

Section 16 Planning Application for Proposed House (Redevelopment Only) at Lot 110 in

D.D. 219, Kei Pik Shan, Tai Chung Hau, Sai Kung, New Territories

Department	Date	Comments	Responses to Departmental Comments
Transport Department (TD)	3.7.2024	<p>(a) the subject application is for proposed New Territories Exempted House (NTEH) at the Site. Such type of development should be confined within the “Village Type Development” (“V”) zone as far as possible. Although additional traffic generated by the proposed development is not expected to be significant, such type of development outside the “V” zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial; and</p> <p>(b) notwithstanding the above, the subject application only involves development of one number of NTEH and we consider that this application can be tolerated on traffic grounds.</p>	<p>Noted.</p> <p>Noted.</p>
Environmental Protection Department (EPD)	3.7.2024	<p>As the potential water quality impact to the Water Gathering Ground (WGG) is the key environmental issue of the subject application, in view that WSD is the controlling authority for developments within WGG and water resources in Hong Kong, we thus have no objection to the application.</p>	<p>Noted.</p>

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Lands Department (LandsD)	9.7.2024	<p>(a) no objection to the application;</p> <p>(b) according to our records, Lot No. 110 in D.D. 219 (“the Lot”) is an Old Schedule House Lot under Block Government Lease and it has an area of 0.02ac and class of “House” with an annual rent of \$0.50;</p> <p>(c) according to Appendix II of the Planning Statement, the proposed house area (i.e. roof-over area of 48m²) would not exceed the registered area of the Lot, which is 0.02ac (about 80.9m²);</p> <p>(d) no lease enforcement action against the Lot and adjoining Lot No. 111 in D.D. 219 (“Lot No. 111”) for the time being and no land control action in the vicinity is being taken;</p> <p>(e) from land administration point of view, this office has no objection to the planning application. The rebuilding proposal of NTEH would be processed by way of Approval Letter if a rebuilding application is received and valid s.16 permission had been obtained. This office will post notices and seek comments from relevant departments. However, there is no guarantee that the rebuilding proposal will be approved;</p> <p>(f) other detailed comments:</p> <p>i) it is noted from Figure 2 “Access to the Application Site” of Planning Statement that the proposed access (i.e. Footpaths A and B) would pass through Lot No. 111 and Government land. The redevelopment approval, if given is without the prejudice to right of way;</p> <p>ii) according to appendix IV “Drainage Layout Plan and Block Plan” of Planning Statement, it is noted that the proposed drainage works would affect Lot No. 111 and Government land. The consent of the registered owner of Lot No. 111 shall first be obtained and registered against both lots as an encumbrance by Memorial in the Land Registry. For the proposed drainage works on Government land, application for an exemption from excavation</p>	<p>Noted.</p> <p>Ditto.</p> <p>Ditto.</p> <p>Ditto.</p> <p>Ditto.</p> <p>Noted.</p> <p>Please note that Lot No. 111 is owned by the same Applicant, please refer to the attached ownership record from Land Registry. Upon approval of the current application, the Applicant will apply for an exemption from excavation permit in accordance with section 10B(2) of the Land (Miscellaneous Provisions) Ordinance Cap. 28, before commencement of works.</p>

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		<p>permit is required in accordance with section 10B(2) of the Land (Miscellaneous Provisions) Ordinance Cap. 28.</p>	
<p>Building Department (BD)</p>	<p>9.7.2024</p>	<p>No comment under the Buildings Ordinance (BO) to the subject planning application, noting that the application relates to a proposed NTEH falling within the jurisdiction of the Buildings Ordinance (Application to the New Territories) Ordinance.</p>	<p>Noted.</p>

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Water Supplies Department (WSD)	9.7.2024	<p>(a) the application site is located within the upper indirect water gathering grounds;</p> <p>(b) no objection to the application. The applicant should be reminded the followings when carrying out the detailed design of the septic tank and soakaway pit system:</p> <p>i) any septic tank and soakaway pit system shall be designed and maintained in accordance with the Environmental Protection Department's ProPECC Practice Note No. 1/23;</p> <p>ii) the septic tank and soakaway pit system shall be located at a distance of not less than 30m from any water course and shall be properly maintained and desludged at a regular frequency. All sludge thus generated shall be carried away and disposed of outside the gathering grounds;</p> <p>iii) the whole of foul effluent from the application site shall be conveyed through cast iron pipes or other approved material with sealed joints and hatch boxes;</p> <p>iv) since the proposed application site is less than 30m from the nearest water course, the house should be located as far away from the water course as possible;</p> <p>(c) other detailed comments:</p> <p>For provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Ditto.</p> <p>Ditto.</p> <p>Ditto.</p> <p>Noted.</p>

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Urban Design and Landscape. Planning Department (UD&L)	19.7.2024	<p>(a) The application site is situated in an area of uplands and hillsides landscape character predominated by woodland. Several houses/ structures and graveyard are scattered around the same “Conservation Area” zone as observed on the aerial photo 2023, and natural watercourse are found at the south. The proposed development is considered not entirely compatible with the surrounding natural setting and landscape character.</p> <p>(b) With reference to site photos record dated 17.06.2024, noting the Site and its surrounding land are fenced-off, groundcover and overgrown are observed within the Site. The applicant has clarified in the Planning Statement that “there is currently no tree and vegetation with the application site”, and “no tree felling”/ “no landscape impact” are anticipated as stated in Part 9 of the application form No. S16-l. However, no information on mitigation measures is provided by the Applicant to demonstrate that the proposed development would not have adverse landscape impact on the “CA” zone.</p> <p>(c) According to our office record (TPB Paper No. 10682) “comparing the series of aerial photos from 1990 to 2018, the Site and its surrounding area were originally covered with vegetation, but the Site had been cleared and formed since 1998”. Based on the surrounding natural setting and landscape character of the “CA” zone, we have reservation on the captioned application from landscape planning perspective.</p> <p>(d) The Applicant should note that the approval of Section 16 application by the TPB does not imply approval of tree works such as pruning, transplanting and/ or felling under lease. The Applicant is reminded to approach relevant authority/ government department(s) to obtain necessary approval on tree works, where appropriate.</p>	<p>Noted. The current application aims to put forth the proposed redevelopment of a New Territories Exempted House (NTEH) at the captioned land lot which was a House Lot according to the Block Crown Lease dated 27.3.1905, which was before the gazettal of the OZP. Notwithstanding the fact that the application site falls within “CA” zone, the landscape and ecological value of the application site are not significant comparing to other parts of the “CA” zone as there is currently no tree and vegetation within the application site.</p> <p>As shown in the site photos (Illustration 1 refers), there are currently no trees or significant vegetation within the application site. As evidenced in the site photos in April 2024, the application site was cleared and free of overgrowth. However, since June, the site has experienced unintended overgrowth due to the rainy season. The Applicant is committed to undertaking necessary weed removal at the building lot following the rainy season. Given that no trees will be felled and that proactive measures will be taken to remove the overgrown vegetation on the private lot, the proposed development will not have an adverse landscape impact on the “CA” zone.</p> <p>Ditto.</p> <p>Please note that there are no trees within the application site.</p>