

**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 Houses)	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 Houses)	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 Houses)	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 Houses)	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 allowed) *	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

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/476	“GB”	Proposed House (NTEH – Small House)	8/11/2013	A2, A3
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
A/NE-TK/654	“GB”	Proposed House (NTEH – Small House)	16/11/2018	A2, A11

* Appeal allowed by the Town Planning Appeal Board on 22/10/2015

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, color 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 Houses)	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

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Rejection Reasons
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
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 dismissed)^	R1- R3, R14

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-TK/570	“GB” and “V”	Proposed House (NTEH – Small House)	17/10/2017 (Appeal dismissed) #	R1,R14,R15
A/NE-TK/571	“GB” and “V”	Proposed House (NTEH – Small House)	17/10/2017 (Appeal dismissed) #	R1,R14,R15
A/NE-TK/577	“GB”	Proposed House (NTEH – Small House)	2/9/2016 (Review)	R1,R7,R10,R14
A/NE-TK/578	“GB”	Proposed House (NTEH – Small House)	13/5/2016	R1, R14, R16, R18
A/NE-TK/598	“GB”	Proposed House (NTEH – Small House)	21/4/2017 (Review)	R1, R2, R3, R14
A/NE-TK/622	“GB”	Proposed House (NTEH – Small House)	13/10/2017	R1, R10, R14, R19
A/NE-TK/635	“GB”	Proposed House (NTEH – Small House)	16/3/2018	R1, R14, R17, R19
A/NE-TK/660	“GB”	Proposed House (NTEH – Small House)	18/1/2019	R1, R14

^ Appeal dismissed by the Town Planning Appeal Board on 22/3/2017

Appeal dismissed by the Town Planning Appeal Board on 17/10/2017

Rejection Reasons

- R1. The proposed development was not in line with the planning intention of the “Green Belt” (“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. There was insufficient information in the submissions to justify a departure from this planning intention.
- R2. The proposed development did not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “Green Belt” (“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. There was insufficient information in the submission to demonstrate that the proposed development would not have any adverse landscape impacts on the surrounding areas.
- R3. The proposed development did not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in New Territories in that 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 New Territories Exempted House /Small House in New Territories as more than 50% of the footprint of the proposed Small House was outside the “Village Type Development” (“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 Town Planning Board Guidelines No. 10 for ‘Application for Development within “Green Belt” (“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/proposed development did not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “Green Belt” (“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 New Territories Exempted House /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 New Territories Exempted House / Small House in the New Territories in that the site was entirely outside the “Village Type Development” (“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 New Territories Exempted House /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 Town Planning Board Guidelines No. 10 for ‘Application for Development within “Green Belt” (“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 “Village Type Development” (“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 New Territories Exempted House /Small House in New Territories in that the proposed development would cause adverse landscape, sewerage and geotechnical impacts on the surrounding area.
- R17. The proposed development did not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas and be subject to adverse geotechnical impact.
- R18. The proposed development did not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape and adversely affect slope stability in the area.
- R19. The proposed development did not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape, and the applicant failed to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas and that the stability of the adjacent slope would not be adversely affected.

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 Po Mei. However, his eligibility of Small House grant has yet to be ascertained;
- (c) the application site (the Site) is an Old schedule Lot under Block Government Lease demised for agricultural use. The applicant is the registered owner of the subject lot;
- (d) The Site is not covered by any Modification of Tenancy or Building Licence and an application for Small House grant at the Site has been received;
- (e) the number of outstanding Small House applications and the number of 10-year Small House demand for the concerned villages 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	36	97
Tai Mei Tuk	33	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);

- (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 entirely within the village ‘environs’ (‘VE’) of Lung Mei and Tai Mei Tuk;
- (h) the proposed Small House would be connected to public sewerage system. Whether it is acceptable or not will be considered when the case is due for processing; and
- (i) two ponds at the eastern portion of the lot may be affected by the proposed development. As the applicant claimed in the “Report on Existing Ground Situation for Proposed Small House” attached in the Appendix I of the application form that the proposed Small House and its balcony is situated on solid ground, the applicant should clarify this point.

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; and
- (b) notwithstanding the above, the application only involves development of a Small House and he considers that the application can be tolerated unless it is rejected on other grounds.

3. **Nature Conservation**

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

- (a) no strong view on the application from nature conservation point of view; and
- (b) the Site is largely paved. The applicant claimed that the proposed Small House would not encroach upon the adjoining pond.

4. **Environment**

Comments of the Director of Environmental Protection (DEP):

- (a) the Site falls within “Green Belt” (“GB”) zone and outside the water gathering grounds (WGG);
- (b) he has no objection to the application provided that the applicant proposed to connect the proposed Small House to the public sewer which is 41m away from the sewer manhole at Tai Mei Tuk Village with sewerage capacity available; and
- (c) Drainage Services Department (DSD)’s advice should be sought on the technical feasibility of sewer connection. Written consents shall be obtained from the adjacent lot owners for laying and maintaining sewage pipes, if required. Adequate land space within the Site shall be reserved for connection of the proposed Small House to the public sewer. The cost of sewer connection shall be borne by the applicant.

5. **Water Supply**

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

- (a) no objection to the application;
- (b) if diversion is required, existing water mains inside the lot are needed to be diverted outside the Site boundary of the proposed development to lie in

Government land. A strip of land of minimum 1.5m in width should be provided for the diversion of existing water mains. The cost of diversion of existing water mains upon request will have to be done by the applicant and the applicant shall submit all relevant proposals to WSD for consideration and agreement before the works commence;

- (c) if diversion is not required, the following conditions shall apply:
 - (i) no development which requires resiting of water mains will be allowed;
 - (ii) details of site formation works shall be submitted to the Water Authority for approval prior to commencement of works;
 - (iii) no structures shall be built or materials stored within 1.5m from the centre lines of water mains. Free access shall be made available at all times for staff of WSD or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - (iv) no trees or shrubs with penetrating roots may be planted within the Water Works Reserve or in the vicinity of the water mains. No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of the Director of Water Supplies. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe;
 - (v) no planting or obstruction of any kind except turfing shall be permitted within the space of 1.5m around the cover of any valve or within a distance of 1m from any hydrant outlet; and
 - (vi) tree planting may be prohibited in the event that the Water Authority considers that there is any likelihood of damage being caused to water mains; and
- (d) 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.

6. Drainage

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

- (a) no in-principle objection to the application from public drainage viewpoint;
- (b) if the application is approved, an approval condition on submission and implementation of drainage proposal for the Site is recommended to ensure that it will not cause adverse drainage impact to the adjacent areas;
- (c) there is no existing DSD maintained public drain available for connection in the

area. The applicant should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The proposed development should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;

- (d) public sewers are available for connection in the vicinity of the Site. The applicant should be reminded to follow the established procedures and requirements for connecting sewers from the Site to the public sewerage system. A connection proposal should be submitted for approval beforehand. Moreover, the sewerage connection will be subject to DSD's technical audit, for which an audit fee will be charged; and
- (e) for works to be undertaken outside the lot boundary, prior consent and agreement from DLO/TP, LandsD and/or relevant private lot owners should be sought.

7. Landscape

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

- (a) has reservation on the application from the landscape planning perspective;
- (b) the Site is vacant and hard-paved. No existing tree is found within the Site;
- (c) it is noted that vegetation clearance had been carried out gradually within the Site and its immediate surroundings since 2011. The proposed development, if approved, would encourage similar site modification prior to approval. In addition, approval of the application would encourage similar developments resulting in further encroachment to the "GB" zone. The cumulative effect of approving such applications would result in degradation of landscape character and against the planning intention of "GB" zone; and
- (d) should the application be approved, in view that there is no adequate space for meaningful landscaping to benefit the public realm, no landscape condition can be imposed.

8. 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.

9. Electricity Supply

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.

10. 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 69 while the 10-year Small House demand forecast for the same village is 247. Based on the latest estimate by the PlanD, about 1.87 ha of land (equivalent to about 74 Small House sites) 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 316 Small Houses (equivalent to about 7.9 ha of land).

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
- (i) 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; and
 - (ii) the proposed Small House would be connected to public sewerage system. Whether it is acceptable or not will be considered when the case is due for processing;
- (b) to note the comments of the Director of Environmental Protection (DEP) that written consents shall be obtained from the adjacent lot owners for laying and maintaining sewage pipes. Adequate land space within the Site shall be reserved for connection of the proposed Small House to the public sewer. The cost of sewer connection shall be borne by the applicant;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- (i) there is no existing DSD maintained public drain available for connection in the area. The applicant should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The proposed development should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
 - (ii) public sewers are available for connection in the vicinity of the Site. The applicant should follow the established procedures and requirements for connecting sewers from the Site to the public sewerage system. A connection proposal should be submitted for approval beforehand. Moreover, the sewerage connection will be subject to DSD's technical audit, for which an audit fee will be charged; and
 - (iii) for works to be undertaken outside the lot boundary, prior consent and agreement from DLO/TP, LandsD and/or relevant private lot owners should be sought;

- (d) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C,WSD) that:
- (i) if diversion is required, existing water mains inside the lot are needed to be diverted outside the Site boundary of the proposed development to lie in Government land. A strip of land of minimum 1.5m in width should be provided for the diversion of existing water mains. The cost of diversion of existing water mains upon request will have to be done by the applicant and the applicant shall submit all relevant proposals to WSD for consideration and agreement before the works commence;
 - (ii) if diversion is not required, the following conditions shall apply:
 - (a) no development which requires resiting of water mains will be allowed;
 - (b) details of site formation works shall be submitted to the Water Authority for approval prior to commencement of works;
 - (c) no structures shall be built or materials stored within 1.5m from the centre lines of water mains . Free access shall be made available at all times for staff of WSD or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - (d) no trees or shrubs with penetrating roots may be planted within the Water Works Reserve or in the vicinity of the water mains . No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of the Director of Water Supplies. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe;
 - (e) no planting or obstruction of any kind except turfing shall be permitted within the space of 1.5m around the cover of any valve or within a distance of 1m from any hydrant outlet; and
 - (f) tree planting may be prohibited in the event that the Water Authority considers that there is any likelihood of damage being caused to water mains; and
 - (iii) 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;
- (e) 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;
- (f) 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; and

- (g) 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.