

2023年 11月 6日

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

This document is received on -6 NOV 2023
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Appendix I of RNTPC
Paper No. A/YL-KTN/969

Form No. S16-II
表格第 S16-II 號

**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/cn/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

2302829

27/10

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/YL-K7N/969
	Date Received 收到日期	6 NOV 2023

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

1. Name of Applicant 申請人姓名/名稱

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

Tang Shu Tak
鄧樹德

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)

Tang Lok San 鄧樂桑

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	Lot 763 S.A (Part) in D.D. 109, Kam Tin North, Yuen Long, N.T. 新界元朗錦田北丈量約份第109約地段第763號A分段(部分)
(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 91sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 195.09sq.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 不適用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草圖編號 S/YL-KTN/10 DRAFT KAM TIN NORTH OUTLINE ZONING PLAN NO. S/YL-KTN/10
(e) Land use zone(s) involved 涉及的土地用途地帶	「農業」 "Agriculture"
(f) Current use(s) 現時用途	空置 Vacant (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

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

The applicant 申請人 -

- ☒ is the sole "current land owner"[#] (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 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 -

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

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

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

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

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

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

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

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

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

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

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

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

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

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Development Proposal 擬議發展計劃			
(a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)	Tang Shu Tak 鄧樹德		
(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)	Shui Tau 水頭		
(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	NA 不適用 (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 checked="" 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)) Shui Mei Road, turn to local track. 水尾路，轉到郊區小徑。 <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 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</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>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>.....</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> <p>.....</p> <p>.....</p> <p>.....</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"/>
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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。

Please refer to Justification Document.

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

鄧樂桑

NA 不適用

Name in Block Letters
姓名（請以正楷填寫）

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

25/10/2023

(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	Lot 763 S.A (Part) in D.D. 109, Kam Tin North, Yuen Long, N.T. 新界元朗錦田北丈量約份第109約地段第763號A分段(部分)		
Site area 地盤面積	91	sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地	NA 不適用	sq. m 平方米 <input type="checkbox"/> About 約)
Plan 圖則	錦田北分區計劃大綱草圖編號 S/YL-KTN/10 DRAFT KAM TIN NORTH OUTLINE ZONING PLAN NO. S/YL-KTN/10		
Zoning 地帶	「農業」 "Agriculture"		
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		
	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location Plan, Dimension Plan, Land Status Plan		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input checked="" 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 checked="" type="checkbox"/>
Letter from District Lands Office, Yuen Long, Lands Department, Dated 18 April 2023		
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。

申請理由

根據城市規劃條例第 16 條作出規劃許可申請
擬在新界元朗錦田丈量約份第 109 約地段 763 號 A 分段(部分)
作為屋宇 (新界豁免管制屋宇)之用途

- 申請地點的面積約為 91 平方米，根據錦田北分區計劃大綱草圖編號 S/YL-KTN/10，申請地點現時被規劃作「農業」地帶。根據租賃文件，該用地可作農業用，在未首先獲得批准的情況下，該地段不允許用於其他土地用途。因此，“屋宇 (新界豁免管制屋宇)”開發申請仍然符合租約。
- 屋宇 (新界豁免管制屋宇)於「農業」地帶均須先向城市規劃委員會申請，可能在有附帶條件或無附帶條件下獲准許可的發展。
- 本申請位置及興建小型屋宇的位置已在 1979 年 6 月 11 日獲得由當時的政府部門(元朗理民府)批出建築牌照。並於 2023 年 4 月 18 日收到元朗地政處的信件，要求根據第 16 條提出規劃許可申請，現時希望透過規劃申請，取得規劃署及城市規劃委員會的規劃准許，以進行興建小型屋宇。
- 申請地段將設有 1 個擬議建築物。
- 申請用途的用途、形式及佈局與周遭環境並沒有不協調，亦會顧及自然特色。
- 當場地發展後，附帶條件的美化環境建議能加強申請地點及周圍的綠化效果，使整體視野變得美觀更令人舒服。渠務建議計劃及舒緩環境措施，也能令附近地區受惠，有效地加強該地區及附近範圍的環境保護，並能減少水浸可能。
- 根據以上各點，誠意懇求城市規劃委員會寬大批准新界元朗錦田丈量約份第 109 約地段 763 號 A 分段(部分)作為屋宇 (新界豁免管制屋宇)的用途。

(覆函時請註明本函檔號)

(Please quote our reference in response to this letter)



地政總署
元朗地政處

DISTRICT LANDS OFFICE, YUEN LONG
LANDS DEPARTMENT

電話 Tel: 2443 3143
圖文傳真 Fax: 2473 3134
電郵地址 Email: gendlowl@landsd.gov.hk
本處檔號 Our Ref: (167) in DLOYL 176/YLT/75
來函檔號 Your Ref: YL/36899/11(kn)

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元朗政府合署七樓至十一樓
7/F - 11/F, YUEN LONG GOVERNMENT OFFICES,
NO. 2 KIU LOK SQUARE, YUEN LONG, N.T.

Mr. TANG Shu Tak
c/o

By Post

18 APR 2023

Dear Sir/Madam,

**Application for Relocation of Small House
Lot No. 763 S.A in D.D.109**

I refer to your letter dated 20th July 2021. Your proposal for relocation of the Small House was served to Planning Department (PlanD) for comments. Please be informed that PlanD has raised the following comment regarding your application:-

- The captioned Small House site falls within an area zoned "Agriculture" ("AGR") on the draft Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/10.
- According to the Notes of the OZP, 'House (New Territories Exempted House (NTEH) only)' is a Column 2 use which requires planning permission from the Town Planning Board. In addition, any filling of land, including that to effect such use shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the IDPA plan (i.e. on 5.10.1990) without permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- According to PlanD record, the site is not subject to any planning permission for proposed NTEH. The proposed relocation/erection of NTEH requires planning permission from the Town Planning Board.

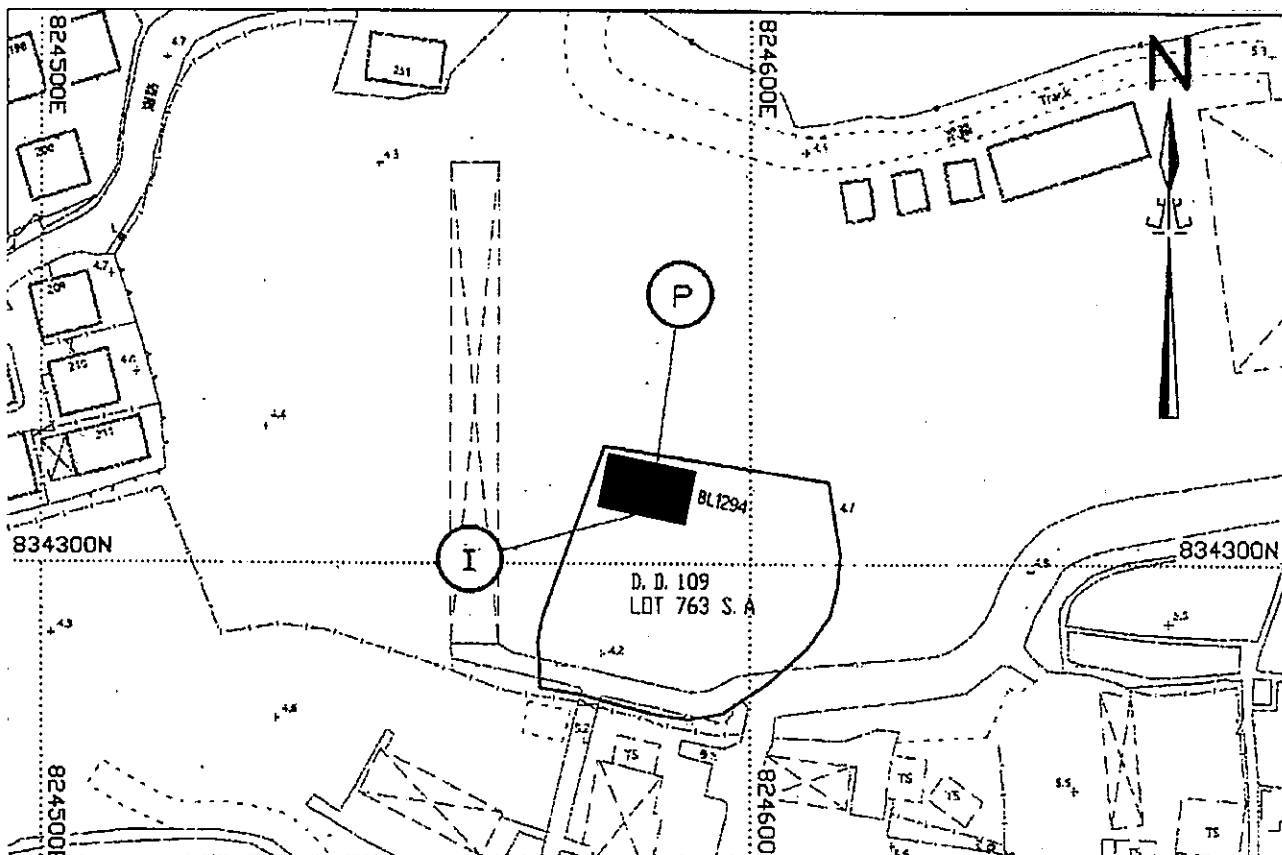
In view of the above, you may wish to approach PlanD to obtain the relevant planning permission prior to this office further process with your application.

Should you have enquiries, please contact the undersigned at 2443 3143.

Yours faithfully,

(K.S. CHAN)

for District Lands Officer/ Yuen Long



Legend:



Application Site 申請範圍

Appendix 1

Location: DD 109 Lot 763 S.A (Part)

OZP: S/YL-KTN/10
District: Kam Tin North
Zoning: Agriculture

Date: 25 October 2023

Location 位置圖

擬議新界豁免管制屋宇

Proposed Temporary New Territories
Exempted House

SCALE

1:1000

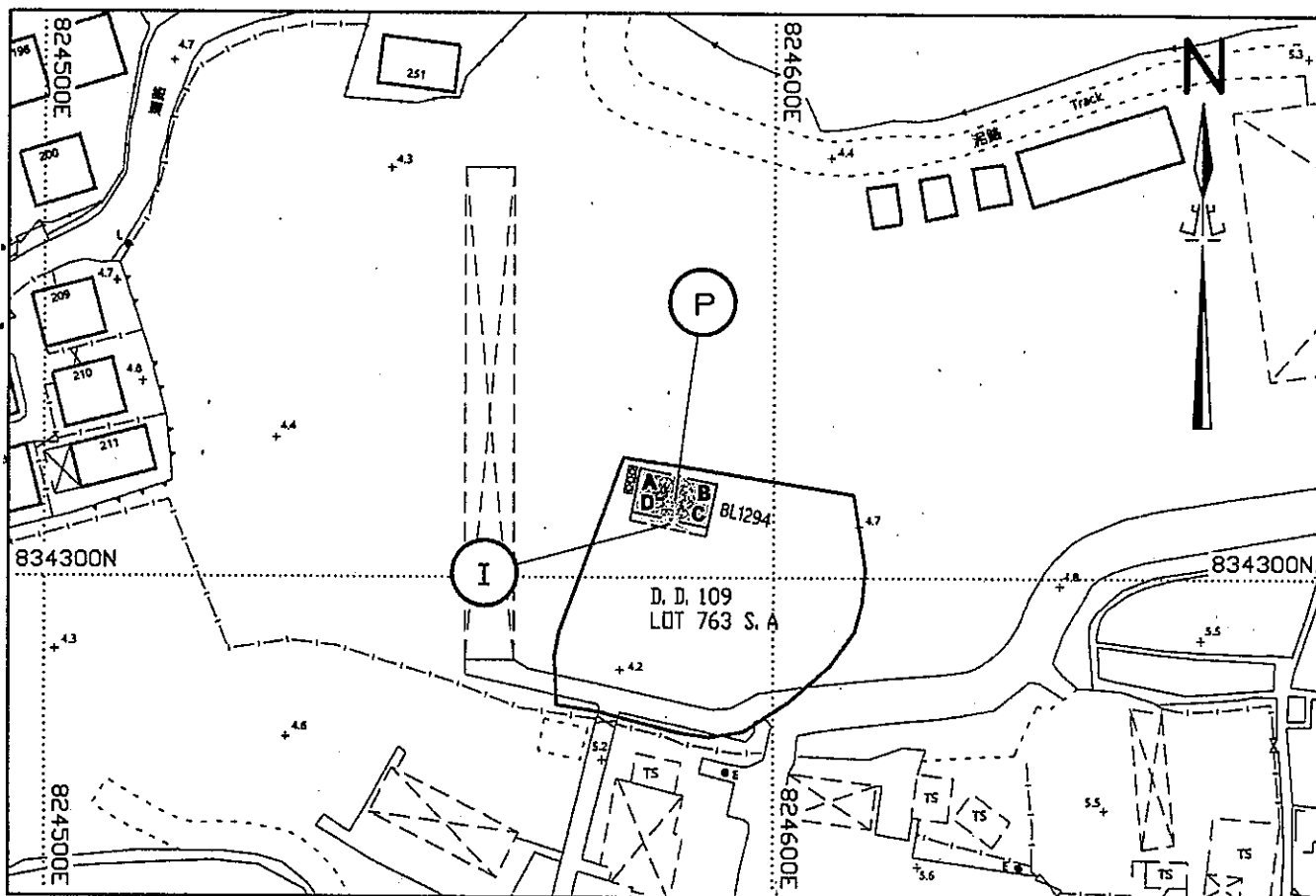
@A4

For Identification Only

Drawing No

1-01

DIMENSION PLAN OF PROPOSED BUILDING LICENCE No. 1294 LOT No. 763 S. A IN D. D. 109



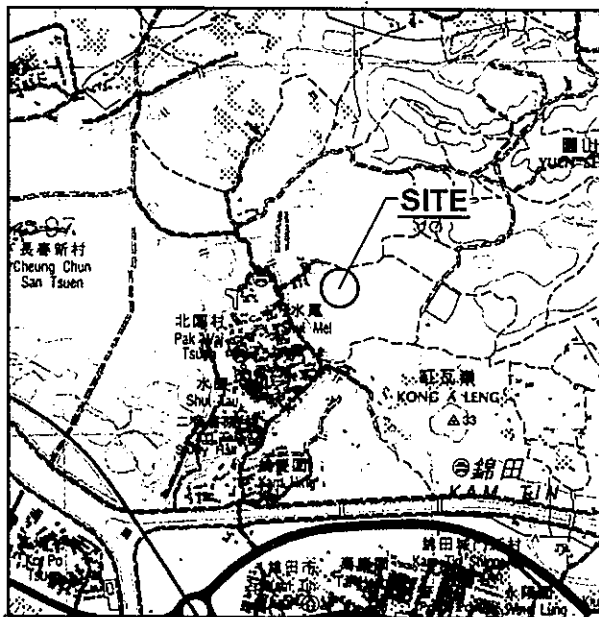
Coloured Pink Area = 65.03 Sq. metres (About)

Legend :

SCALE 1 : 1000

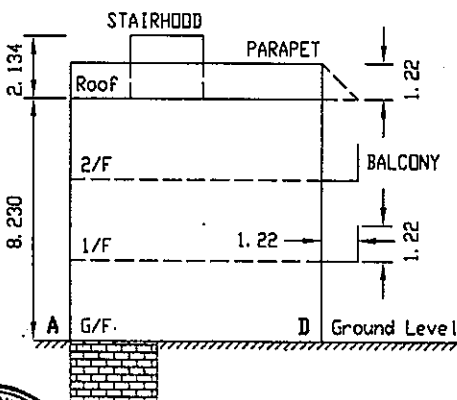
Line	Bearing	Distance In metres	Co-ordinates		Pt.
			N	E	
A-B	101 54 33	10.667	834314.999	824581.822	A
B-C	191 54 33	6.096	834312.798	824592.259	B
C-D	281 54 33	10.667	834306.833	824591.001	C
D-A	11 54 33	6.096	834309.034	824580.564	D

- All units are in metres.
- Survey Sheet No. : 6-NE-7A
- Lot Boundary Line
(Ref. : SRP/YL/109/760/763-D)
- Position of Balcony
(Coloured Indigo : 10.667 x 1.22)
- Septic Tank & Soakage Pit
(12' x 4')
- INDIGO
- PINK
- Side View (Not to Scale)



LOCATION (SCALE 1 : 20000)

PLAN No. CP1907/D/01A

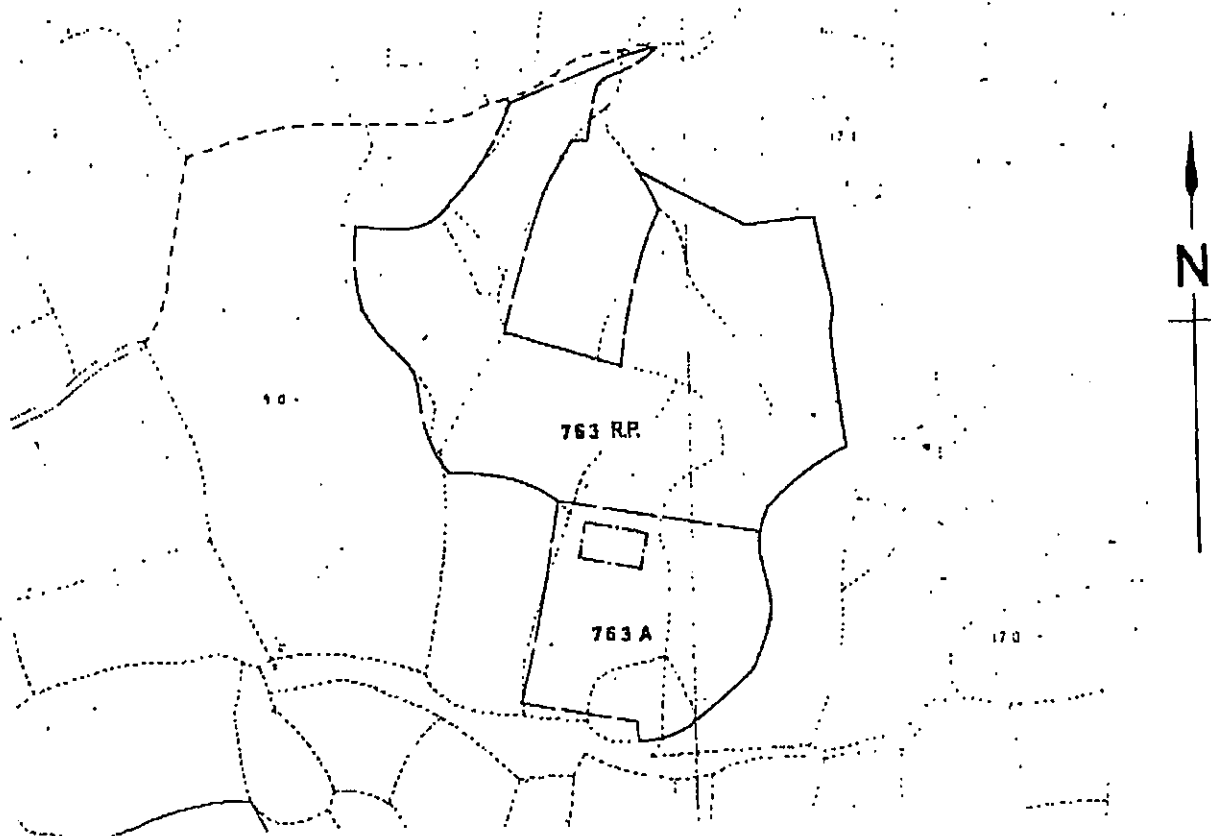


PANG

12 MAY 2023

PANG Chi-wing, MRICS MHKIS
Authorized Land Surveyor

BUILDING LICENCE LOT No. 763A IN D. D. 109

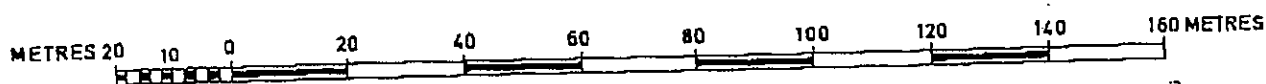


Coloured pink area 65.04m² or 700 sq.ft. (about)

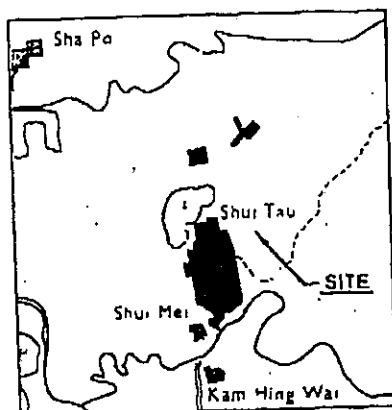
• Heights in feet .

(Subject to survey)

SCALE 1:1200



LOCATION



Scale 1:25 000

Drawing No. YLL 1137

File No. LNT 176/YLT/75

Survey Sheet No. 92-SW-C

Licensee's signature

Attorney of TANG PO-TAK
TL
(TANG LUI TAK - L.A.)
P.K. No. B 447591

Date 11 JUN 1979

H. S. Cottrell
District Officer, Yuen Long



DISTRICT OFFICE
NEW TERRITORIES

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

Andrea Wing Yin YAN/PLAND

寄件者:
寄件日期: 2023年12月08日星期五 9:47
收件者: tpbpd/PLAND
主旨: Fw: A/YL-KTN/969 (07122023 Update)
附件: AYL-KTN 969.pdf

From: Tang Lok Sar
Sent: Thursday, December 7, 2023 2:20 PM
To: /
Subject: A/YL-KTN/969 (07122023 Update)

Ms. Yan,

Please see the attachment section for the further information based on the comments of TD and TPB. If you have any question regarding to the application, please do not hesitate to contact Mr. Tang on

Your Sincerely,
Mr. Tang

城市規劃委員會：

有關城市規劃委員會對 A/YL-KTN/969 的查詢

收悉 貴委員會對 A/YL-KTN/969 申請的查詢，本人現書面回覆。

圍邊方面，本人計劃依照 D.D. 109 LOT 763 S.A 的地段邊界將申請範圍及上述地段圍起。

申請地點目前為空置，由於申請範圍一直沒有任何特別用途，才沒有將申請範圍圍起。申請範圍亦不屬於錦田鄉村俱樂部的一部分及不是用作休閒用途，申請獲准後會根據地段邊界進行圍邊工程。

本申請範圍的南面有一條舊有的出入通道，雖然南面的出入通道仍在使
用，現時已有另一條出入通道，提供更闊的通道，此通道位於申請地點外的東南面，使用人可透過此出入通道進出申請地點。不會構成通道阻塞或封閉等未能進出附近的情況。位置請參考 Appendix 1。現場相片請參考文件末端。

本人亦已取得錦田鄉村俱樂部及其他有關持分者的同意，能隨時以上述的道路及小徑進出申請範圍。路段請參考 Appendix 3。

本人亦向 貴委員會保證如將來有其他發展，定會確保相關發展需經過規劃署的審批後才進行工程，不會有任何違例發展。

希望此附加文件能釋除 貴署的查詢，並支持本申請。

申請人
鄧樹德

二零二三年十二月七日

運輸署及城市規劃委員會：

有關運輸署對 A/YL-KTN/969 的查詢

收悉 貴署對 A/YL-KTN/969 申請的查詢，本人現書面回覆。

本人未有計劃在申請地點及其地段界線內提供停車位，不會對村內交通有影響。

希望此附加文件能釋除 貴署的查詢，並支持本申請。

申請人
鄧樹德

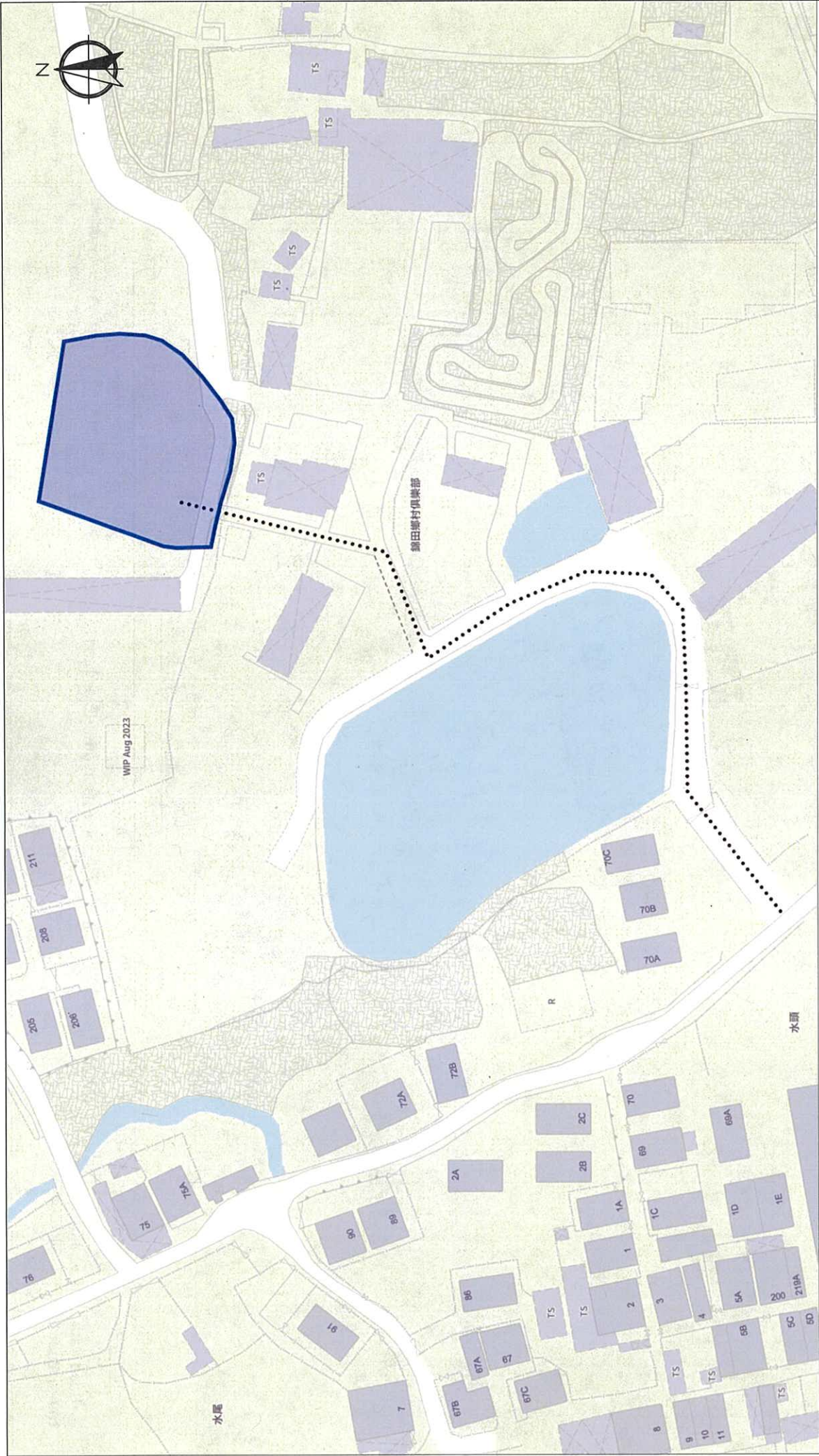
二零二三年十二月七日

現場相片：





<div><div></div><div>Scale: Undefined @A4</div></div>		Captured from map.gov.hk on 2 nd August 2023		
Appendix 1 Road Path to Adjacent Lots	Location: D.D. 109 Lot 763 S.A OZP: S/YL-KTN/10 District: Kam Tin North Zoning: Agriculture	Project: New Territories Exempted House	Map Legend: ●●●● Road Path (New, Existing) -- -- Road Path (Old, Existing) — Site Boundary ◊ Viewing Point	Drawing No.: 1-01
				For Identification Only Date: 07/12/2023



Scale: Undefined @A4



Captured from map.gov.hk on 6th December 2023

Appendix 3

Access Path

Location: D.D. 109 Lot 763 S.A
OZP: S/YL-KTN/10
District: Kam Tin North
Zoning: Agriculture

Project:
New Territories Exempted House

Map Legend:
●●●● Access Path
— Site Boundary

Drawing No.:
3-01

For Identification Only
Date: 06/12/2023

Relevant 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[^]);
 - (j) the provision of fire service installations and emergency vehicular access, if required, should be appropriate with the scale of the development and in compliance with relevant standards; and
 - (k) all other statutory or non-statutory requirements of relevant Government departments must be met. Depending on the specific land use zoning of the application site, other Town Planning Board guidelines should be observed, as appropriate.
- [^]i.e. the applicant can demonstrate that effluent discharge from the proposed development will be in compliance with the effluent standards as stipulated in the Water Pollution Control Ordinance Technical Memorandum.

Similar s.16 Applications within/straddling the same “Agriculture” (“AGR”) Zone in the vicinity of the Site

Approved Application

<u>Application No.</u>	<u>Use/Development</u>	<u>Date of Consideration</u>
A/YL-KTN/380	Proposed House (New Territories Exempted House (NTEH) - Small House)	18.5.2012

Rejected Applications

	<u>Application No.</u>	<u>Use(s)/Development(s)</u>	<u>Date of Consideration</u>	<u>Rejection Reasons</u>
1.	A/YL-KTN/119	Proposed NTEH (Small House)	22.9.2000 [appeal dismissed on 25.9.2001]	1, 3, 6, 8
2.	A/YL-KTN/153*	Proposed NTEH (Small House)	11.10.2002 [rejected on review on 14.2.2003]	1, 2, 3, 6
3.	A/YL-KTN/177	Proposed NTEH (Small House)	15.8.2003	1, 2, 3, 6
4.	A/YL-KTN/265*	Proposed NTEH (Small House)	23.3.2007	1, 2, 4, 7
5.	A/YL-KTN/284*	Proposed House (NTEH - Small House)	1.2.2008	1, 2, 4, 5
6.	A/YL-KTN/285*	Proposed House (NTEH - Small House)	1.2.2008	1, 2, 4, 5
7.	A/YL-KTN/286	Proposed House (NTEH - Small House)	1.2.2008	1, 2, 4, 5
8.	A/YL-KTN/469	Proposed House (NTEH - Small House)	7.8.2015	1, 4
9.	A/YL-KTN/470	Proposed House (NTEH - Small House)	7.8.2015	1, 2, 4
10.	A/YL-KTN/472	Proposed House (NTEH - Small House)	7.8.2015	1, 2, 4
11.	A/YL-KTN/545	Proposed Five Houses (NTEH - Small House)	23.12.2016	1, 2

	<u>Application No.</u>	<u>Use(s)/Development(s)</u>	<u>Date of Consideration</u>	<u>Rejection Reasons</u>
12.	A/YL-KTN/627*	Proposed House (NTEH - Small House)	19.10.2018 [rejected on review on 1.3.2019]	1, 2
13.	A/YL-KTN/862	Proposed Houses (NTEH - Small House)	9.12.2022 [rejected on review on 24.3.2023]	1, 7
14.	A/YL-KTN/875	Proposed House (NTEH - Small House)	3.2.2023	1, 7

* Straddle "Village Type Development" ("V") and "AGR" zones

Rejection Reasons

1. Not in line with the planning intention of the "AGR" zone and no strong justification had been given in the submission for a departure from such planning intention.
2. Not comply with the "Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories" ("Interim Criteria") and there was no exceptional circumstances that merit approval of the application.
3. No strong justification in the submission to demonstrate that land was not available within the "V" zone in the area for the proposed development.
4. Land was still available within the "V" zone/insufficient information in the submission to demonstrate why suitable sites within the areas zoned "V" could not be made available for the proposed development.
5. The proposed development was incompatible with the surrounding rural area and there was insufficient information/technical assessment to demonstrate that it would not generate adverse landscape and ecological impacts.
6. The site located away from the village cluster and falls outside the 'Village Environ' ('VE') of the village. Village house development should be sited on land zoned "V" to ensure orderly development and provision of facilities
7. The proposed development did not comply with the Interim Criteria in that it fell outside both the 'VE' and "V" zone.
8. Approval of the application would set an undesirable precedent.

General Comments of Relevant Government Departments

Land Administration

1. Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):
 - The application site (the Site) comprises an Old Schedule Agricultural Lot held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
 - the Site does not fall within any 'village environs' of recognized village;
 - a Small House application on the Site was approved on 5.6.1979. Building Licence No. 1294 was executed on 11.6.1979 for allowing the erection of a 3-storey New Territories Exempted House (NTEH) (Small House) with roofed-over area not exceeding 65.04m² and a height of not more than 7.62m; and
 - the applicant has submitted an application to his office for modifying the restricted height of the Small House in Building Licence No. 1294 from 7.62m to 8.23m. Should planning approval be given to the subject application, DLO/YL, LandsD will consider the application for modification acting in the capacity as the landlord at its sole discretion in accordance with the New Territories Small House Policy. There is no guarantee that such application for modification would be approved. Any modification application, if approved, would be subject to such terms and conditions including, among others, the payment of premium inclusive of an administrative fee may be imposed by the LandsD.

Traffic

2. Comments of the Commissioner for Transport:
 - the application involves the construction of a Small House. He considers the application can be tolerated;
 - he notes that the proposed development falls within the "Agriculture" ("AGR") zone whereas such type of development should normally be confined within the "Village Type Development" ("V") zone as far as possible. Although additional traffic generated by the proposed development is not expected to be significant, such type of 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.

- the access road leading to the Site from the Chi Ho Road is not managed by his department.
3. Comments of the Chief Highway Engineer/New Territories West, Highways Department:
- no adverse comment on the application.

Agriculture

4. Comments of the Director of Agriculture, Fisheries, and Conservation:
- the Site falls within the “AGR” zone and is generally vacant. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.. As the Site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective; and
 - no comment on the application from nature conservation perspective.

Landscape

5. Comments of the Chief Town Planner/Urban Design & Landscape, Planning Department:
- no objection to the application from landscape planning perspective;
 - based on the aerial photo taken in 2022, the Site is located in a rural inland plains landscape character comprising of village houses, temporary structures, ponds, vacant lands, farmlands, and scattered tree groups. According to the site photos taken in November 2023, the Site is vacant and covered by lawn. No existing tree is observed within the Site. Significant adverse landscape impact on resources and character arising from the proposed development is not anticipated.

Fire Safety

6. Comments of the Director of Fire Services:
- no objection to the application at this stage provided that the Site does not encroach upon any existing EVA, or planned EVA under application in accordance with LandsD’ record.

Building Matters

7. Comments of the Chief Building Surveyor/NTW, Buildings Department:

- noted that the building to be erected on the Site will be NTEH under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap 121); and
- no comment on the application.

District Officer's Comments

8. Comments of the District Officer (Yuen Long), Home Affairs Department:

- he has not received any locals' comment on the application and he has no particular comments on the application.

Demand and Supply of Small House Sites

9. According to the DLO/YL, LandsD's records, the total number of outstanding Small House applications of Shui Tau Tsuen, Shui Mei Tsuen and Kam Hing Wai are 114, while the 10-year Small House demand forecast for the same villages are 136. Based on the latest estimate by PlanD, about 7.79 ha of land (i.e. equivalent to about 312 Small House sites) are available within the "V" zone of the concerned villages. Therefore, there is no general shortage of land in the "V" zone of the concerned villages for meeting the future demand of 250 Small House (equivalent to about 6.25 ha of land).

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A/YL-KTN/969 DD 109 Shui Mei Tsuen
05/12/2023 03:28

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
File Ref:

A/YL-KTN/969

Lot 763 S.A in D.D. 109, Shui Mei Tsuen, Kam Tin North, Yuen Long

Site area : About 91sq.m

Zoning: "Agriculture"

Applied development: NET House

Dear TPB Members,

930 withdrawn. The plan would now appear to be to proceed with smaller footprints.

Objections upheld. No previous approval and adequate land available in "v" zone to meet demand.

Approval would set an undesirable precedent.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 13 July 2023 3:09 AM HKT
Subject: A/YL-KTN/930 DD 109 Shui Mei Tsuen

A/YL-KTN/930

Lot 763 S.A in D.D. 109, Shui Mei Tsuen, Kam Tin North, Yuen Long

Site area : About 1,177.8sq.m

Zoning: "Agriculture"

Applied development : NET House

Dear TPB Members,

Strong objections. No history of previous approval and the site is excessively large for NET house. There are other lots available within the "V" zone.

It would appear that the intention is to gain approval for one villa and then proceed with a multi house development.

Members should reject the application.

Mary Mulvihill

2

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KFBG's comments on four planning applications

04/12/2023 21:42

From: [REDACTED]
To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
File Ref:



231204 s16 KTN 969c.pdf

Dear Sir/ Madam,

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

Please do not disclose our email address.

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

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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)

4th December 2023.

By email only

Dear Sir/ Madam,

Proposed House (New Territories Exempted House)
(A/YL-KTN/969)

1. We refer to the captioned.
2. According to the Statutory Planning Portal 3 website, there is a withdrawn application for the same purpose (A/YL-KTN/930) covering the current site, and we also commented on this previous application in July 2023 (see Appendix 1 for our previous submission). There is also a rejected application for Proposed Houses (New Territories Exempted House - Small House) nearby in the same Agriculture (AGR) zone (i.e., A/YL-KTN/862) and the reasons to reject the review application of A/YL-KTN/862 are shown below:

(a) the proposed development is not in line with the planning intention of the "Agriculture" 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; and

(b) the proposed development does 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 footprints of the two proposed Small Houses fall outside the "Village Type Development" ("V") zone and 'village environs' of Shui Tau Tsuen and Shui Mei Tsuen. There is no general shortage of land in meeting the demand



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

for Small House development in the concerned "V" zone.

3. We urge the Board to consider whether the above reasons are applicable to the current application, especially the second one; we also urge the Board to reject this application as it is not in line with the planning intention of AGR zone.

4. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



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Kadoorie Farm & Botanic Garden Corporation

Appendix 1

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

14th July 2023.

By email only

Dear Sir/ Madam,

Proposed House (New Territories Exempted House)
(A/YL-KTN/930)

1. We refer to the captioned.
2. There is a recently rejected application for Small Houses nearby in the same Agriculture (AGR) zone (i.e., A/YL-KTN/862; rejected upon review in March 2023). The reasons to reject this application are shown below:

(a) the proposed development is not in line with the planning intention of the "Agriculture" 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; and

(b) the proposed development does 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 footprints of the two proposed Small Houses fall outside the "Village Type Development" ("V") zone and 'village environs' of Shui Tau Tsuen and Shui Mei Tsuen. There is no general shortage of land in meeting the demand for Small House development in the concerned "V" zone.

3. We urge the Board to reject this application as the proposed use is not in line with the planning intention of the AGR zone.



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

4. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

Recommended Advisory Clauses

- (a) to note the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD)'s comments that the applicant has submitted an application to his office for modifying the restricted height of the Small House in Building Licence No. 1294 from 7.62m to 8.23m. Should planning approval be given to the subject application, DLO/YL, LandsD will consider the application for modification acting in the capacity as the landlord at its sole discretion in accordance with the New Territories Small House Policy. There is no guarantee that such application for modification would be approved. Any modification application, if approved, would be subject to such terms and conditions including, among others, the payment of premium inclusive of an administrative fee may be imposed by the LandsD;
- (b) to note the Chief Highway Engineer/New Territories West, Highways Department's comments that his department shall not be responsible for the maintenance of any access connecting the application site (the Site) and San Tam Road. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (c) to note the Chief Engineer/Mainland North, Drainage Services Department's comments that the applicant is reminded to provide his own drainage facilities to collect the runoff generated from the Site or passing through the Site, and discharge the runoff collected to a proper discharge point. The proposed development should not obstruct overland flow or cause any adverse drainage impact to the adjacent areas and existing drainage facilities. The applicant is also reminded to consult DLO/YL, LandsD and seek consent from the relevant owners for any works to be carried out outside his lot boundary before commencement of drainage works;
- (d) to note DEP's comments that septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the Practice Note for Professional Person PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department " and are duly certified by an Authorized Person;
- (e) to note Director of Fire Services 's comments that the applicant should follow the "New Territories Exempted Houses – A Guide to Fire Safety Requirements" published by LandsD;
- (f) to note Chief Engineer/Construction, Water Supplies Department (CE/C of 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 service within the private lots to WSD's standard;
- (g) note the Chief Building Surveyor/NTW, Buildings Department's comments that (i) site formation works and drainage works for NTEHs are building works under the control of the Buildings Ordinance (BO). Before any new site formation and/or drainage works are

to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorized building works. An Authorised Person (AP) should be appointed as the coordinator for the site formation and/or drainage works in accordance with the BO; and (ii) Notwithstanding paragraph (i) above, the Director of Lands may issue a certificate of exemption from prior approval and consent of the BA in respect of site formation works and/or drainage works in the New Territories under Building Ordinance (Application to the New Territories) Ordinance. The applicant may approach DLO/YL or seek AP's advice for details; and

- (h) note that the permission is only given to the development under application. If provision of an access road is required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complies with the provisions of the relevant statutory plan and obtain planning permission from the Town Planning Board where required before carrying out the road works.