

**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.

Previous s. 16 Applications at the Application Site

Approval Application

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/328	Proposed House (New Territories Exempted House - Small House)	26/11/2010	A1-A4

Approval Conditions

- A1. The submission and implementation of landscape proposal.
- A2. The submission and implementation of drainage proposal.
- A3. The provision of firefighting access, water supplies and fire service installations.
- A4. The submission of a revised natural terrain hazard study and the implementation of the mitigation measures identified therein.

Rejected Application

Application No.	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-TK/263	Proposed New Territories Exempted House (NTEH) (Small House)	02/01/2009 (Review)	R1-R2

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 submission to justify a departure from this planning intention.
- R2. The application did not comply with the Town Planning Board Guidelines for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' in that it would involve clearance of natural vegetation, affect the existing natural landscape of 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.

**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)	31/05/2002	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)	24/06/2005	A2
A/NE-TK/204	“GB” and “V”	Proposed 37 Houses (NTEH – Small Houses)	07/04/2006	A1 – A3, A8
A/NE-TK/211	“GB”	Proposed House (NTEH – Small House)	04/08/2006	A2, A3
A/NE-TK/213	“GB”	Proposed House (NTEH – Small House)	04/08/2006	A2, A3
A/NE-TK/217	“GB” and “V”	Proposed Two Houses (NTEH – Small Houses)	15/09/2006	A1, A3, A9
A/NE-TK/226	“GB”	Proposed House (NTEH – Small House)	09/03/2007	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)	05/09/2008	A1 – A3
A/NE-TK/260	“GB”	Proposed House (NTEH – Small House)	05/09/2008	A1 – A3
A/NE-TK/261	“GB”	Proposed House (NTEH – Small House)	05/09/2008	A1 – A3
A/NE-TK/262	“GB”	Proposed House (NTEH – Small House)	05/09/2008	A1 – A3
A/NE-TK/275	“GB” and “V”	Proposed House (NTEH – Small House)	08/05/2009	A1 – A4
A/NE-TK/276	“GB” and “V”	Proposed House (NTEH – Small House)	08/05/2009	A1 – A4

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/277	“GB” and “V”	Proposed House (NTEH – Small House)	08/05/2009	A1 – A4
A/NE-TK/278	“GB”	Proposed House (NTEH – Small House)	08/05/2009	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/344	“GB”	Proposed House (NTEH – Small House)	04/03/2011	A1 – A4
A/NE-TK/362	“GB”	Proposed House (NTEH – Small House)	22/07/2011	A1 – A3
A/NE-TK/363	“GB”	Proposed House (NTEH – Small House)	22/07/2011	A1 – A3
A/NE-TK/367	“GB”	Proposed House (NTEH – Small House)	02/09/2011	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)	06/01/2012	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)	25/01/2013	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)	03/05/2013	A2, A3
A/NE-TK/449	“GB”	Proposed House (NTEH – Small House)	19/07/2013	A2, A3
A/NE-TK/450	“GB”	Proposed House (NTEH – Small House)	19/07/2013	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)	08/11/2013	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)	16/01/2015	A2 – A6
A/NE-TK/540	“GB”	Proposed House (NTEH – Small House)	27/02/2015	A2 – A6
A/NE-TK/545	“GB” and “V”	Proposed House (NTEH – Small House)	17/04/2015	A2, A5
A/NE-TK/573	“GB”	Proposed House (NTEH – Small House)	19/02/2016	A2, A5
A/NE-TK/580	“GB” and “V”	Proposed House (NTEH – Small House)	15/07/2016	A2, A3, A5
A/NE-TK/582	“GB”	Proposed House (NTEH – Small House)	29/07/2016	A2, A3, A5
A/NE-TK/585	“GB”	Proposed House (NTEH – Small House)	14/09/2016	A2, A5
A/NE-TK/618	“GB”	Proposed House (NTEH – Small House)	11/08/2017	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)	02/01/2009 (Review)	R1- R2
A/NE-TK/273	“GB”	Proposed House (NTEH – Small House)	08/05/2009	R4, R9
A/NE-TK/274	“GB”	Proposed House (NTEH – Small House)	08/05/2009	R4, R9
A/NE-TK/279	“GB”	Proposed House (NTEH – Small House)	08/05/2009	R4, R9
A/NE-TK/372	“GB”	Proposed House (NTEH – Small House)	06/12/2011	R1, R5, R6
A/NE-TK/401	“GB”	Proposed Two Houses (NTEH – Small Houses)	21/09/2012	R7, R8, R10
A/NE-TK/426	“GB” and “V”	Proposed Eight Houses (NTEH – Small Houses)	09/08/2013 (Review)	R1-R3
A/NE-TK/443	“GB”	Proposed House (NTEH – Small House)	07/06/2013	R1, R11, R13
A/NE-TK/444	“GB”	Proposed House (NTEH – Small House)	07/06/2013	R1, R11, R13

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-TK/486	“GB”	Proposed House (NTEH – Small House)	15/08/2014 (Review)	R1, R2, R12
A/NE-TK/487	“GB”	Proposed House (NTEH – Small House)	15/08/2014 (Review)	R1, R2, R12
A/NE-TK/488	“GB”	Proposed House (NTEH – Small House)	15/08/2014 (Review)	R1, R2, R12
A/NE-TK/489	“GB”	Proposed House (NTEH – Small House)	15/08/2014 (Review)	R1, R2, R12
A/NE-TK/490	“GB”	Proposed House (NTEH – Small House)	15/08/2014 (Review)	R1, R2, R12
A/NE-TK/491	“GB”	Proposed House (NTEH – Small House)	15/08/2014 (Review)	R1, R2, R12
A/NE-TK/492	“GB”	Proposed House (NTEH – Small House)	15/08/2014 (Review)	R1, R2, R12
A/NE-TK/493	“GB” and “V”	Proposed House (NTEH – Small House)	15/08/2014 (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)	22/03/2017 (Appeal dismissed) [^]	R1- R3, R14
A/NE-TK/570	“GB” and “V”	Proposed House (NTEH – Small House)	17/10/2017 (Appeal dismissed) [#]	R1, R14, R15

Application No.	Zoning(s)	Proposed Development	Date of Consideration	Rejection Reasons
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)	02/09/2016 (Review)	R1,R7,R10,R14
A/NE-TK/578	“GB”	Proposed House (NTEH – Small House)	13/05/2016	R1, R14, R16, R18
A/NE-TK/598	“GB”	Proposed House (NTEH – Small House)	21/04/2017 (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)	16/03/2018	R1, R14, R17, R19
A/NE-TK/660	“GB”	Proposed House (NTEH – Small House)	18/01/2019	R1, R14
A/NE-TK/663	“GB”	Proposed House (NTEH – Small House)	22/02/2019	R20, R21

[^] 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.
- R20. Land was still available within the “Village Type Development” (“V”) zone of Lung Mei and Tai Mei Tuk 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.
- R21. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone which was primarily for defining 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 no strong planning justification in the submission for a departure from this planning intention.

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 is an indigenous villager of Shuen Wan Chan Uk and his Small House application on the subject lot has been approved by LandsD and execution of land grant documents is pending;
- (c) the application site (the Site) is a New Grant Agricultural Lot granted on 17.3.1953 and the applicant is the registered owner of the subject lot;
- (d) the Site is not covered by any Modification of Tenancy or Building Licence;
- (e) if and after planning approval has been given by the Town Planning Board (the Board), LandsD will continue to process the Small House application. There is no guarantee to the grant of a right of way to the proposed Small House or approval of the emergency vehicular access (EVA) thereto;
- (f) more than 50% of the footprint of the proposed Small House is within the common village environs ('VE') of Lung Mei and Tai Mei Tuk; and
- (g) the number of outstanding Small House applications and the number of 10-year Small House demand for the villages concerned are as follow:

<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 Village in 2016 and Tai Mei Tuk Village in 2017 respectively. The information so obtained is not verified in any way by DLO/TP);

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, he considers that the application only involves development of a Small House can be tolerated unless it is rejected on other grounds.

3. Landscape

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

- (a) objects to the application from landscape planning perspective;
- (b) the Site is situated in an area of rural landscape character comprising of dense woodland and village houses. The Site is accessible by a paved driveway which connects to Ting Kok Road to the south. The proposed development is considered not incompatible with the surrounding environment;
- (c) the Site is vacant and covered with grass and groundcovers. Existing tree groups comprising of diverse native species such as *Aporosa dioica* (銀柴), *Endospemum chinense* (黃桐), *Ficus hispida* (對葉榕), *Schefflera heptaphylla* (鵝掌柴), *Sterculia lanceolata* (假蘋婆) and *Syzygium levinei* (山蒲桃) are found along the northern and western boundaries forming part of the woodland which contributes to the landscape quality of the area. If the application is approved, the green wooded area in the locality will be further diminished;
- (d) the proposed development, if approved, would encourage similar piecemeal Small House applications in the area and further encroachment to the “GB” zone. The cumulative effect would result in general degradation of the surrounding environment and cause significant adverse impact on the landscape character of the area; and
- (e) should the application be approved by the Board, an approval condition on submission and implementation of landscape proposal is recommended.

4. Drainage and Sewerage

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 applicant 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 LandsD and/or relevant lot owners should be sought.

5. **Nature Conservation**

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

- no strong view on the application from nature conservation point of view as the Site is covered with common grass and shrubs.

6. **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 the LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD.

7. **Water Supply**

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

- (a) no objection to the application;
- (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.

8. Geotechnical

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

- (a) the applicant had previously submitted a Natural Terrain Hazard Study (NTHS) Report to under the previous application No. A/NE-TK/328. The NTHS Report concluded that no mitigation measures would be required, and GEO, CEDD had no adverse comment on the NTHS Report; and
- (b) in view of the above, he has no comment on the application.

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 if and after planning approval has been given by the Board, LandsD will continue to process the Small House application. However, there is no guarantee to the grant of a right of way to the proposed Small House or approval of the emergency vehicular access (EVA) thereto;
- (b) 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 applicant 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;
- (c) to note the comments of the Chief Engineer/Construction, Water Supplies Department (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;
- (d) to note the comments of the Director of Fire Services 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;

- (e) 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

- (f) 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 the Town Planning Board where required before carrying out the road works.