

**Relevant Revised Interim Criteria for Consideration of
Application for NTEH/Small House in New Territories
(promulgated on 7.9.2007)**

- (a) sympathetic consideration may be given if not less than 50% of the proposed NTEH/Small House footprint falls within the village 'environs' ('VE') of a recognized village and there is a general shortage of land in meeting the demand for Small House development in the "Village Type Development" ("V") zone of the village;
- (b) if more than 50% of the proposed NTEH/Small House footprint is located outside the 'VE', favourable consideration could be given if not less than 50% of the proposed NTEH/Small House footprint falls within the "V" zone, provided that there is a general shortage of land in meeting the demand for Small House development in the "V" zone and the other criteria can be satisfied;
- (c) development of NTEH/Small House with more than 50% of the footprint outside both the 'VE' and the "V" zone would normally not be approved unless under very exceptional circumstances (e.g. the application site has a building status under the lease, or approving the application could help achieve certain planning objectives such as phasing out of obnoxious but legal existing uses);
- (d) application for NTEH/Small House with previous planning permission lapsed will be considered on its own merits. In general, proposed development which is not in line with the criteria would normally not be allowed. However, sympathetic consideration may be given if there are specific circumstances to justify the cases, such as the site is an infill site among existing NTEHs/Small Houses, the processing of the Small House grant is already at an advance stage;
- (e) an application site involves more than one NTEH/Small House, application of the above criteria would be on individual NTEH/Small House basis;
- (f) the proposed development should not frustrate the planning intention of the particular zone in which the application site is located;
- (g) the proposed development should be compatible in terms of land use, scale, design and layout, with the surrounding area/development;
- (h) the proposed development should not encroach onto the planned road network and should not cause adverse traffic, environmental, landscape, drainage, sewerage and geotechnical impacts on the surrounding areas. Any such potential impacts should be mitigated to the satisfaction of relevant Government departments;
- (i) the proposed development, if located within water gathering grounds, should be able to be connected to existing or planned sewerage system in the area except under very special circumstances (e.g. the application site has a building status under the lease or the applicant can demonstrate that the water quality within water gathering grounds will not be affected by the proposed development^);
- (j) the provision of fire service installations and emergency vehicular access, if required, should be appropriate with the scale of the development and in compliance with relevant standards; and

(k) all other statutory or non-statutory requirements of relevant Government departments must be met. Depending on the specific land use zoning of the application site, other Town Planning Board guidelines should be observed, as appropriate.

^i.e. the applicant can demonstrate that effluent discharge from the proposed development will be in compliance with the effluent standards as stipulated in the Water Pollution Control Ordinance Technical Memorandum.

Similar Applications within the same “Green Belt” zone
on the Ting Kok Outline Zoning Plan

Approved Applications

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/140	“GB”	Proposed House (NTEH – Small House)	31/5/2002	A1 – A2
A/NE-TK/177	“GB”	Proposed House (NTEH – Small House)	15/10/2004	A2, A3
A/NE-TK/179	“GB”	Proposed Two Houses (NTEH – Small House)	17/12/2004	A2, A3, A7
A/NE-TK/192	“GB”	Proposed House (NTEH – Small House)	24/6/2005	A2
A/NE-TK/204	“GB” and “V”	Proposed 37 Houses (NTEH – Small House)	7/4/2006	A1 – A3, A8
A/NE-TK/211	“GB”	Proposed House (NTEH – Small House)	4/8/2006	A2, A3
A/NE-TK/213	“GB”	Proposed House (NTEH – Small House)	4/8/2006	A2, A3
A/NE-TK/217	“GB” and “V”	Proposed Two Houses (NTEH – Small House)	15/9/2006	A1, A3, A9
A/NE-TK/226	“GB”	Proposed House (NTEH – Small House)	9/3/2007	A1 – A2
A/NE-TK/243	“GB”	Proposed House (NTEH – Small House)	14/12/2007	A1 – A4
A/NE-TK/259	“GB”	Proposed House (NTEH – Small House)	5/9/2008	A1 – A3
A/NE-TK/260	“GB”	Proposed House (NTEH – Small House)	5/9/2008	A1 – A3
A/NE-TK/261	“GB”	Proposed House (NTEH – Small House)	5/9/2008	A1 – A3
A/NE-TK/262	“GB”	Proposed House (NTEH – Small House)	5/9/2008	A1 – A3
A/NE-TK/275	“GB” and “V”	Proposed House (NTEH – Small House)	8/5/2009	A1 – A4
A/NE-TK/276	“GB” and “V”	Proposed House (NTEH – Small House)	8/5/2009	A1 – A4
A/NE-TK/277	“GB” and “V”	Proposed House (NTEH – Small House)	8/5/2009	A1 – A4

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/278	“GB”	Proposed House (NTEH – Small House)	8/5/2009	A1 – A4
A/NE-TK/294	“GB”	Proposed Two Houses (NTEH – Small House)	18/12/2009	A1 – A3
A/NE-TK/327	“GB”	Proposed House (NTEH – Small House)	26/11/2010	A1 – A4
A/NE-TK/328	“GB”	Proposed House (NTEH – Small House)	26/11/2010	A1 – A4
A/NE-TK/344	“GB”	Proposed House (NTEH – Small House)	4/3/2011	A1 – A4
A/NE-TK/362	“GB”	Proposed House (NTEH – Small House)	22/7/2011	A1 – A3
A/NE-TK/363	“GB”	Proposed House (NTEH – Small House)	22/7/2011	A1 – A3
A/NE-TK/367	“GB”	Proposed House (NTEH – Small House)	2/9/2011	A1 – A3
A/NE-TK/373	“GB”	Proposed House (NTEH – Small House)	16/12/2011	A1 – A4
A/NE-TK/375	“GB” and “V”	Proposed House (NTEH – Small House)	6/1/2012	A1 – A3
A/NE-TK/392	“GB”	Proposed House (NTEH – Small House)	19/10/2012	A1 – A3
A/NE-TK/393	“GB”	Proposed House (NTEH – Small House)	19/10/2012	A1 – A3
A/NE-TK/419	“GB”	Proposed House (NTEH – Small House)	21/12/2012	A2, A3
A/NE-TK/425	“GB” and “V”	Proposed House (NTEH – Small House)	25/1/2013	A2
A/NE-TK/432	“GB”	Proposed House (NTEH – Small House)	22/10/2015 (Appeal)	A2, A3, A10
A/NE-TK/440	“GB”	Proposed House (NTEH – Small House)	3/5/2013	A2, A3
A/NE-TK/449	“GB”	Proposed House (NTEH – Small House)	19/7/2013	A2, A3
A/NE-TK/450	“GB”	Proposed House (NTEH – Small House)	19/7/2013	A2, A3
A/NE-TK/473	“GB” and “V”	Proposed House (NTEH – Small House)	25/10/2013	A2, A3
A/NE-TK/476	“GB”	Proposed House (NTEH – Small House)	8/11/2013	A2, A3

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/521	“GB” and “V”	Proposed House (NTEH – Small House)	17/10/2014	A2, A3, A5
A/NE-TK/522	“GB” and “V”	Proposed House (NTEH – Small House)	17/10/2014	A2, A3, A5
A/NE-TK/531	“GB”	Proposed House (NTEH – Small House)	16/1/2015	A2 – A6
A/NE-TK/540	“GB”	Proposed House (NTEH – Small House)	27/2/2015	A2 – A6
A/NE-TK/545	“GB” and “V”	Proposed House (NTEH – Small House)	17/4/2015	A2, A5
A/NE-TK/573	“GB”	Proposed House (NTEH – Small House)	19/2/2016	A2, A5
A/NE-TK/580	“GB” and “V”	Proposed House (NTEH – Small House)	15/7/2016	A2, A3, A5
A/NE-TK/582	“GB”	Proposed House (NTEH – Small House)	29/7/2016	A2, A3, A5
A/NE-TK/585	“GB”	Proposed House (NTEH – Small House)	14/9/2016	A2, A5
A/NE-TK/618	“GB”	Proposed House (NTEH – Small House)	11/8/2017	A2, A11

Approval Conditions

- A1. The provision of fire fighting access / water supplies for fire fighting / fire service installations and/or emergency vehicular access.
- A2. The submission and implementation/provision of drainage proposal/facilities.
- A3. The submission and implementation of landscape proposal and/or tree preservation proposal.
- A4. The submission of a Natural Terrain Hazard Study/Geotechnical Planning Review Report to assess the natural terrain hazard/geotechnical investigation report and the provision/implementation of mitigation measures/necessary geotechnical remedial works identified therein.
- A5. The connection of the foul water drainage system to the public sewers.
- A6. The diversion of the existing water mains within the site affected by the proposed development.
- A7. The provision of an emergency vehicular access with street fire hydrants or incorporation of residential sprinkler system.
- A8. The submission and provision of the proposed access road and footpath from Ting Kok Road to the proposed development.

- A9. The submission of a drainage impact assessment and implementation of measures to mitigate any adverse effects that might arise.
- A10. The submission and implementation of proposal to blend in the design, layout, colour and materials of the proposed Small House with its surrounding environment and adjacent Small Houses.
- A11. The provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the Town Planning Board.

Rejected Applications

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-TK/258	“GB”	Proposed House (NTEH – Small House)	2/1/2009 (Review)	R1- R2
A/NE-TK/263	“GB”	Proposed House (NTEH – Small House)	2/1/2009 (Review)	R1- R2
A/NE-TK/273	“GB”	Proposed House (NTEH – Small House)	8/5/2009	R4, R9
A/NE-TK/274	“GB”	Proposed House (NTEH – Small House)	8/5/2009	R4, R9
A/NE-TK/279	“GB”	Proposed House (NTEH – Small House)	8/5/2009	R4, R9
A/NE-TK/372	“GB”	Proposed House (NTEH – Small House)	6/12/2011	R1, R5, R6
A/NE-TK/401	“GB”	Proposed Two Houses (NTEH – Small House)	21/9/2012	R7, R8, R10
A/NE-TK/426	“GB” and “V”	Proposed Eight Houses (NTEH – Small Houses)	9/8/2013 (Review)	R1-R3
A/NE-TK/443	“GB”	Proposed House (NTEH – Small House)	7/6/2013	R1, R11, R13
A/NE-TK/444	“GB”	Proposed House (NTEH – Small House)	7/6/2013	R1, R11, R13
A/NE-TK/486	“GB”	Proposed House (NTEH – Small House)	15/8/2014 (Review)	R1, R2, R12
A/NE-TK/487	“GB”	Proposed House (NTEH – Small House)	15/8/2014 (Review)	R1, R2, R12

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-TK/488	“GB”	Proposed House (NTEH – Small House)	15/8/2014 (Review)	R1, R2, R12
A/NE-TK/489	“GB”	Proposed House (NTEH – Small House)	15/8/2014 (Review)	R1, R2, R12
A/NE-TK/490	“GB”	Proposed House (NTEH – Small House)	15/8/2014 (Review)	R1, R2, R12
A/NE-TK/491	“GB”	Proposed House (NTEH – Small House)	15/8/2014 (Review)	R1, R2, R12
A/NE-TK/492	“GB”	Proposed House (NTEH – Small House)	15/8/2014 (Review)	R1, R2, R12
A/NE-TK/493	“GB” and “V”	Proposed House (NTEH – Small House)	15/8/2014 (Review)	R1, R2, R12
A/NE-TK/519	“GB”	Proposed House (NTEH – Small House)	17/10/2014	R1, R4, R11, R13
A/NE-TK/520	“GB”	Proposed House (NTEH – Small House)	17/10/2014	R1, R4, R11, R13
A/NE-TK/524	“GB”	Proposed House (NTEH – Small House)	31/10/2014	R1, R2, R12
A/NE-TK/555	“GB”	Proposed House (NTEH – Small House)	21/08/2015	R1, R2, R3, R14
A/NE-TK/557	“GB”	Proposed House (NTEH – Small House)	18/09/2015	R1, R2, R3, R14
A/NE-TK/558	“GB”	Proposed House (NTEH – Small House)	18/09/2015	R1, R3, R13, R14
A/NE-TK/559	“GB”	Proposed House (NTEH – Small House)	22/3/2017 (Appeal)	R1, R2, R3, R14
A/NE-TK/570	“GB” and “V”	Proposed House (NTEH – Small House)	15/4/2016 (Review)	R1, R14, R15
A/NE-TK/571	“GB” and “V”	Proposed House (NTEH – Small House)	15/4/2016 (Review)	R1, R14, R15
A/NE-TK/577	“GB”	Proposed House (NTEH – Small House)	2/9/2016 (Review)	R1, R7, R10, R14

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-TK/578	“GB”	Proposed House (NTEH – Small House)	13/5/2016	R1, R9, R14, R16
A/NE-TK/598	“GB”	Proposed House (NTEH – Small House)	21/4/2017 (Review)	R1, R2, R9, R14
A/NE-TK/622	“GB”	Proposed House (NTEH – Small House)	13/10/2017	R1, R9, R10, R14

Rejection Reasons

- R1. The proposed development was not in line with the planning intention of the “GB” zoning for the area which was to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone.
- R2. The proposed development did not comply with the TPB Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve extensive clearance of existing natural vegetation and affect the existing natural landscape on the surrounding environment.
- R3. The proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in New Territories in that the proposed development would cause adverse landscape and sewerage impacts on the surrounding areas.
- R4. The approval of the application would set an undesirable precedent for other similar applications in the area. The cumulative impacts of approving such applications would result in a general degradation of the environment and landscape quality of the area.
- R5. The proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in New Territories as more than 50% of the footprint of the proposed Small House was outside the “V” zone and the village ‘environs’ of any recognized villages.
- R6. The approval of the application would set an undesirable precedent for other similar applications in the area.
- R7. The proposed development did not comply with the TPB Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would affect the existing natural landscape and adversely affect slope stability in the area.
- R8. There was no information in the submission to demonstrate that the proposed development would have no adverse landscape and geotechnical impacts on the surrounding areas.

- R9. The application did not comply with the TPB Guidelines No. 10 for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' in that it would likely involve site formation and slope stabilization works resulting in clearance of natural vegetation and damage of the existing landscape of the surrounding area. There was insufficient information in the submission to demonstrate that the proposed development would not have any adverse landscape impacts on the surrounding areas.
- R10. The proposed development did not comply with the Interim Criteria for Consideration of Application for the NTEH/Small House in New Territories in that the proposed development would cause adverse landscape and geotechnical impacts on the surrounding areas.
- R11. The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/ Small House in the New Territories in that the site was entirely outside the "V" zone and the village 'environs' of any recognized villages, and the proposed development would cause adverse sewerage and landscape impacts on the surrounding areas.
- R12. The proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in New Territories in that the proposed development would cause adverse landscape and water quality impacts on the surrounding areas.
- R13. The proposed development did not comply with the TPB Guidelines No. 10 for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' in that the proposed development would affect the existing natural landscape on the surrounding environment.
- R14. Land was still available within the "V" zone of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development within "V" zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.
- R15. The proposed development would have adverse impacts on the existing landscape of the area including the Banyan tree near the sites.
- R16. The proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in New Territories in that the proposed development would cause adverse landscape, sewerage and geotechnical impacts on the surrounding area.

Detailed Comments from Relevant Government Departments

1. Land Administration

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

- (a) no objection to the application;
- (b) the applicant, claimed himself as an indigenous villager (IV) of Tai Mei Tuk. However, his eligibility of Small House grant has yet to be ascertained;
- (c) the number of outstanding Small House applications and the number of 10-year Small House demand for the villages concerned are as follows:

<u>Village</u>	<u>No. of outstanding Small House applications</u>	<u>No. of 10-year Small House demand *</u>
Lung Mei	30	97
Tai Mei Tuk	31	150

(* The figure of 10-year Small House demand was estimated and provided by the IIRs of Lung Mei in 2016 and Tai Mei Tuk in 2017 respectively. The information so obtained is not verified in any way by DLO/TP.);

- (d) the Site is an Old Schedule Lot under Block Government Lease (demised for agricultural use). The applicant is the registered owner of the subject lots and the Small House application has been received by LandsD;
- (e) the Site is not covered by any Modification of Tenancy or Building Licence;
- (f) if and after planning approval has been given by the Board, LandsD will process the Small House application. However, there is no guarantee at this stage that the Small House application would be approved. If the Small House application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD. There is no guarantee to the grant of a right of way to the Small House concerned or approval of the emergency vehicular access thereto;
- (g) the Site falls wholly within the 'VE' of Lung Mei and Tai Mei Tuk; and
- (h) the proposed septic tank falls within the subject lot. Whether it is acceptable or not will be considered when the case is due for processing.

2. Traffic

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

- (a) in general, he has reservation on the application. Such type of development should be confined within the "V" zone as far as possible. Although additional traffic generated by the proposed development is not expected to be significant,

such type of development outside “V” zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial;

- (b) notwithstanding the above, he considers that the subject application only involves development of a Small House can be tolerated unless it is rejected on other grounds; and
- (c) the existing village track near the Site is not under TD’s management. It is suggested that the land status, management and maintenance responsibilities of the village track should be clarified with relevant lands and maintenance authorities accordingly in order to avoid potential land disputes.

3. **Environment**

Comments of the Director of Environmental Protection (DEP):

- (a) in view of the scale and nature of the proposed development, the application alone is unlikely to cause major pollution; and
- (b) 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 (ProPECC) PN 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department” and are duly certified by an Authorized Person (AP).

4. **Landscape**

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

- (a) has some reservations on the application from the landscape planning perspective;
- (b) the Site is situated in an area of rural landscape character comprising of scattered tree groups, village houses, car parks and vacant land. Although the proposed development is not in line with the planning intention of “GB” zone, it is not incompatible with the surrounding environment;
- (c) the Site is vacant and covered with weeds and groundcovers. Eight siblings of *Carica papaya* (番木瓜) are found within the Site. Adverse impact on significant landscape resources due to the proposed development is not anticipated. However, noting that the Site is located on a sloping ground, the proposed development would inevitably involve site formation and/or slope works. The topography of the Site will be irreversibly altered due to the proposed development. Approval of this application would set an undesirable precedent to encourage similar applications in the “GB” zone. The cumulative effect of approving similar applications would cause adverse landscape impact to the area and result in degradation of landscape character;
- (d) should the application be approved by the TPB, an approval condition on the submission and implementation of landscape proposal is recommended; and

- (e) according to the application, a retaining wall with approximately 6m in height will be built. The applicant is advised to propose environmental-friendly treatment on the retaining wall to mitigate the impact to the surrounding environment from the excessive height of wall.

5. Drainage

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

- (a) no objection in-principle to the application from public drainage viewpoint;
- (b) if the application is approved, a condition should be included to request the applicant to submit and implement the drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent area;
- (c) there is no public drain maintained by DSD in the vicinity of the Site. The proposed house should have its own stormwater collection and discharge systems to cater for the runoff generated within the Site and overland flow from surrounding of the Site;
- (d) the proposed development is located on unpaved ground and on slope. It will increase the impervious area, resulting in a change of the flow pattern and an increase of the surface runoff and thus the flooding risk in the area. The applicant should take this into account when preparing the drainage proposal. The applicant/owner is also required to maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
- (e) the applicant should design the drainage proposal based on the actual site condition for DSD's comment/agreement. DSD would not assist the lot owner/developer on the drainage proposal. In the design, the applicant should consider the workability, the impact to the surrounding environment and seek comments from other concerned parties/departments if necessary. He should make sure no adverse impact will be caused to the area due to the proposed works. The existing natural streams, village drains, ditches and the adjacent areas should not be adversely affected. In particular, a minimum clearance of 3m should be maintained between the proposed development and the top of the embankment of existing streamcourses/ponds/rivers; and
- (f) the slope drainage systems including the crest and toe drainage are to be designed, constructed and maintained by the lot owner.

Comments of Chief Engineer/Consultants Management, Drainage Services Department (CE/CM, DSD):

- no comment on the application as there are no proposed sewerage works in the vicinity of the Site at Tai Mei Tuk.

6. **Nature Conservation**

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

- no strong view on the application as the Site is covered with common weeds only.

7. **Fire Safety**

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

- (a) no in-principle objection to the application; and
- (b) the applicant is reminded to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD.

8. **Water Supply**

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

- (a) no objection to the application; and
- (b) for provision of water supply to the proposed development, the applicant may need to extend the 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.

9. **Geotechnical**

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

- (a) the stability conditions of the slope Feature No. 3SE-D/DT7 at the Site is unknown. It is considered necessary to conduct an investigation to delineate the scale and extent of the slope works and to implement necessary remedial works; and
- (b) should the application be approved by the Board, an approval condition requiring the applicant to submit a geotechnical investigation report and the implementation of the necessary geotechnical remedial works identified therein is recommended.

10. **Electricity Supply and Safety**

Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) no comment on the application from electricity supply safety aspect; and
- (b) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

11. Demand and Supply of Small House Sites

According to the DLO/TP, LandsD’s record, the total number of outstanding Small House applications for Lung Mei and Tai Mei Tuk is 61 while the 10-year Small House demand forecast for the same villages is 247. Based on the latest estimate by the PlanD, about 2.9 ha (or equivalent to about 116 Small House sites) of land are available within the “V” zone of Lung Mei and Tai Mei Tuk. Therefore, the land available cannot fully meet the future Small House demand of about 7.7 ha (or equivalent to about 308 Small House sites).

Recommended Advisory Clauses

- (a) to note the comments of District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that if the Small House application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD. There is no guarantee to the grant of a right of way to the Small House concerned or approval of the emergency vehicular access thereto;
- (b) to note the comments of the Commissioner for Transport (C for T) that the existing village track near the Site is not under Transport Department's management and the applicant should clarify with the relevant lands and maintenance authorities on the land status, management and maintenance responsibilities of the village track in order to avoid potential land disputes;
- (c) to note the comments of the Director of Environmental Protection 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 (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" and are duly certified by an Authorized Person (AP);
- (d) to note the comments of the Chief Engineer/Mainland North (CE/MN) of Drainage Services Department (DSD) that:
 - (i) there is no public drain maintained by DSD in the vicinity of the Site. The proposed house should have its own stormwater collection and discharge systems to cater for the runoff generated within the Site and overland flow from surrounding of the Site;
 - (ii) the proposed development is located on unpaved ground and on slope. It will increase the impervious area, resulting in a change of the flow pattern and an increase of the surface runoff and thus the flooding risk in the area. The applicant should take this into account when preparing the drainage proposal. The applicant/owner is also required to maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
 - (iii) the applicant should design the drainage proposal based on the actual site condition for DSD's comment/agreement. DSD would not assist the lot owner/developer on the drainage proposal. In the design, the applicant should consider the workability, the impact to the surrounding environment and seek comments from other concerned parties/departments if necessary. He should make sure no adverse impact will be caused to the area due to the proposed works. The existing natural streams, village drains, ditches and the adjacent areas should not be adversely affected. In particular, a minimum clearance of 3m should be maintained between the proposed development and the top of the embankment of existing streamcourses/ponds/rivers; and
 - (iv) the slope drainage systems including the crest and toe drainage are to be designed, constructed and maintained by the lot owner;

- (e) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C,WSD) that for provision of water supply to the proposed development, the applicant may need to extend the 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;
- (f) to note the comments of the Director of Fire Services (D of FS) that the applicant should observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD;
- (g) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that the parties concerned with planning, designing, organizing and supervising any activity near the underground cable under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the applicant should propose environmental-friendly treatment on the retaining wall to mitigate the impact to the surrounding environment from the excessive height of the wall; and
- (i) to 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 Town Planning Board where required before carrying out the road works.