

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATIONS NO. A/NE-LT/685 and 686

<u>Applicants</u>	Mr. LEUNG Tsz Ho Mr. LEUNG Tsz Lun All represented by Mr. HUNG Shu Ping	(Application No. A/NE-LT/685) (Application No. A/NE-LT/686)
<u>Sites</u>	Lot 913 S.B ss.1 Lot 913 S.B RP all in D.D. 8, Ma Po Mei Village, Lam Tsuen, Tai Po	(Application No. A/NE-LT/685) (Application No. A/NE-LT/686)
<u>Site Areas</u>	About 166.5m ² About 296.4m ²	(Application No. A/NE-LT/685) (Application No. A/NE-LT/686)
<u>Lease</u>	Block Government Lease (demised for agricultural use)	
<u>Plan</u>	Approved Lam Tsuen Outline Zoning Plan (OZP) No. S/NE-LT/11	
<u>Zoning</u>	“Agriculture” (“AGR”)	
<u>Applications</u>	Proposed House (New Territories Exempted House (NTEH) - Small House) on each of the application sites	

1. The Proposals

1.1 The applicants, indigenous villagers of Ma Po Mei Village¹ as confirmed by the respective Indigenous Inhabitant Representative (IIR), seek planning permission to build an NTEH (Small House) on each of the application sites (the Sites) (**Plan A-1**). According to the Notes of the OZP, ‘House (NTEH only, other than rebuilding of NTEH or replacement of existing domestic building by NTEH permitted under the covering Notes)’ in the “AGR” zone is a Column 2 use requiring planning permission from the Town Planning Board (the Board).

1.2 Details of each of the proposed Small House developments are as follows:

Total floor area	:	195.09m ²
No. of storeys	:	3
Building height	:	8.23m
Roofed over area	:	65.03m ²

¹ District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) advises that the applicants’ eligibility of Small House grants have yet to be ascertained.

- 1.3 The uncovered area of the Sites are proposed to be used as garden. Layout of the proposed Small Houses and the proposed sewerage connection are shown on **Drawings A-1 and A-2**.
- 1.4 The Sites are the subject/part of the subject of five previous applications (No. A/NE-LT/105, 106, 204, 368 and 647) submitted by the same applicants for the same use. Except for Application No. A/NE-LT/204 approved by the Rural and New Town Planning Committee (the Committee) in 1999, all other applications were rejected. The details of previous applications are given in paragraph 5 below. Compared with the last previous application (No. A/NE-LT/647), the footprint and development parameters of the proposed Small Houses are generally the same under the current applications.
- 1.5 In support of the applications, the applicants have submitted the following documents:
- (a) application forms and attachments received on 27.5.2020 (**Appendices Ia and Ib**)
 - (b) further information (FI) received on 13.7.2020 (**Appendix Ic**) providing information on connection to the public sewerage system[^]

(^accepted and exempted from publication and recounting requirement)
- 1.6 In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 24.7.2020 for consideration of the application has been rescheduled, and the Board has agreed to defer consideration of the application. The application is now scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the applications as stated in Part 8 of the application forms and FI at **Appendices Ia to Ic** are summarized as follows:

- (a) after the previous application (No. A/NE-LT/647) was rejected by the Board, the applicants have made efforts to purchase private lots within “V” zone for Small House developments but in vain;
- (b) as there are many Small House developments already built in the same “AGR” zone and the Sites are the subject of a previously approved Small House application (No. A/NE-LT/204 which was approved on 13.8.1999), the applicants considered that their Small House applications would very likely be approved;
- (c) there is only a minor level difference of 0.4m between the existing site level at 52.1mPD and the nearest manhole of the public sewerage system at 52.5mPD. Professional advice sought by the applicants indicates that:

- (i) the depth at the manhole of the public sewerage system can be up to 1m;
 - (ii) the level of sewerage outlet can be raised to a reasonable level when the house is built; and
 - (iii) if there is still a significant level difference, the use of automatic sewage pumping system could be considered;
- (d) the applicants conducted site investigation on 11.7.2020 (**Appendix Ic**) and claimed that the depth of the manhole for connection was measured to be 0.7m. Therefore, sewage discharge by gravity is deemed feasible should the sewerage outlet be located 0.4m below the manhole level. Moreover, as the site level is slightly lower than the adjoining footpath, the applicants propose to raise the site formation level of the proposed Small Houses to a reasonable level to avoid flooding;
- (e) if the application is approved by the Board, the applicants commit to appoint authorized professionals / contractors to prepare / submit drainage / sewerage / landscaping proposals for relevant Government departments' approval;
- (f) the applicants commit to maintain 24-hour opening of the existing footpath for public use; and
- (g) regarding the amount of land available within the "V" zone of Ma Po Mei and Tai Mong Che for Small House developments, the applicants argue that the figures provided by Planning Department (PlanD) (i.e. 2.3ha or 92 Small House sites) do not fully reflect the reality since the private lots are of different size and shape, which may not accommodate Small House developments in an orderly manner. Also, under the current government policy, Small House grant applications on government land will not be accepted.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicants are the sole "current land owners". Detailed information would be deposited at the meeting for Members' inspection.

4. Assessment Criteria

The set of Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria) was first promulgated on 24.11.2000. On 23.8.2002, criterion (i) which requires that the application site, if located within the water gathering grounds (WGG), should be able to be connected to the existing or planned sewerage system in the area was incorporated. The latest set of Interim Criteria with criterion (i) remained unchanged was promulgated on 7.9.2007 and is at **Appendix II**.

5. Previous Applications

- 5.1 The Sites are the subject/part of the subject of five previous applications (No. A/NE-LT/105, 106, 204, 368 and 647) submitted by the same applicants for proposed Small House developments. As shown on **Plan A-2a**, Application No. A/NE-LT/685 (i.e. House 1 at Lot 913 S.B ss.1) is the subject/part of the subject of three previous applications (No. A/NE-LT/105, 204 and 647), whilst Application No. A/NE-LT/686 (i.e. House 2 at Lot 913 S.B RP) is the subject/part of the subject of four previous applications (No. A/NE-LT/106, 204, 368 and 647).
- 5.2 Applications No. A/NE-LT/105 and 106, each for the development of a Small House, were rejected by the Board on review on 23.1.1998 (before the promulgation of the Interim Criteria) for the reasons of being not in line with the planning intention of the “AGR” zone; land being still available within the “V” zone of concerned villages for Small House development at the time of consideration; having adverse drainage impacts on the surrounding areas; and setting of undesirable precedent.
- 5.3 Subsequently, Application No. A/NE-LT/204 for the development of two Small Houses, which generally covered the same sites of Applications No. A/NE-LT/105 and 106, was approved by the Committee on 13.8.1999 (before the promulgation of the Interim Criteria) on the consideration that the Site fell within the village ‘environs’ (‘VE’) of Ma Po Mei; the proposed Small Houses were compatible with the surrounding area; the proposed developments would not have adverse drainage impact due to the completion of works on Lam Tsuen River Embankment; and there was a general shortage of land to meet the Small House demand in the “V” zone concerned at the time of consideration. Nonetheless, the planning permission lapsed on 14.8.2002.
- 5.4 Application No. A/NE-LT/368, covering the same site of Application No. A/NE-LT/686 and the same applicant under the current application, was rejected by the Committee on 2.2.2007 on the grounds of being not in line with the planning intention of the “AGR” zone; and not complying with the Interim Criteria in that the proposed development was not able to be connected to existing or planned sewerage system in the area.
- 5.5 Application No. A/NE-LT/647, for the development of two Small Houses covering the same sites and submitted by the same applicants under the current applications, was rejected by the Board on review on 25.1.2019 for the reasons of being not in line with the planning intention of “AGR” zone; not complying with the Interim Criteria in that the applicants failed to demonstrate the proposed developments located within WGG would be able to be connected to the existing or planned sewerage system and would not cause adverse impact on the water quality in the area; and land being still available within the “V” zone of the concerned villages for Small House development.
- 5.6 Details of the above previous applications are summarized at **Appendix III** and their locations are shown on **Plans A-1** and **A-2a**.

6. Similar Applications

- 6.1 There are 23 similar applications for Small House development in the vicinity of the Sites and within the same “AGR” zone since the first promulgation of the Interim Criteria on 24.11.2000 (**Plans A-1 and A-2a**). Out of these applications, 14 were approved with conditions and nine were rejected.
- 6.2 Regarding the 14 approved applications, Application No. A/NE-LT/268 was approved before the incorporation of criterion (i) on sewerage connection requirement into the Interim Criteria in August 2002. Another nine applications (No. A/NE-LT/274, 312, 387, 406, 432 to 434, 465 and 497) were approved with conditions by the Committee between 2001 and 2014 for reasons that the proposed developments were in compliance with the Interim Criteria in that more than 50% of the proposed Small House footprint fell within the ‘VE’; there was a general shortage of land to meet the Small House demand in the “V” zone of the concerned villages at the time of consideration; and the proposed developments were able to be connected to the planned sewerage system.
- 6.3 After the Board’s adoption of a more cautious approach in August 2015, Applications No. A/NE-LT/582 to 584 were approved with conditions by the Committee in 2016 mainly on sympathetic consideration as the sites were the subject of previously approved applications (No. A/NE-LT/432 to 434). Another application (No. A/NE-LT/542) for the development of an NTEH was approved with conditions by the Committee in 2015 mainly on the ground of having building entitlement.
- 6.4 For the nine rejected cases, eight of them (Applications No. A/NE-LT/291, 294, 298, 360, 411, 412, 422 and 474) were rejected by the Committee/the Board on review between 2003 and 2014 mainly for the reasons of being not in line with the planning intention of “AGR” zone; the proposed development was not able to be connected to the existing or planned sewerage system in the area and the applicants failed to demonstrate that the proposed development within the WGG would not cause adverse impact on the water quality in the area. Application No. A/NE-LT/474 was also rejected as it would cause adverse impact on landscape resources in the surrounding areas. The remaining application No. A/NE-LT/656, although it was able to be connected to the existing public sewerage system, it was rejected by the Board on review in 2019 mainly for the reasons of having adverse geotechnical impact on the surrounding area; and land being still available within the “V” zone for Small House development.
- 6.5 Details of the above similar applications are summarized at **Appendix IV** and their locations are shown on **Plans A-1 and A-2a**.

7. The Sites and Their Surrounding Areas (**Plans A-1, A-2a** and photos on **Plans A-3 and A-4**)

- 7.1 The Sites are:
- (a) generally flat and partly covered with weeds;

(b) situated to the immediate east of Lam Tsuen River (an Ecologically Important Stream (EIS)) and sandwiched between existing village houses and some temporary structures; and

(c) directly accessible from a footpath leading to Lam Kam Road.

7.2 The surrounding areas are predominantly rural in character with a mix of village houses, temporary structures, plant nurseries, agricultural land and tree groups. Lam Kam Road is situated about 40m to the east of the Sites. The village clusters of Ma Po Mei and Ping Long are situated to the northwest and southeast of the Sites on the other side of Lam Tsuen River and Lam Kam Road respectively.

8. Planning Intention

The planning intention of the “AGR” zone is 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.

9. Comments from Relevant Government Departments

9.1 The applications have been assessed against the assessment criteria in **Appendix II**. The assessment is summarized in the following table:

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
1.	Within “V” zone? - Footprint of the Small House - Application site	- -	100% 100%	- The Sites and the proposed Small House footprints fall entirely within the “AGR” zone.
2.	Within ‘VE’? - Footprint of the Small House - Application site	100% 100%	- -	- The Sites and the proposed Small House footprints fall entirely within the ‘VE’ of Ma Po Mei. - DLO/TP, LandsD has no objection to the applications.
3.	Sufficient land in “V” zone to meet Small House demand (outstanding Small House applications plus		✓	<u>Land Required</u> - Land required to meet Small House demand in Ma Po Mei and Tai Mong Che: about 4.75ha (equivalent to 190 Small House

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
	10-year Small House demand)?			sites). The outstanding Small House applications are 40 ² while the 10-year Small House demand forecast for the same villages is 150. <u>Land Available</u> Land available to meet Small House demand within the “V” zone of the villages concerned: about 2.05 ha (equivalent to 82 Small House sites) (Plan A-2b).
	Sufficient land in “V” zone to meet outstanding Small House applications?	✓		
4.	Compatible with the planning intention of “AGR” zone?		✓	- The Director of Agriculture, Fisheries and Conservation (DAFC) does not support the application from the agricultural development point of view as there are active agricultural activities in the vicinity, agricultural infrastructure is available, and the Sites possess potential for agricultural rehabilitation.
5.	Compatible with surrounding area/development?	✓		- The surrounding areas are predominantly rural in character mainly occupied with village houses, temporary structures, plant nurseries, agricultural land and tree groups.
6.	Within WGG?	✓		- The Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) advises that the nearest existing public sewerage system having pipe invert level at a higher elevation than the proposed development site level. As such, discharge of sewage by gravity from the proposed developments to the existing public sewerage network is not feasible.
7.	Sewerage Impact	✓		

² Among the 40 outstanding Small House applications, 20 of them fall within the “V” zone and 20 straddle or outside the “V” zone. For those 20 applications straddling or outside the “V” zone, five of them have obtained valid planning approval from the Board.

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
				- The Director of Environmental Protection (DEP) and the Chief Engineer/ Construction, Water Supplies Department (CE/C, WSD) does not support/objects to the applications as the connection from the proposed Small Houses to the public sewerage system in the area is considered technically infeasible.
8.	Encroachment onto planned road networks and public works boundaries?		✓	
9.	Need for provision of fire services installations and emergency vehicular access (EVA)?		✓	- The Director of Fire Services (D of FS) has no in-principle objection to the applications.
10.	Traffic impact?	✓		- The Commissioner for Transport (C for T) has general reservation on the applications but considers the applications only involving development of two Small Houses can be tolerated on traffic grounds.
11.	Drainage impact?	✓		- CE/MN, DSD has no in-principle objection to the applications from public drainage viewpoint. - Approval condition on submission and implementation of drainage proposal is required.
12.	Landscape impact?		✓	- The Chief Town Planner/ Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) has no objection to the applications from the landscape planning perspective as significant adverse impact on existing landscape resources is not anticipated.
13.	Geotechnical impact		✓	

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
14.	Local objections conveyed by DO?		✓	- The District Officer/Tai Po, Home Affairs Department (DO/TP, HAD) advises that a section of existing footpath built by locals would be affected by the proposed development and the applicants/lot owners concerned are advised to maintain the accessibility of the footpath or provision of an alternative section of the footpath on the premises during and after the Small Houses construction.

9.2 Comments from the following Government departments have been incorporated in paragraph 9.1 above. Other detailed comments are at **Appendix V**.

- (a) District Lands Officer/Tai Po, Lands Department;
- (b) Commissioner for Transport;
- (c) Director of Environmental Protection;
- (d) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (e) Chief Engineer/Mainland North, Drainage Services Department;
- (f) Chief Engineer/Construction, Water Supplies Department;
- (g) Director of Agriculture, Fisheries and Conservation;
- (h) Director of Fire Services; and
- (i) Director of Electrical and Mechanical Services.

9.3 The following Government departments have no objection to / no comment on the application:

- (a) Chief Highway Engineer/New Territories East, Highways Department;
- (b) Project Manager (North), Civil Engineering and Development Department;
- (c) Head of Geotechnical Engineering Office, Civil Engineering and Development Department; and
- (d) District Officer/Tai Po, Home Affairs Department.

10. Public Comments Received During Statutory Publication Period (Appendix VI)

On 5.6.2020, the applications were published for public inspection. During the statutory public inspection period, four public comments were received from Designing Hong Kong, Hong Kong Bird Watching Society and individuals objecting to the applications mainly on the grounds of being not in line with the planning intention of “AGR” zone; not complying with the Interim Criteria in that the proposed developments are not able to be connected to the existing/planned sewerage system causing adverse impact on the water quality; land being still available within the “V”

zone of Ma Po Mei and Tai Mong Che for Small House development; and setting of undesirable precedent leading to a general degradation of the rural environment of the area.

11. Planning Considerations and Assessments

- 11.1 The applications are for a proposed Small House development at each of the Sites zoned “AGR” on the OZP. The proposed developments are not in line with the planning intention of the “AGR” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. DAFC does not support the applications from the agricultural development point of view as there are active agricultural activities in the vicinity; agricultural infrastructure such as footpath and water source is available; and the Sites possess potential for agricultural rehabilitation. There is no strong planning justification in the current submission for a departure from the planning intention.
- 11.2 According to the DLO/TP, LandsD’s record, the total number of outstanding Small House applications for Ma Po Mei and Tai Mong Che is 40 while the 10-year Small House demand forecast for the same villages is 150. Based on the latest estimate by the Planning Department, about 2.05 ha of land (equivalent to 82 Small House sites) are available within the “V” zone concerned. As the proposed Small House footprints fall entirely within the ‘VE’ of Ma Po Mei, DLO/TP of LandsD has no objection to the applications.
- 11.3 The Sites, located at the south-eastern fringe of the village cluster of Ma Po Mei across Lam Tsuen River, are generally flat and partly covered with weeds. The proposed developments are not incompatible with the surrounding area which is predominantly rural in character with a mix of village houses, temporary structures, plant nurseries, agricultural land and tree groups (**Plans A-2a** and **A-3**). CTP/UD&L of PlanD has no objection to the applications from landscape planning perspective as there is no significant landscape resources observed within the Sites and significant adverse impact on existing landscape resources arising from the proposed developments is not anticipated.
- 11.4 The Sites fall within the upper indirect WGG, and the applicants have proposed to connect the proposed Small Houses to the existing public sewerage system at Ma Po Mei, which is located near the Sites (**Plan A-2a**). However, CE/MN of DSD advises that the pipe invert level of the nearest existing public sewerage system at 52.41mPD is at a higher elevation than the proposed development at site level 52.1mPD. As such, discharge of sewage by gravity from the proposed development to the existing public sewerage network is not feasible. While the applicants suggest raising the sewerage outlet to a higher level or using an automatic pumping system, they have not provided further information to confirm the feasibility of sewerage connection and to demonstrate that it will not have flooding risk to nearby premises. DEP and CE/C of WSD does not support/objects to the applications as the applicants fail to demonstrate that the proposed Small Houses are able to be connected to public sewerage system in the area. Besides, C for T has general reservation on the applications but considers the applications only involving

the development of two Small Houses can be tolerated on traffic grounds. Other relevant Government departments including CHE/NTE of HyD, PM(N) and H(GEO) of CEDD and D of FS have no objection to or adverse comment on the applications.

- 11.5 Regarding the Interim Criteria (**Appendix II**), although more than 50% of the proposed Small House footprints fall within the 'VE' of Ma Po Mei (**Plan A-2a**), the proposed Small House developments do not comply with the Interim Criteria in that the applicants failed to demonstrate that the proposed developments located within WGG would be able to be connected to the existing public sewerage system and would not cause adverse impact on the water quality in the area. Furthermore, while land available within the "V" zone (**Plan A-2b**) is insufficient to fully meet the future Small House demand of 190 Small Houses, such available land (about 2.05 ha or equivalent to 82 Small House sites) is capable to meet the 40 outstanding Small House applications. It should be noted that the Board has adopted a more cautious approach in approving applications for Small House development in recent years. Amongst others, in considering whether there is a general shortage of land in meeting Small House demand, more weighting has been put on the number of outstanding Small House applications provided by LandsD. In this regard, it is considered more appropriate to concentrate the proposed Small House developments within the "V" zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.
- 11.6 The Sites are the subject/part of the subject of five previous applications. Three of them were approved/rejected before the first promulgation of the Interim Criteria in 2000. Application No. A/NE-LT/368, submitted by the same applicant of Application No. A/NE-LT/686, was rejected in 2007 mainly for the reason of not complying with the Interim Criteria in that the proposed development was not able to be connected to existing or planned sewerage system in the area. The last previous application (No. A/NE-LT/647) submitted by the same applicants was rejected by the Board on review in 2019 mainly for the reasons of being not able to be connected to the existing/planned sewerage system in the area; and land being still available within the "V" zone of the concerned villages for Small House development. Compared with the previous application (No. A/NE-LT/647), the development parameters and the proposed Small House footprints are generally the same. Besides, the applicants proposed connecting the Small Houses to the existing public sewerage system instead of using septic tank and soakaway system under the previous application.
- 11.7 As shown on **Plan A-2a**, there are 11 similar applications covering five sites in close proximity to the Sites. Except for two applications (No. A/NE-LT/294 and 298) rejected in 2003 mainly for the reason of being not able to be connected to public sewer as there was no plan to extend the public sewerage system in the area concerned at the time of consideration, the other nine applications were approved. Of which, five applications (No. A/NE-LT/274, 406, 432, 433 and 434) were approved before the Board's adoption of a more cautious approach in approving applications for Small House development in August 2015. Subsequently, three applications (No. A/NE-LT/582 to 584) with previous approvals were approved in 2016 on sympathetic consideration. The remaining approved application (No. A/NE-LT/542) for the development

of an NTEH was approved in 2015 mainly on the grounds of having building entitlement. The planning circumstances of the current applications are not similar to the above rejected or approved similar cases.

- 11.8 The applicants argue that the amount of land available in the “V” zone of Ma Po Mei and Tai Mong Che for Small House development estimated by PlanD is not correct as the private lots are of different size and shape to accommodate Small House development in an orderly manner and the use of government land for Small House development will not be accepted under current Government’s policy. It should be noted that in estimating the land available for Small House development in the “V” zone, PlanD has adopted a consistent approach and would make use of the latest available information. In general, land occupied by road, existing and approved village houses, steep slope, major tree clusters and stream buffer will not be included. As for LandsD’s current practice of not accepting Small House applications on government land, it is related to the High Court judgement in April 2019 on Small House Policy implemented by LandsD. The judgement does not affect the Board’s functions under the Town Planning Ordinance (Cap 131) (TPO). Pursuant to section 16 of the TPO, the Board shall consider applications for planning permission for Small House development, and decide whether to grant or refuse to grant planning permission taking into account the relevant planning considerations.
- 11.9 Regarding the public comments objecting to the applications on the grounds as detailed in paragraph 10 above, Government departments’ comments and the planning assessments above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department does not support the applications for the following reasons:
- (a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone, which is 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. There is no strong planning justification in the submission for a departure from the planning intention;
 - (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the applicant fails to demonstrate that the proposed development located within water gathering grounds would be able to be connected to the existing or planned sewerage system and would not cause adverse impact on the water quality in the area; and
 - (c) land is still available within the “Village Type Development” (“V”) zone of Ma Po Mei and Tai Mong Che which is primarily intended for Small House development. It is considered more appropriate to concentrate the

proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.

- 12.2 Alternatively, should the Committee decide to approve the applications, it is suggested that each of the permissions shall be valid until **1.9.2024**, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (b) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the Town Planning Board; and
- (c) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses for each of the permissions are attached at **Appendix VII**.

13. Decision Sought

- 13.1 The Committee is invited to consider the applications and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to reject the applications, Members are invited to advise what reason(s) for rejection should be given to the applicants.
- 13.3 Alternatively, should the Committee decide to approve the applications, Members are invited to consider the approval conditions and advisory clauses, if any, to be attached to the permissions, and the date when the validity of the permissions should expire.

14. Attachments

Appendix Ia	Application form and attachment received on 27.5.2020 (A/NE-LT/685)
Appendix Ib	Application form and attachment received on 27.5.2020 (A/NE-LT/686)
Appendix Ic	FI received on 13.7.2020

Appendix II	Relevant revised Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (promulgated on 7.9.2007)
Appendix III	Previous applications
Appendix IV	Similar applications
Appendix V	Detailed comments from relevant Government departments
Appendix VI	Public comments
Appendix VII	Recommended advisory clauses
Drawing A-1	Layout plan and sewerage connection proposal submitted by the applicant (A/NE-LT/685)
Drawing A-2	Layout plan and sewerage connection proposal submitted by the applicant (A/NE-LT/686)
Plan A-1	Location plan
Plan A-2a	Site plan
Plan A-2b	Estimated amount of land available for Small House development within “V” zone
Plan A-3	Aerial photo
Plan A-4	Site photo

**PLANNING DEPARTMENT
SEPTEMBER 2020**