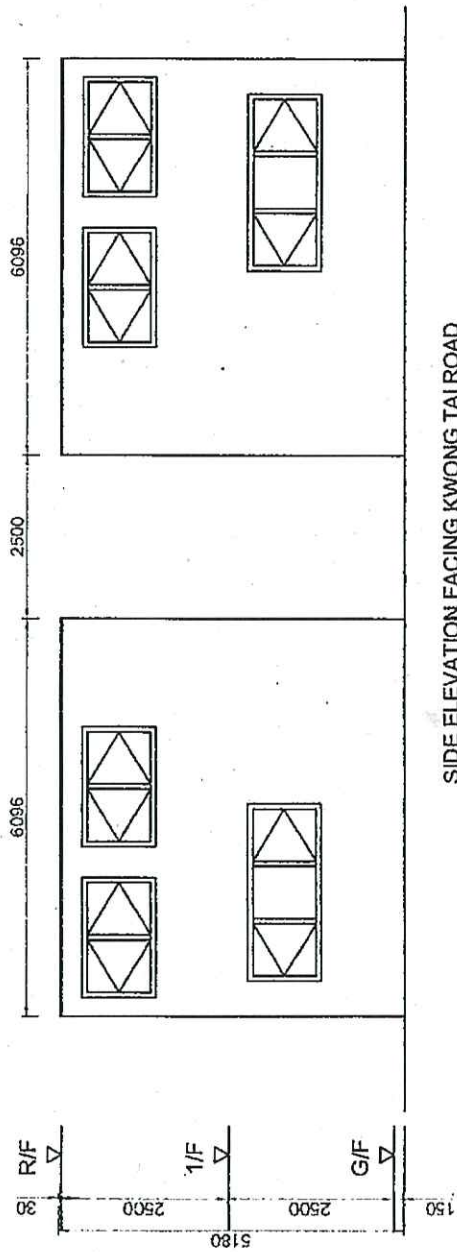
SECTIONS


NOTES

DATE

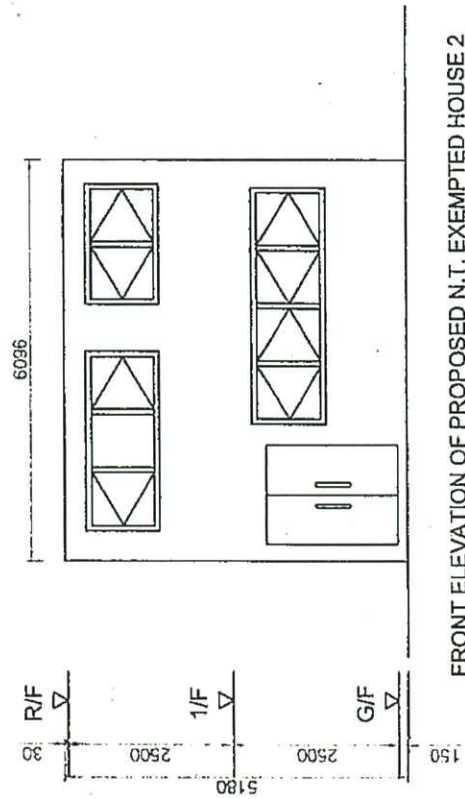
DESCRIPTION

REV

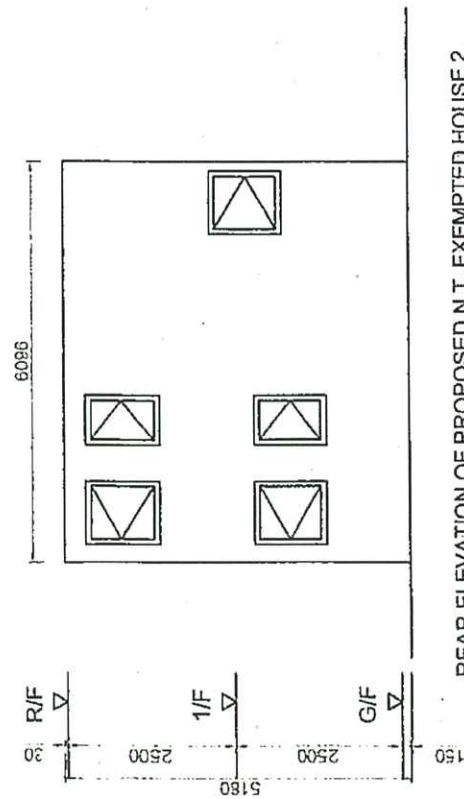


 Department of Public Works and Engineering Government of Western Australia Perth, Western Australia	REV	DESCRIPTION	DATE	NOTES	DRAWING TITLE  DRAWING NO  JOB NO DATE	SIDE ELEVATIONS  TS-KT-2021-003  23 FEBRUARY 2021	SCALE  1 : 100
PROPOSED DEVELOPMENT OF 2 N.T. EXEMPTED HOUSES AT D.D. 110 LOT 71 RP							

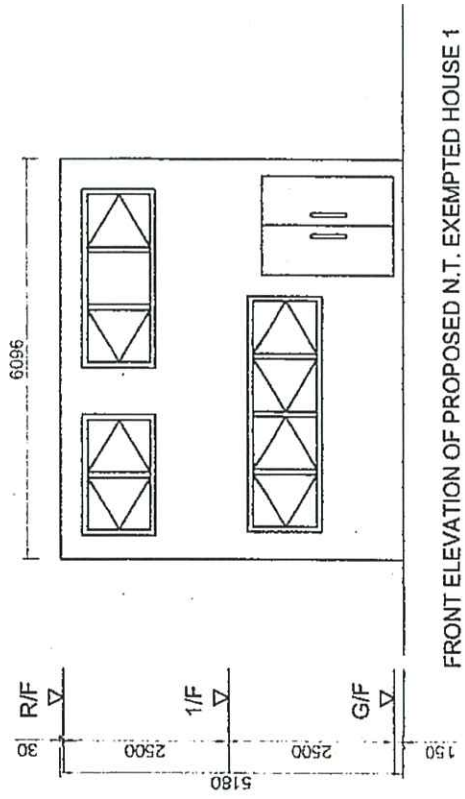




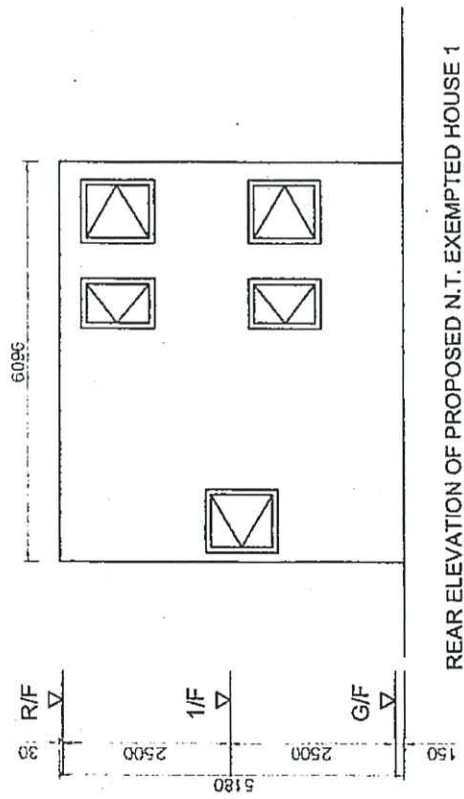
FRONT ELEVATION OF PROPOSED N.T. EXEMPTED HOUSE 2



REAR ELEVATION OF PROPOSED N.T. EXEMPTED HOUSE 2



FRONT ELEVATION OF PROPOSED N.T. EXEMPTED HOUSE 1



REAR ELEVATION OF PROPOSED N.T. EXEMPTED HOUSE 1

REV	DESCRIPTION	DATE	NOTES	DRAWING TITLE	FRONT ELEVATIONS AND REAR ELEVATIONS
				DRAWING NO	TS-KT-2021-002
				JOB NO	23 FEBRUARY 2021
				DATE	SCALE 1 : 100
PROPOSED DEVELOPMENT OF 2 N.T. EXEMPTED HOUSES AT D.D. 110 LOT 71 RP					

1/20/2021  
 1/20/2021  
 1/20/2021  
 1/20/2021



111

02.A.

Plan



漁農自然護理署  
九龍長沙灣道三〇三號  
長沙灣政府合署 5-8 樓



《2461 4732》  
AGRICULTURE, FISHERIES & CONSERVATION DEPARTMENT (I)

Cheung Sha Wan Government Offices  
5-8/F, 303 Cheung Sha Wan Road  
Kowloon, Hong Kong

本署檔號      Our Ref.: (    ) in AF/LK1152 Pt. II  
來函檔號      Your Ref.:  
電    話      Tel No.: 2461 4732  
電郵地址      E-Mail: mailbox@afcd.gov.hk  
圖文傳真      Faxline No.: 2461 4649

蔡家基先生：

飼養禽畜牌照

本署現根據香港法例第 139 章公眾衛生(動物及禽鳥)(禽畜飼養的發牌)規例向你簽發續領飼養禽畜牌照。

此牌照不得轉讓，有效期至二零二二年七月十五日。你須在牌照期滿前四個月內，向本署申請續牌。

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你獲准在新界元朗錦田大江埔第 109 約 1334-41 號地段飼養不超過 62800 隻雞。附同牌照之圖則塗上紅色的部分為牌照准許飼養禽畜及有關活動的地方。未獲政府批准而搭建的農舍，將來仍可能被政府有關部門清拆。

你獲准在上述地方用趁乾剷出法及滲水處理法處理廢物。

你必須時刻適當操作及保養禽畜廢物處理設施，以免環境污染，滋擾他人。

此外，除非你事先獲得本署書面同意，否則不能擅自更改飼養禽畜之地方和禽畜廢物處理系統。或改養其他種類之禽畜或飼養禽畜超過上列的數目規定。

作為持牌人，你必須遵守牌照附頁列明之所有規定。否則，本署會考慮撤銷你的牌照。如對牌照規定有任何查詢，請致電 2462 7443 與本署職員聯絡。

漁農自然護理署署長

二零一九年六月十八日

(謝靜



代行)













## 農場圖則

農場編號 : LK 1152  
持牌人 : 蔡家基 (TSOI Ka Kei)  
農場地址 : 新界元朗錦田大江埔第109約1334-41號地段  
測量圖編號 : 6-NE-8C


序號	農用構築物編號	用途	尺寸
1	* EP/17/F131, TKP/795, TKP/789-790, TKP/X/577	雞屋	147.80 平方米
2	* Nil	雞屋	48.51 平方米
3	* Nil	雞屋	5.00 米 x 6.40 米
4	TKP/795	雞屋	65.20 平方米
5	* Nil	雞屋	70.45 平方米
6	EP/17/F136-F133, TKP/785	雞屋	405.79 平方米
7	TKP/791	雞屋	20.30 米 x 7.40 米
8	TKP/792-793	雞屋	27.40 米 x 11.50 米
9	* TKP/794, EP/17/F133-F135	雞屋	837.09 平方米
10	* Nil	雞屋	442.40 平方米
11	* Nil	雞屋	57.60 平方米
12	EP/17/F132	飼料房 (孵化房)	172.42 平方米

編序	廢物處理設施	尺寸
A	刮除機	
B	收集池	1.00 米 x 4.00 米 x 2.00 米
C	化糞池	3.00 米 x 6.00 米 x 2.00 米
D	化糞池	3.00 米 x 6.00 米 x 2.00 米
E	滲水池	8.00 米 x 19.80 米 x 3.00 米
F	滲水池	12.00 米 x 8.00 米 x 2.50 米

說明 :

-  飼養禽畜農用構築物
-  非飼養禽畜之農用構築物
-  廢物處理設施
-  廢物處理設施 (埋在地底)
-  管道
-  農場邊界

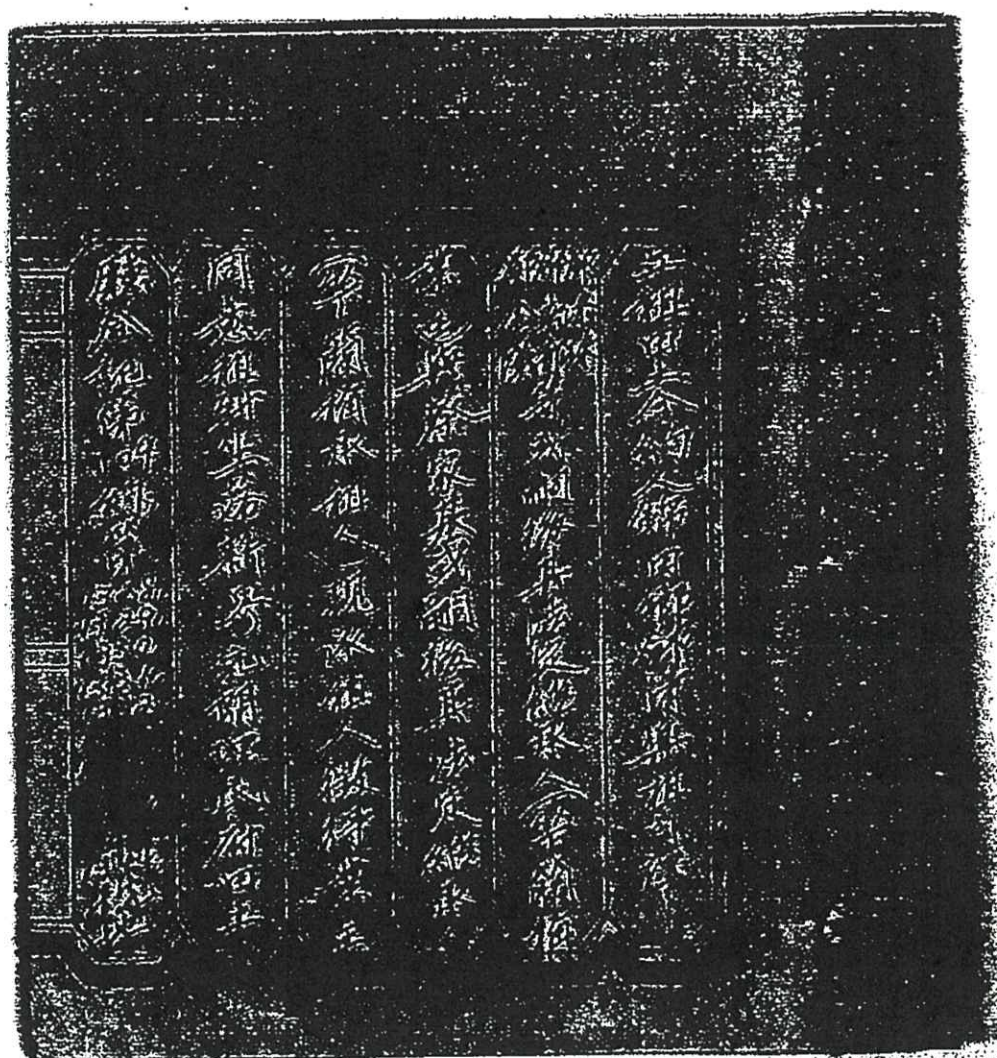
\* 未獲政府批准而搭建的農舍，將來仍可能會被政府有關部門清拆

授權批准人 :   
漁農自然護理署署長  
(馬惠忠代行)











故曰此碑刻合于道設在社以作樂

我之用也

新修方寸是祖新修德其德則

科如

祖顯本祖新修德祖顯德在社

宗新修方寸是祖新修德其德則

故曰此碑刻合于道設在社以作樂

我之用也

新修方寸是祖新修德其德則

科如

祖顯本祖新修德祖顯德在社



才祖金溪子休伯貞長子

世人皆謂此水能治百病

臨久郎女牙別月分御花御衣御所

日新又新之學

金瓶梅詞話卷之六

五弟祖金誌幣必何德何能立公堂

豐後人慾攝其衣遊離奇者

張出抱空亭在才制乳石病病能

世有嘉禾世有金穀

物性善於冬令之天不為不

按祖今在茶河本祖河本祖

平月年九月廿五日



此作爲據承租人承本租約有執照

內能於實錄存本租約一切標記

租約係承租滿時承租人將本租約

內所有之田土地畝及所有池面

建之建築屋舍及園業等項作時

此係由承租人承辦及承租人

承本租約有執照承租人承本租約

自於承租人承辦之田土地畝及

已於份之田土地畝分租人承辦

人除承辦有執照承辦人承辦

此係由承租人承辦及承租人

承本租約有執照承租人承本租約



其後或任何已部留宿後內增建修  
時若因建築物或開源水等時業前  
必須徵得業主之同意者其後修之  
即理應於書面許可方能動工建築  
但原有在本租約所載明之酒地除  
上述各項外亦無須經政府之許可

其後或任何已部留宿後內增建修  
時若因建築物或開源水等時業前  
必須徵得業主之同意者其後修之  
即理應於書面許可方能動工建築  
但原有在本租約所載明之酒地除  
上述各項外亦無須經政府之許可



吳政者主一切刑罪但金差餉實真

他如跌打等概由承租人有責

無的又無因之迹也彼老也便爾能

納稅義務人

牙餘影微於漢末主之年但策謹

新元牙年任大佛牙行德

THE UNIVERSITY OF CHICAGO

外江人亦多來金不往金

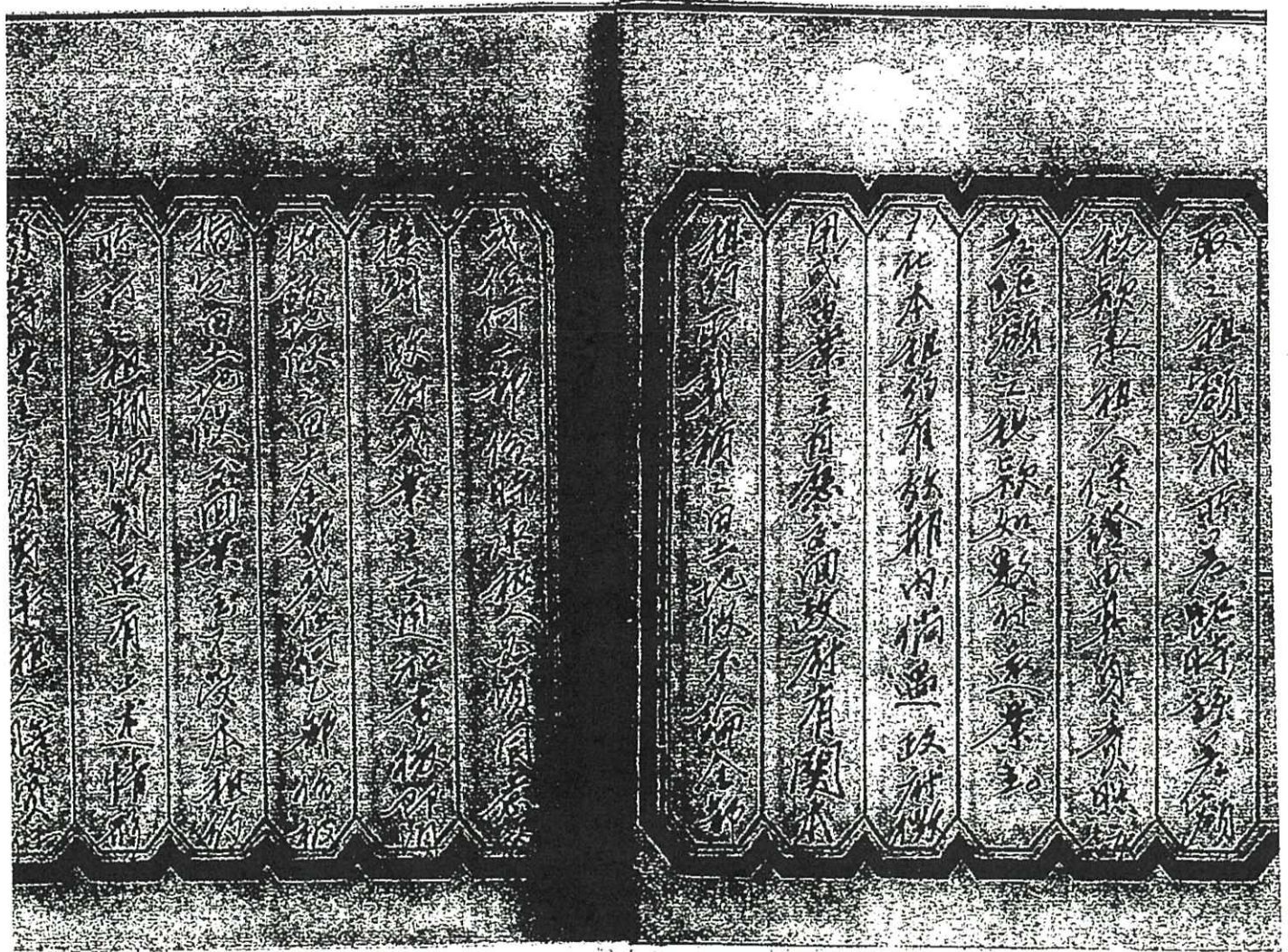
千石五斗之酒也

此書實金瓶梅詞話之祖

物者必慎其始也

卷之四







法部

何者周勃何伯去但欲求其元子也

傾承雅之也而君臣父子之義

主德系卷九

易在木根斷有故期而承祖人須同志

業多或業多故期人於必要時生不

祖身業新之而主德之視終期

公承祖人不將授也祖之治主德終

將遠及故有法例等事

也在水根斷也牙祖那居滿財泰

以明其本也約而承祖人須同志

切變業居舍全神之圖末之條

計者此也入後其家而後自居其



均謂此即舊新知化本祖所載

是也故特已部俗種有本所

式食有性為身時而演一機微清不

待藉端施施或向來主本神微

謂本類

山在祖所自教所自業主業祖會

方之切有閱經終之為因通者

非此所牙也

公本祖所載之一切信得本則

雙方性如老處後說為互相同

後發訂信河一方本牙藉端

本本祖人於祖約有故



相與連及本租約可載明之條

件亦則從一修或一新時業主

有權將本租約全書原廢亦有

權以酒本租約所載領之面土地

度金銀承租人已照此意應承

租金概不消之因時承租人亦

有權將本租約全書原廢亦有

權以酒本租約所載領之面土地

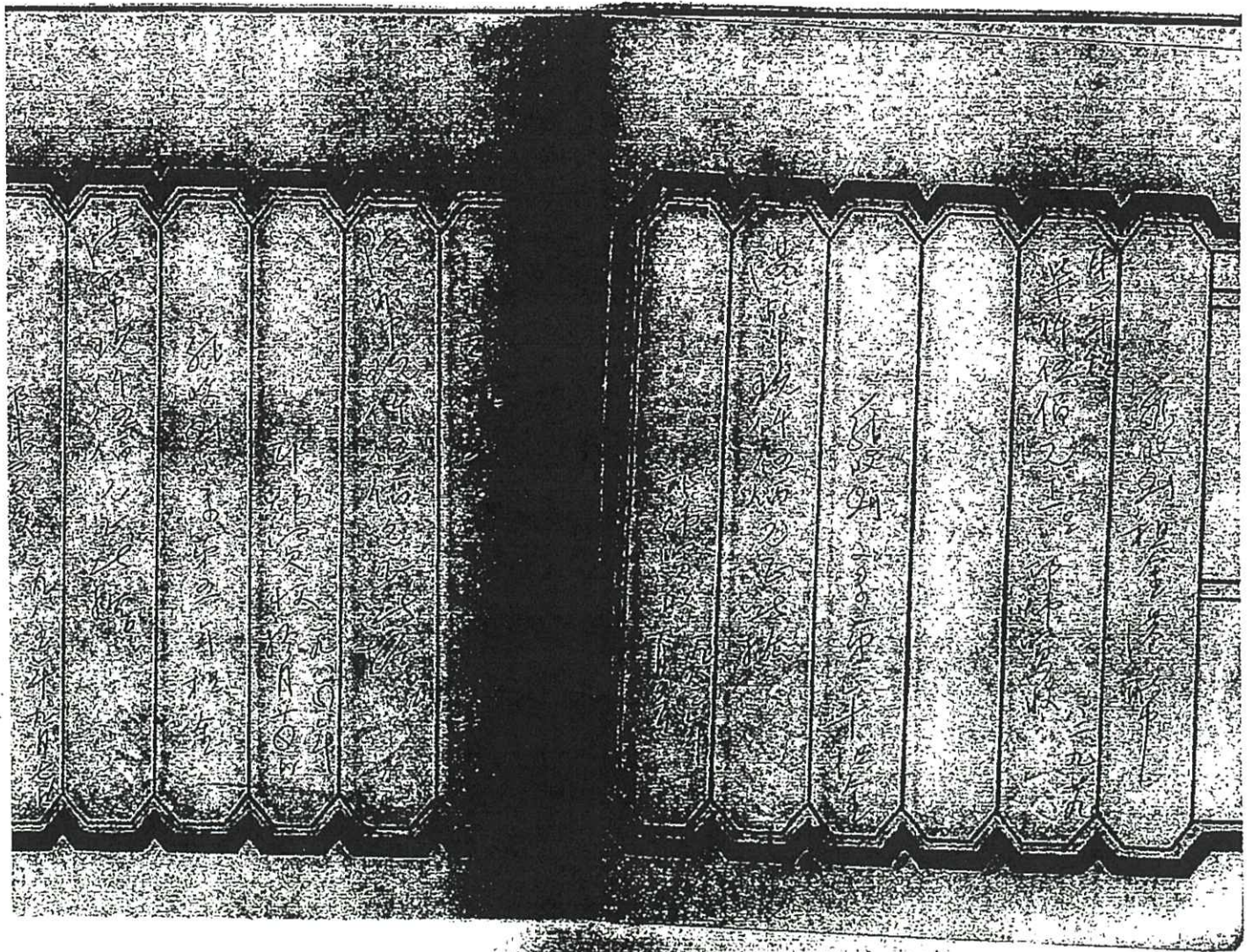
度金銀承租人已照此意應承

租金概不消之因時承租人亦

有權將本租約全書原廢亦有

權以酒本租約所載領之面土地







Original Stored on:

87, 88-2/3

[illegible]



AGRICULTURE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Animal Boarding Establishment Barbecue Spot Burial Ground Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project

Planning Intention

This zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

Remarks

- (a) On land previously falling within the "Agriculture" zone on the Kam Tin North Outline Zoning Plan No. S/YL-KTN/7, any filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

(Please see next page)

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- Press Release
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- List of Plans
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## Forms, Guidelines, Technical Documents and Reference Materials

### Definitions of Terms (Revised Version)

Print This Page

Revised Definitions of Terms / Broad Use Terms Used in Statutory Plans

(Important Note : -

This set of definitions is generally used by the Town Planning Board as a basis in interpreting the various planning terms used in statutory plans. It does not form part of the plan and the definitions are liable to revision.

The notes under the 'Remarks' column shall be deemed to be part of the definitions and should be read in conjunction with the definitions.

Any enquiries on these definitions should be directed to the Planning Enquiry Counter of the Planning Department (Tel No. 22315000), 17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.)

Use	Definition	Remarks
Fast Food Shop	Means any premises used for the selling of quick meals including drinks mainly for consumption off the premises.	[Subsumed under 'Shop and Services' unless otherwise specified]
Field Study/Education/Visitor Centre	Means any place or premises exclusively or primarily used for displaying information or conducting field study and educational programmes on the environment and related subjects.	
Filling of Land	Means the depositing or placing of earth, gravel or any other substances on land, which results in an elevation of ground level.	
Fire Station	Means a purpose-built premises under the management of the Fire Services Department where fire appliances and personnel are accommodated ready for immediate turn out to extinguish fires and to protect and rescue life and property in case of fire or other calamities.	It includes ambulance depot located within or co-located with fire station. It also includes fire fighting and rescue station. [Subsumed under 'Government Use']
Fish Pond Culture	Means a pond managed for fish culture/farming activities.	It excludes fish rearing facilities such as concrete pools or tanks. [Subsumed under 'Agricultural Use' unless otherwise specified]
Flat	Means any self-contained apartment, usually on one floor of a building, which has its own entrance, kitchen/kitchenette/pantry, living/dining room, bedroom, bathroom/toilet, and sometimes servant's quarters.	It includes duplex apartment, penthouse and apartment-like service apartment provided with central services and/or central management and communal facilities. It also includes staff quarters and Government staff quarters in the form of apartment blocks. [Staff Quarters' and 'Government Staff Quarters' subsumed under this term and under 'House' depending on the built form]
Footbridge/Pedestrian Subway	Means any bridge or subway designed for pedestrian traffic only.	
Footpath	Means the part of a street, cul-de-sac or access road normally reserved as a means of public passage on foot.	
Freight Forwarding Services Centre	Means any premises used for courier and freight forwarding operations, which involve collecting, temporary storage of, sorting and despatching packages.	It excludes courier services counter for collecting and despatching small packages, which is regarded as a kind of 'Shop and Services' use. [Subsumed under 'Cargo Handling and Forwarding Facility']
Funeral Depot	Means any place or premises used for the temporary storage of coffins and caskets with corpses within awaiting burial or cremation services.	[Subsumed under 'Funeral Facility']
Funeral Facility	Means any place or premises which provide facilities for reception, storage or treatment of human remains prior to burial or cremation services.	It includes mortuary, funeral depot, funeral parlour, funeral services centre and public funeral hall. [Funeral Parlour', 'Funeral Depot' and 'Funeral Services Centre' subsumed under this term]
Funeral Parlour	Means a mortuary (i.e. any premises or place set apart or habitually used for reception, storage or treatment of human remains).	Adapted from Funeral Parlours Regulation of the Public Health and Municipal Services Ordinance (Cap. 132).



法定規劃綜合網站2  
Statutory Planning Portal 2

Appeal Board Panel  
(Town Planning)

Planning Department

Interactive  
Reader

West Kowloon  
Cultural District

2005年10月14日  
2005年10月14日  
2005年10月14日

W3C WAI-AA  
WCAG 2.0

香港政府一站通  
Web For All



*Industrial Use' subsumed under this term unless otherwise specified]*

**Office (other than those involving direct provision of customer services or goods)**

Means any office of such uses that would not attract frequently a large number of visitors to the premises by providing direct services or goods to customers or visiting members of the general public.

*[Subsumed under 'Office' unless otherwise specified]*

**Office Related to Industrial Use**

Means any premises where the activities of a firm are in direct support of and complementary to an associated industrial operation.

It includes trading firms requiring frequent loading/ unloading and large storage space of not less than 30% of the total usable floor area of the firm within the same premises or building, which cannot be accommodated in conventional commercial/office buildings.

*[Subsumed under 'Office' unless otherwise specified]*

**Oil Depot, Oil Refinery and Petro-chemical Plant**

Oil depot means any place or plant used for the storage of oil.

Oil refinery means any place or plant where oil is refined or purified.

Petro-chemical plant means any plant in which petro-chemical products are processed, manufactured and produced.

**On-Farm Domestic Structure**

Means a residential unit on agricultural land for habitation of the farmer who works on the farm (including fish-farm).

The unit shall not exceed a maximum of two storeys and 5.18m in height with a roofed-over area not exceeding 37.2m<sup>2</sup>. (For the avoidance of doubt, such structure does not include those converted from containers.)

**Open Space**

Means any land with the minimum of building structure which has been reserved for either passive or active recreation and provides major or minor recreational facilities, which may be of local or district significance, which is for the use and enjoyment of the general public.

It includes park and garden, playground/playing field, promenade, pavilion, sitting out area, pedestrian area and bathing beach.

*['Ancillary Beach Use', 'Beach', 'Park and Garden', 'Playground/Playing Field', 'Promenade', 'Pavilion', 'Pedestrian Circulation and Sitting Out Area' and 'Pedestrian Area' subsumed under this term unless otherwise specified]*

**Open Storage(not elsewhere specified)**

Means any activity carried out on a site for which the greater part of the site coverage (i.e. generally assumed to be more than 50%) is uncovered and used for storage purposes.

Activities conforming to the definition comprises:

- storage of rattan and bamboo
- storage of logs and timber
- storage of ceramic/pottery products
- storage of processed agricultural products
- storage of used electrical appliances/scrap metal
- storage of cans/tanks
- storage of paper and general rubbish- storage of construction materials
- storage of construction equipment
- storage of vehicles and vehicle parts for sale or disposal
- vehicle depot

It includes storage activities in temporary structures, but excludes storage of cement/sand, chemical products and Dangerous Goods, storage of vehicle for stripping/breaking or repair, vehicle stripping/breaking yard, container storage/repair, and storage/repair of container vehicles.

*['Vehicle Depot', 'Storage of Vehicles for Sale or Disposal', 'Storage of Scrap Metal' and 'Storage of Rattan and Bamboo' subsumed under this term unless otherwise specified]*

**Open Storage of Cement/Sand**

Means any site, usually with a greater part of the site uncovered, for the storage of cement/sand.

*['Sand Depot' subsumed under this term]*

**Open Storage of Chemical Products/ Dangerous Goods**

Means any site, usually with a greater part of the site uncovered, for the storage of chemical products and/or Dangerous Goods as specified under section 3 of the Dangerous Goods Ordinance (Cap. 295).

*['Storage of Chemical Products' and 'Storage of Dangerous Goods' subsumed under this term]*

**Ossuarium**

Means any place or premises where containers for the bones of the dead are placed.

*[Subsumed under 'Grave']*



(附件 V)

致：元朗地政專員

敬啟者：

申請短期耕作 (Short Term Arable)

申請蓋建兩間農地住用構築物

Lot No. 71 RP in D.D. 110

八鄉大江埔村



18/3/2020

本人蔡家基，現年八十多歲垂暮之年，自上世紀八十年代初於八鄉大江埔村飼養雞禽為生，奮鬥了大半個世紀，由最初的小規模經營，至今農場規模已擴大至可同一時期飼養雞隻 6 萬多隻。由於本人身體健康情況已大不如前，幸得兒子蔡美斯，蔡德理及女兒蔡美媛共同努力，令農場運作如常，三位兒女已能擔起一切，我已可安享晚年了。

2. 農場位於 Lot Nos. 1334, 1335, 1336, 1337, 1338, 1339 RP, 1340 及 1341 in D.D. 109 [見附函 I 漁護署 16/7/2019 發給我的飼養禽畜牌照]，以上 8 個地段，佔地約 8 萬平方呎，全屬錦田鄧氏族及其鄧清樂祖，本人已承租其中 6 個祖堂地段，餘下兩個地段由我兒子蔡德理承租，至今已長達 38 年 [見附函 II 田土註冊處有關資料及土地租約]。而我舉家大小居住的地方，便是位於農場北面，座落於 Lot No 1334 的一間蓋建超逾六十年以上的寮屋 [見附函 III 圖則]。

3. 雖然本人一直希望買下農場土地，但因大部份是祖堂土地，恰談一直未能成功。本人卻在此過程中，協助女兒蔡美媛於 2013 年買入毗連農場南端的一幅農地，即標題 Lot No. 71 RP in D.D. 110，現該地段種植了一些果樹，成為了農場的一部份。

4. 由於近年農場飼養雞隻數量大增，兒女工作日以繼夜，疲於奔命，故此這幾年惟有僱用數名工人幫忙，但因農場偏遠，交通出入甚為不便，工人流失率頗高，以致日常農場運作，產生一定程度的困難。晚上更曾試過有兩三倘，被不法之徒於晚上偷走可出售雞隻，令農場損失慘重。

5. 本人近日與好友茶聚，傾談上述苦況，知悉既然農場運作已獲漁護署發出牌照多年，養殖雞隻供市民食用。在這情況下，根據錦田北分區計劃大綱核准圖編號 S/YL-KTN/9，大江埔村上述土地，已被規劃為「農業用地」，故此，我們全家既然是以務農飼養雞隻為生，管理著一個佔地 8 萬多平方呎的農場，為求解決以上困難的管理問題及安居樂業，不妨嘗試由本人女兒向政府申請，在她私有的農地 [Lot No. 71 RP in D.D. 110]，興建兩間農地住用構築物，藉此而加



以改善農場的日常運作。

6. 因此，本人在徵詢女兒蔡美媛同意後，決定由她申請短期暫免書〔見附函IV〕，向 貴處申請在標題地段蓋建兩間農地住用構築物，面積各為 400 平方呎（高度為 17 呎），一間以供本人家庭成員居住，因為家庭人口日多，三代同堂，家族成員已有十多位，造成現今居住的寮屋，已非常擠迫。另外一間，則給予農場工人作為宿舍之用，以減少工人的流失率。

7. 本人期望申建的兩間農地住用構築物，將會大大改善本人家族農場的日常運作，而農地住用構築物，是屬於上述計劃大綱圖 S/YL-KTN/9 其中「農業用地」第一欄的經常准許的用途。故此，申請符合規劃土地的宗旨。敬希 貴處能就此給予優先考慮。蔡美媛願意向政府繳納相關申請的一切費用。由於我們父女日常工作煩忙，對申請程序也一無所知，故現委託黃榮健先生〔聯絡電話：6378 7155〕代為處理相關申請程序。

8. 最後，為了加快審批程序，本人也將本信函副本，分別呈交規劃署及漁護署，希望此兩個政府部門，能夠就以上標題的申請，早日向 貴處提供相關的參考意見。此致

元朗地政專員

(蔡家基)

2020 年 3 月 19 日

回郵地址：



副本送交： 粉嶺上水及元朗東規劃處  
漁農自然護理署



豁免書個案標準申請表格

元朗地政處

注意：

1. 本表格須以中文或英文填寫，一式兩份。
2. 本表格須由有關地段 / 物業的所有業主或有關地段 / 物業業主的受託人或遺產管理人或遺產代理人填寫及簽署。
3. 填妥後，可將表格寄回或親自交回地政總署屬下的地政處。
4. 應保留一份填妥的表格，以備參考。
5. 政府不一定接納任何一份提交的申請表格。

元朗地政專員

本人 / 我們 蔡美媛 (申請人姓名) { (為 (地段第 71RP 號 / 位於 DD. 110 的物業) \* 的 (全權業主 / 共同業主) \* ) 或 (為 (地段第 \_\_\_\_\_ 號 / 位於 \_\_\_\_\_ 的物業) \* 的業主 (受託人 / 遺產管理人 / 遺產代理人 / 其他 (請說明) \_\_\_\_\_ ) \* ) } \*。現謹申請豁免書，豁免規管 (地段第 71RP 號 / 位於 DD. 110 的物業) \* 的 (租契 / ~~集體官批~~ 條件中特別條件第 \_\_\_\_\_ 條 / 新批約第 \_\_\_\_\_ 號中特別條件第 \_\_\_\_\_ 條) \* 所載的 (用途限制 / 其他限制 (請說明) 農業用途及蓋建構築物限制) \*，俾使 (上述地段 / 物業 / 上述地段 / 物業的一部分) \* 可作 ( ( \_\_\_\_\_ 用途 ) 或 (其他目的 (請說明) 蓋建住人構築物兩間 ) ) \*。

為方便你考慮本人 / 我們的申請，本人 / 我們付上下列文件，以供參考：



- ☒ a. 一份或多份契約登記冊 / 業主記錄的真確副本，顯示在上述地段 / 物業項下註冊的所有文件的文書性質及註冊摘要編號；
- ~~b. 一份或多份信託契據 / 授權書 / 遺囑認證 / 遺產管理書的真確副本（如適用）；~~
- ~~c. 一份或多份關於上述地段 / 物業的租契或新批約或條件（包括所有修訂書及附件）的真確副本；~~
- ~~d. 一份申請人的商業登記證影印本（如適用）；~~
- ☒ ~~b.~~ <sup>Column 1 Use [AGR-S/YL-K7A/9]</sup> 城市規劃委員會發出的規劃批准（如有的話）；
- ☒ ~~c.~~ 建議計劃的（建築圖則 / 地盤平整工程圖則 / 渠務工程圖則）\*（如有的話）。

本人 / 我們現明確保證及聲明，以上提供藉以支持本人 / 我們的申請的資料真確無訛。本人 / 我們明確表示知悉，本人 / 我們知道並接受貴署會根據本人 / 我們提供的資料批出所申請的豁免書。倘發現該等資料屬虛假或有誤導性，貴署會立即取消豁免書。

本人 / 我們並明確表示知悉，地政總署在處理本人 / 我們的上述申請時，會使用本人 / 我們在本豁免書申請表格上提供的個人資料。提供本申請表格所要求的個人資料純屬自願。本人 / 我們明白，本人 / 我們如不提供足夠的資料，地政總署可能無法處理本人 / 我們的申請。

本人 / 我們現授權地政總署，向獲該署憑其絕對酌情決定權認為適當的政府部門及任何其他團體、組織或人士，披露本人 / 我們在本申請表格上提供的個人資料，以獲取在政策上或任何其他方面視為與本人 / 我們的申請有關的資料。

本人 / 我們進一步授權、指示及要求任何由地政總署接洽的政府部門或其他團體，提供任何及所有該署要求的資料。



\* 刪去不適用者

申請人簽署： [REDACTED]

( 香港身分證號碼： [REDACTED] )

申請人姓名 ( 請用正楷填寫 )： 蔡美媛

地址： [REDACTED]

[REDACTED]

電話號碼： [REDACTED]

日期： 09/03/2020



致：粉嶺上水及元朗地政專員

(附件 VI)

中建農地住用構築物

Lot NO. 71RP on D.D. 110

元朗八鄉大鵬埔村

敬啟者：

事由本人於 19/3/2000 呈遞元朗地政專員，中建兩間農地住用構築物（見附函信件）。詳情請參閱附函信件內容，尤其是第 7 段及附函 Am IV 的附件 (b) 有關 OZP NO. 8/YL-KTN/9 及有關農地住用構築物的定義。

2. 就此，敬希 貴專員能細閱內容後，能公正無私地向元朗地政專員，就標題申請事宜，給予意見支持，以便元朗地政專員能早日作出批示。

回郵地址：

連絡手機：

(蔡家基)  
蔡家基



- Copy -

(附件 VII)

致：元朗地政處 總地政主任謝淑蓮女士

敬啟者：

申請短期暫免書(Short Term Waiver)

蓋建兩間農地住用構築物

Lot No.71RP in D.D.110

新界八鄉大江埔村

繼蔡家基先生於 19/3/2020 致函〔見附件 I〕給予 貴處後，由於他委託我跟進而申請沒有任何進展，故我上月中求見於你，並獲接見。席間討論個案中，你翻查地政總署現行訓令，發覺並沒有批准同類個案的有關工作指引，標題申請需要細心考慮。

2. 這段日子期間，經我反覆思量，搜索枯腸之下，現謹列舉以下理由，希望能幫助你考慮此申請個案：—

(i) 中國以農立國，過往的新界也一樣，當英國人於 1898 年租借新界時，新界原居民大多數務農維生〔註：1905 年集體官批〔Block Crown Lease〕內的大約三十四萬個地段，絕大部份皆是農地 / 稻田〕。但隨著上世紀七八十年代新界急速發展，建立衛星城市，這個情況便大幅改變，農業開始式微。1982 年之前，當時管治土地的前新界理民府，為了解決農民於私人農地上蓋建住屋棲身屋宇等的需求，曾作出大量的批准，更改「集體官批」契約私人農地未經批准之下，不可蓋建築物這條款，以牌照〔Licence〕形式，批准建人住屋宅，並向有關申請人收取大約十元的年費。此類牌照，名為「放寬租管限制」〔Modification of Tenancy〕。當時的牌照屋宇，大多數為 300 / 400 平方呎，高 11/13 呎

(ii) 由於上述新界發展，兼且政府於上世紀九十年代初，於新界實施禽畜管制行動〔Livestock Licensing Exercise〕，以致不乎合環保要求的禽畜農場，大量地被迫結業〔註：我家大江埔村哥哥黃榮乾的雞場，便是因此而結業，哥哥收取了賠償金額〕。因此，上述的「放寬租管限制」牌照申請個案，便因基於農戶〔包括耕作〕逐漸減少，慢慢絕跡了。我認為很大可能是因為這個情況，以致現今地政總署訓令，已廢除了相關的「放寬租管限制」此類牌照申請的工作指引。

(iii) 大江埔村因應以上所述的禽畜管制行動，餘下存在飼養雞隻農場也只有兩三戶，而蔡家基便是其中一戶。他為了能妥善經營，作出努力及投資，除了全家子女幫忙之外，更聘請員工飼養雞隻，農場運作蒸蒸日上〔見 19/3/2020 信件內容〕。

PLB/2020



(iv) 雖然新界社會普遍於上世紀八九十年代經歷上述的經濟轉型及發展，但當城市規劃委員會於 1990/1992 制定有關 OZP 計劃大綱圖 S/YL-KTN，仍然把八鄉大江埔村大部份土地，規劃為「農業用地」〔Agriculture〕。而根據「農業用地」第一欄的經常准許土地用途〔Uses always permitted〕，農地住用構築物〔On-Farm Domestic Structure〕為其中一項〔見 19/3/2020 信內城規指引〔App. B〕〕。那便是說，標題申請符合土地的規劃標準〔註：請參閱 9/3/2020 信中內容〕。

(v) 就此，我提供一項規劃批准的相同案例：長洲島的土地雖經城市規劃委員會被規劃為「鄉村式發展」用地，但該島卻沒有任何新界原居民村落，以致擁有有關土地非原居民的業權人士，是沒有資格根據新界小型屋宇政策，申建屋宇。但既然根據有關「鄉村式發展」的經常准許第一欄用途，新界豁免管制屋宇是其中一種准許用途，故此，離島地政處便以規劃土地意向為標準，以獨特的形式，發出收取補足地價的建築牌照，批准有關業權人士的建屋申請。離島地政處處理的手法，我相信像標題申請一樣，地政總署訓令內一定沒有相關的工作指引。


3. 總括而言，參考過往新界理民府上述 2(i)段，及離島地政處上述 2(vi)段的處理方法，既然大前題之下，現今標題申請在土地規劃層面是經常准許的，我誠懇希望 貴處能夠批准標題申請，以便蔡家基這位大養雞農戶，能夠充分利用已被規劃為「農業用地」的土地，充分的發展，改善他的家居及農場的日常運作。

4. 就此，在新界八鄉，地政總署於 2012 年徵收菜園村土地的時候，為了遷徙該村三十多農耕戶至元崗新村旁 Lot No. 1933 in D.D. 106，根據農業遷徙政策〔Agriculture Resite Policy〕，曾在此分割地段發出了三十多個短期暫免書，准許農戶業權人在規劃為「農業用地」之上的土地，建造農地住用構築物，這便是今天的菜園新村〔見附件 II 圖則〕。若然地政總署現今已不再發出「放寬租管限制」此類牌照，我提議跟從上述菜園新村的個案，以「短期暫免書」的形式，作出批准，以便政府能收取合適的費用。

5. 以上的陳述，希望獲得你嚴肅考慮及早日覆示。

敬祝工作愉快！此致

元朗地政處 總地政主任謝淑蓮女士



(黃榮健)

2020 年 12 月 16 日

回郵地址：

手機：



電話 Tel: 2443 3089  
圖文傳真 Fax: 2473 3134  
電郵地址 Email: gendloyl@landsd.gov.hk  
本署檔號 Our Ref.: ( 8 ) in DLOYL 150/YAT/2020  
來函檔號 Your Ref.:



( 附件 Ⅳ )  
地政總署  
元朗地政處  
DISTRICT LANDS OFFICE  
YUEN LONG  
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.

新界元朗橋樂坊二號大橋政府合署七樓及九至十一樓  
7/F. and 9/F.-11/F., Yuen Long Government Offices,  
No. 2 Kiu Lok Square, Yuen Long, N.T.

新界大埔

黃榮健先生

黃先生：

申請短期暫免書(Short Term Waiver)  
蓋建兩間農地住用構築物  
丈量約份第 110 約地段第 71 號餘段  
新界八鄉大江埔村

你於 2020 年 12 月 16 日來函收悉。

正如你信中所言，本處總地政主任謝淑蓮女士曾於 2020 年 11 月中旬與你會面，互相交換意見。事實上，根據地政總署現行訓令，本處沒有批准同類個案的工作指引。

另一方面，根據本處的實地視察，丈量約份第 110 約地段第 71 號餘段上建有未經申請的構築物。

本處現正跟進此個案，待有進一步消息，便會通知你。如有任何查詢，請致電 2443 3089 與本信代行人聯絡。

元朗地政專員

(曾春 代行)



2021 年 1 月 25 日

致：元朗地政處地政主任曾春先生

(By fax & by Post) - Fax No: 24733134

貴處檔號: (8) in DLOIL 150/YAT/2020

敬啟者:

申請短期豁免書 (STW)

蓋建兩間農地住用構築物

Plot No. 71 RP in D.D. 110.

八銀河大江埔村

貴處 25/1/2021 回信收悉。

2. 根據地政總署現行訓令，貴處從未批准同類個案，在規劃 OZP 為「農業用地」的私人農地之上，准予以「STW」的形式，批准根據規劃有關第一類用途——經常准許用途——其中一項的「農地住用構築物」。這個現象，我覺得是很正常的。

3. 主要原因，是規劃 OZP 於 1990 年才制定的。而在那個時候，新界原來以農業為主，<sup>的社會模式</sup>包括飼養禽畜及耕作，已開始隨著香港經濟的轉型，及政府的禽畜管制行動 (Livestock Licensing Exercise) (請參閱本人 16/12/2020 年信的第 2. (ii) 段內容) 而慢慢地萎縮及消失。地政總署現行訓令，沒有相關的工作指引，也不值得大驚小怪。

4. 但是，地政總署及其<sup>前身</sup>新界區政府於 1982 年之前管理新界土地，已就新界農民於私人農地之上，發出了無數的「設置租管限制 (Modification of Tenancy)」，准許農民在農地之上，建造房屋 (Dwellings) 居住構築，也就政府土地之上發放無數的



政府土地牌照/官地牌照 (Government/Crown Land Licence), 准予農民  
於政府土地之上建屋棲身。<sup>私人</sup>農地之上若建雞/豬屋, 亦發出地牌  
書 (Letter of Approval)。所以, 新界各分區地政處皆設有牌照部  
(Permit Office), 管理以上三類地牌土地用途的檔案。

4. 現時後世易, 新界農戶非常稀少, 像現今申請人家後經  
營的大型養農場, 在大埔埔村也只是兩三家罷了。

5. 土地是香港最為珍貴的資源, 土地當然是要盡其用。  
既然標題申請符合土地規劃的框架, 理論上 當局便應  
好好配合, 而不應該把人給千里之外!

6. 就此, 為了避開政府架構重重關卡, 本人已苦等一年, 故  
早前已向城市規劃委員會申請於標題土地地段, 興建兩間  
<sup>屬為期3年臨時性質的</sup>新界豁免人住的屋宇。因為這是唯一能通<sup>供</sup>政府部門工作的辦法。  
(註: ~~請參閱附在兩項申請內的理由 Justification~~)。

7. 本人希望你轉達此申請給你的上級審視 (註:

最重要的理據, 已列舉於本人 16/12/2020 信內第 2-4  
段之內), 敬祝工作快樂!

9.2.2021

  
黃耀健

致：城市規劃委員會 (Ref: 28770245) ✓

Ref: TPB/A/YL-KTN/765

敬啟者：


新界元朗八鄉大江埔村 站 NO. 71RPWD 110

第16條規劃申請編號 A/YL-KTN/765

敬啟者 2021/4/20 信件中提及有關進一步資料 現隨

函附上元的地政處 2021/4/20 覆信及我於 2021/5/3 再次致

該處的信件。

  
黃榮健



電話 Tel: 2443 3089

圖文傳真 Fax: 2473 3134

電郵地址 Email: gendloyl@landsd.gov.hk

本署檔號 Our Ref.: ( 14 ) in DLOYL 150/YAT/2020

來函檔號 Your Ref.:



地政總署  
元朗地政處  
DISTRICT LANDS OFFICE  
YUEN LONG  
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.

新界元朗橋樂坊二號大樓政府合署七樓及九至十一樓  
7/F. and 9/F.-11/F., Yuen Long Government Offices,  
No. 2 Kiu Lok Square, Yuen Long, N.T.

新界大埔

黃榮健先生

黃先生：


申請短期暫免書 (Short Term Waiver)  
蓋建兩間農地住用構築物  
丈量約份第 110 約地段第 71 號餘段  
新界八鄉大江埔村

本信與題述短期暫免書申請有關。

根據地政總署現行政策，在農地上蓋建新的住用構築物不會被容許。  
因此，有關你的申請，請恕本處未能考慮。

如你對上述事宜有任何查詢，請致電 2443 3089 與本信代行人聯絡。

元朗地政專員

(曾容  代行)

2021 年 4 月 26 日

致：土地政務員 (Frank: 24733134)

By: (14) in D1082 150 SAT/2020

3.5.2021

敬啟者：

申請短期豁免書 (Short Term Waiver)

興建兩間農地住用構築物

LAND 71R P in D.D. 110

新界八鄉大江埔村

貴處 26/4/2021 來信收悉。

你的回覆，實在令人失望。就此，我希望 貴處能仔細翻閱我過往信件的內容，以便檢討地政總署現行政策，是否有需要修改？

事實擺在眼前，新界農地興建住用構築物，過往上世紀六七十年代一直獲得批准（註：請參閱我 11/1/2020 信內第 2 段及我 9/2/2021 信中內容）。現在既然土地的使用，亦須符合有關的規劃大綱圖內容，而標題地段座落於「農地」之內，根據規劃指引，興建農地住用構築物是獲許的。那麼，貴處便應配合，批准標題 Short Term Waiver 的申請，才是恰當的做法。

但因標題申請屬被 貴處拖延，我早前已轉向區域改善委員會申請新界經管管理處。詳情可參閱附函區域規管申請的理由。

()  
黃偉健





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



**RE: Fw: Planning Application No. A/YL-KTN/765\_Departmental Comment**  
07/06/2021 21:32

From:

To: <llyduen@pland.gov.hk>

History: This message has been forwarded.

2 attachments



Photo-1.jpg



Photo-2.jpg

Dear Ms Duen

I spoke with Mr. Lee of Transport Department this afternoon. He wished to know the route of Public Light Bus No. 602 inside Tai Kong Po Village. I told him the route was along Kong Tai Road as shown on the two plans attached.

Please also note that it takes about 5 minutes' walk from the application site to Kong Tai Road.

Regards

**From:** Adam Wong <

**Sent:** Monday, June 7, 2021 1:34 PM

**To:** llyduen@pland.gov.hk

**Subject:** Re: Fw: Planning Application No. A/YL-KTN/765\_Departmental Comment

Dear Ms Duen

With reference to the comments of Transport Department, I believe the main concerns relate to the Transport problems to be faced by the future occupants of these two NTEHs.

In this regard, I wish to state that the inhabitants in the vicinities usually leave their houses to Kam Tin Town, Kam Sheung Road Railway Station and Yuen Long Town by Public Light Bus No. 602, or they may simply walk by feet or ride bicycles to Kam Tin Town, in turn they may take the public transport over there. They have a lot of choices. So owning a private vehicle is not "a must" for the future occupants, and hence provision of two car parking spaces is not necessary at all.

Regards

<llyduen@pland.gov.hk> 於 2021年6月7日 週一 上午11:17寫道：

Dear Mr. Wong,



I refer to your email below.

Please find below comments from Transport Department on your further information:

With the applicant's proposal of providing two parking spaces, the applicant should provide a layout plan in scale to demonstrate the feasibility of providing two parking spaces within the site.

Regards,  
Loree Duen  
for DPO/FS&YLE  
Tel:3168 4037

----- Forwarded by Loree Long Yee DUEN/PLAND/HKSARG on 07/06/2021 11:16 -----

From: < >  
To: <llyduen@pland.gov.hk>  
Date: 06/06/2021 20:37  
Subject: RE: Planning Application No. A/YL-KTN/765\_Departmental Comment

Typo correction in red.

**From:** >  
**Sent:** Friday, June 4, 2021 8:28 PM  
**To:** llyduen@pland.gov.hk  
**Subject:** RE: Planning Application No. A/YL-KTN/765\_Departmental Comment

Dear Ms. Duen

We spoke this afternoon. Below is my reply:

The comments of Transport Department are duly noted.

I wish to stress once again the application is a bit rare, it does not relate to general NTEH applications partly within "V" zone / Village Environs (see para 6 Development Proposal in Form No. S16-11). Speaking about the parking necessity / requirement, if it does arise upon building of the two NTEHs, I believe it can be easily resolved because the area of the Lot under application is about 880m2. That is to say, there **is** more than enough adequate open space within the lot to accommodate parking of two vehicles.

Regards

**From:** llyduen@pland.gov.hk <llyduen@pland.gov.hk>  
**Sent:** Friday, June 4, 2021 12:37 PM  
**To:**  
**Subject:** Planning Application No. A/YL-KTN/765\_Departmental Comment

Dear Mr. Wong,

I refer to the captioned planning application.

Please find below comments from the Transport Department:

Regarding parking provision of the proposed development, according to the HKPSG, up to 1 car parking space for each standard NTEH should be provided and the provision shall generally be in communal parking area(s) within the village environs. As the proposal does not include a parking space for of the NTEH, the applicant is required to demonstrate how the parking demand would be addressed so as not to induce illegal parking and hence adverse traffic impact in the vicinity. Key considerations may include : availability of surplus parking spaces in the communal parking area(s) or in other appropriate locations and availability of convenient public transport service in the vicinity of the proposed NTEHs.

Should you have any questions, please contact Mr. Wilson Lee of TD at directly.

Regards,  
Loree Duen  
for DPO/FS&YLE  
[Tel:3168 4037](tel:31684037)







A section of  
Kongtai Road  
(12x12m)

(ZONED):

D.D. 110 LOT 71RP

1-2

申建兩間新界豁免管制屋宇

6.096m (20ft) X 6.096m (20ft) = 37.16m<sup>2</sup> (400s.f.)

DD109

GLA T/L 1295 (SITE A)

DD110

Lot No. 71RP  
in D.D. 110

SCALE 1:1000

Lot Index Plan NO. : ND 0150102019

10.7.1 91 10.7.1 91 10.7.1 91 10.7.1 91





**Relevant Extract of Revised Interim Criteria for Assessing Planning Applications for**  
**NTEH/Small House Development in the New Territories**  
**( Revised 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<sup>^</sup>);
  - (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.
- <sup>^</sup>i.e. the applicant can demonstrate that effluent discharge from the proposed development will be in compliance with the effluent standards as stipulated in the Water Pollution Control Ordinance Technical Memorandum.

**Similar Applications for New Territories Exempted House (NTEH)**  
**within the Same "AGR" Zone**  
**(after the first promulgation of the Interim Criteria in 2000)**

**Rejected Applications (for NTEH (not Small House))**

	<b><u>Application No.</u></b>	<b><u>Proposed</u></b> <b><u>Use(s)/Development(s)</u></b>	<b><u>Date of Consideration</u></b> <b><u>By RNTPC/TPB</u></b>	<b><u>Rejection</u></b> <b><u>Reasons</u></b>
1.	A/YL-KTN/461	Proposed House (New Territories Exempted House)	16.10.2015 (on review)	1, 2
2.	A/YL-KTN/502	Proposed Six Houses (New Territories Exempted House)	22.4.2016	1, 2

**Rejection Reasons**

1. The proposed development is not in line with the planning intention of the "Agriculture" ("AGR") zone which is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention.
2. The approval of the application would set an undesirable precedent for similar applications within the "AGR" zone. The cumulative effect of approving such applications would lead to degradation of the rural character and environment in the area.





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

參考編號

Reference Number:

210507-154526-11183

提交限期

Deadline for submission:

18/05/2021

提交日期及時間

Date and time of submission:

07/05/2021 15:45:26

有關的規劃申請編號

The application no. to which the comment relates:

A/YL-KTN/765

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. LAM KA HING

意見詳情

Details of the Comment :

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



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

參考編號

Reference Number:

210513-203334-06232

提交限期

Deadline for submission:

18/05/2021

提交日期及時間

Date and time of submission:

13/05/2021 20:33:34

有關的規劃申請編號

The application no. to which the comment relates:

A/YL-KTN/765

「提意見人」姓名/名稱

Name of person making this comment:

女士 Ms. Tracy Chan

意見詳情

Details of the Comment :

The planning application is opposed and the rationale in previous similar cases in the area is repeated herein: the proposed development is not in line with the planning intention of the "Agriculture" ("AGR") zone which is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. There is no strong planning justification in the submission or exceptional circumstance for a departure from the planning intention; and (b) the approval of the application would set an undesirable precedent for similar applications within the "AGR" zone. The cumulative effect of approving such applications would lead to degradation of the rural character and environment in the area.



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

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

17th May, 2021.

By email only

Dear Sir/ Madam,

**Proposed House (New Territories Exempted House)**  
**(A/YL-KTN/765)**

1. We refer to the captioned.
2. We object to this application as the proposed use is not in line with the planning intention of Agriculture zone. We urge the Board to reject this application.
3. We also urge the Board to investigate with relevant authorities as to whether the nearby Village Type Development zone at Cheung Kong Tsuen still contains available space for New Territories Exempted House development.
4. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden





tpbpd@pland.gov.hk

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寄件者: [REDACTED]  
寄件日期: 2021年05月17日 星期一 22:20  
收件者: tpbpd  
主旨: A/YL-KTN/765 DD 110 Tai Kong Po Tsuen

A/YL-KTN/765  
Lot 71 RP in D.D. 110, Tai Kong Po Tsuen, Pat Heung  
Site area : About 880sq.m  
Zoning : "Agriculture"  
Applied development : 2 Net Houses

Dear TPB Members,

According to previous minutes **"there was no "Village Type Development" zone for Tai Kong Po"??** However another application says

**"Land available within the "Village Type Development" ("V") zone of Tai Kong Po Tsuen is sufficient to meet the 65 outstanding Small House applications (2019)"**

The lot is well outside the VTD Zone and there is the issue of septic tank. In addition the footprint is much greater than that of a Small House.

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Members must question the anomalies. If there is no V zone then there is no Ding right.

Mary Mulvihill

**Advisory clauses**

- (a) note DLO/YL of LandsD's comments that Lot No. 71 RP in D.D. 110 ("the Lot") is an Old Schedule Agricultural lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. It is a general principle that land transactions permitting development exempted from the Buildings Ordinance (Cap. 123), i.e. NTEH development, outside the New Territories Small House Policy will not be considered by LandsD. As such, any lease modification/ land exchange application for NTEH development on the Site will not be considered by his office even if the subject planning application for NTEH development is approved by the Board;
- (b) note C for T's comments that the Site is connected to the public road network via a section of a local access road which is not managed by Transport Department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
- (c) note DEP's comments that septic tank and soakaway system is an acceptable means of collection, treatment and disposal of the 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 duly certified by an Authorized Person;
- (d) note DAFC's comments that the applicant shall be reminded to adopt necessary measures to avoid polluting the watercourse to the southeast of the Site during construction;
- (e) note CTP/UD&L, PlanD's comments that the applicant should note that approval of the application by the Board does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. Applicant is reminded to approach relevant authority/ government department(s) direct to obtain the necessary approval on tree works;
- (f) note CE/MN, DSD's comments that the submission of a drainage proposal required under the approval condition should include how the overland flow from the area at northern and western sides can be intercepted for proper discharge to nearby downstream drainage facilities;
- (g) note CBS/NTW, BD's comments that in case DLO/YL, LandsD decides not to issue the certificates of exemption for the site formation works and/or drainage works associated for the NTEH development, formal application for approval and consent for such works from the Building Authority under the Buildings Ordinance is required. In the circumstance, an Authorized Person (AP) should be appointed as the



coordinator for the proposed works. The applicant may approach DLO/YL, LandsD or seek AP's advice for details. The applicant's attention is drawn to the Practice Note for Authorization Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-56 regarding the exemption criteria for site formation works associated with the NTEH development;

- (h) note D of FS's comments that the applicant is advised to observed 'NTEHs – A Guide to Fire Safety Requirements' published by LandsD; and
- (i) note CE/C, WSD's comments 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 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.