

SCHEDULE OF AMENDMENTS TO THE APPROVED TSENG LAN SHUE OUTLINE ZONING PLAN NO. S/SK-TLS/8 MADE BYTHE TOWN PLANNING BOARD UNDER THE TOWN PLANNING ORDINANCE (Chapter 131)

I. Amendment to Matters shown on the Plan

Item A - Rezoning of a site at Ta Ku Ling from "Green Belt" to "Residential (Group C)7" ("R(C)7") with stipulation of non-building area restriction.

II. Amendments to the Notes of the Plan

- (a) Revision to the "R(C)" zone to incorporate 'Social Welfare Facility (on land designated "R(C)7" only)' under Column 1, and to correspondingly replace 'Social Welfare Facility' under Column 2 by 'Social Welfare Facility (not elsewhere specified)'. Revision to the Remarks for the "R(C)" zone to incorporate "R(C)7" sub-area with development restrictions and minor relaxation clauses.
- (b) Deletion of 'Market' from Column 2 in "Residential (Group D)" and "Village Type Development" zones.
- (c) Revision of 'Shop and Services' to 'Shop and Services (not elsewhere specified)' in Column 2 of the "Government, Institution or Community" zone.
- (d) Revision of the exemption clause for "filing or excavation of land" in the Remarks for the "Conservation Area" zone such that public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works are exempted from the requirement of planning permission.

Town Planning Board

25 February 2022

List of Representers and Commenters in respect of Draft Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/9

I. List of Representers

Representation No.	Name of Representer	
(TPB/R/S/SK-TLS/9-)		
R1	The Conservancy Association (長春社)	
R2	Mary Mulvihill	
R3	Fung Kam Lam	
R4	The Hong Kong and China Gas Company Limited	

II. List of Commenters

Comment No.	Name of Commenter	
(TPB/R/S/SK-TLS/9-)		
C1	Designing Hong Kong Limited (創建香港)	
C2	Mary Mulvihill	

Annex IV of TPB Paper No. 10861

TPB/R/S/SK-TLS/9-

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Representations relating to the Draft Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK TLS/9 25/04/2022 15:21
From: To: tpbpd@pland.gov.hk File Ref:
1 attachment
TPB20220425(TLSGB).pdf
Dear Sir/Madam,
Please refer to the attachment for the captioned.
To comply with the requirements set out in TPB PG-No. 29B, here are the full name and first four alphanumeric characters of HKID card:
Full Name: Ng Hei Man
First four alphanumeric characters of HKID card:
Yours faithfully,
Ng Hei Man
Campaign Manager The Conservancy Association
The Conservancy Association



The Conservancy Association

會址: 香港新界英涌貨櫃碼頭路 77-81 號 Magnet Place 一期十三樓 1305-6 室 Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port Road, Kwai Chung, New Territories, H.K.

Road, Kwai Chung, New Territories, H.K

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25th April 2022

Town Planning Board 15/F North Point Government Offices 333 Java Road North Point Hong Kong

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam,

Representations relating to the Draft Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/9

Regarding the captioned, The Conservancy Association (CA) OBJECTS to the proposed amendment A.

1. Loss of function of Green Belt

According to the Draft Tseng Lan Shue OZP (No. S/SK-TLS/9), the planning intention of "Green Belt" (GB) "is 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 is a general presumption against development within this zone¹". In general, the government has completed GB review covering sites based on a basic principle that "though vegetated, they have relatively less buffering effect and lower conservation value. Moreover, as these sites are close to supporting infrastructure facilities such as transport, water supply and sewerage, they are considered as having good potential to be rezoned for housing purposes, and are clear choices for urban expansion"². We note that the proposed GB sites for rezoning and the surrounding areas are still performing good buffer functions of GB. The sites are not fragmented habitat and have close linkages with adjacent habitats. Approving

https://www2.ozp.tpb.gov.hk/plan/ozp_plan_notes/en/S_SK-TLS_9_e.pdf#nameddest=GB

² LCO7: Changes in planned uses of sites, 14 December 2016

http://www.info.gov.hk/gia/general/201612/14/P2016121400612.htm?fontSize=1

Planning intention of GB in Tseng Lan Shue OZP



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the proposed amendments would set an undesirable precedent for similar amendments in the future and affect the integrity of the habitats in different districts.

2. Not in line with the criteria of GB review

The blog article³ of the former Secretary for Development has mentioned the criteria for rezoning GB for development.

"We began with devegetated, deserted or formed GB sites in the first stage of the review, and then progressed to sites located on the fringe of urban areas or new development areas with a relatively lower buffer or conservation value, including those which are close to developed areas or public roads, in the second stage. As the latter sites are close to existing transport infrastructure and supporting facilities such as water supply and sewerage, they have good potential for residential use and it is natural to consider them for further developments."

RNTPC Paper No. 1/22 has mentioned the site condition and the rezoning proposal:

"There is a level difference of about 40m to 70m between Area (a) and Clear Water Bay Road at about 183mPD to 187mPD." (Section 4.1)

"Area (a) includes an area designated for low-density private residential development and a private lot with an existing house. Area (b) is designated as non-building area (NBA) mainly for the associated access road and pedestrian facilities connecting with Clear Water Bay Road." (Section 4.3)

"The Site is currently accessible via a local track connecting Ta Ku Ling San Tsuen Access Road to Clear Water Bay Road ... a new access road and pedestrian facilities are proposed in Area (b) to serve the proposed development at the Site." (Section 4.4)

From the above, it is clear the Area (a), the core of the private housing development site, is away, or even isolated from the main access (i.e. Clear Water Bay Road). The

³ "Rezoning of Green Belt sites is open, transparent and reasonable" dated 6 July 2014 - https://www.devb.gov.hk/en/home/Blog Archives1/index id 80.html



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development site can only be accessible once a new access road has been built in Area (b). Worse still, from the indicative development scheme, additional roads have to be built to connect all 14 private residential blocks. The site, under such condition, should be eliminated from the initial stage of GB review, rather than undergoing detailed investigation stage.

3. Adverse impact on woodland

The proposed GB site and its adjacent hillslope are still well-wooded (Figure 1-3). The proposed amendment would involve turning GB into housing development area, leading to a loss of approximately 2.55 hectares of GB and its corresponding functions performed.

Moreover, the approximate estimation in the tree survey did not include some young trees with less than 95 mm in diameter at breast height (DBH). While detailed vegetation survey and tree survey are currently not available for public inspection, we worry that adverse impact on woodland would be still under-estimated. Moreover, from the Ecological Survey Data attached in the Road Works in Connection with Proposed Sites for Housing/Commercial Development (Package 1) – Feasibility Study: Interim Report on Viability of the Proposed Road Scheme of Amendment Item A, some flora species of conservation importance have been recorded within the Study Area, such as Aquilaria sinensis, Elaeocarpus nitentifolius, Euonymus tsoi, Gymnosphaera podophylla, Morinda cochinchinensis. We are concerned that if these species of conservation importance are located within the development site, removing them from the woodland would be inevitable.

Similar to other GB rezoning case in other districts, we have grave concern that the existing mechanism for tree compensation and transplantation would be adopted to so-called meet the target of tree compensation. It might, to a certain extent, help preserve individuals trees but certainly it would not re-create an equivalent ecological value and integrity of a habitat.

4. Not providing affordable housings

Rezoning GB is to meet the pressing need for housing land supply, but we do not understand how such aim can be fulfilled by providing more private housing units in



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the proposed site. We can foresee that after the project is finished, there would not be any affordable housing for residents, especially those in poor living conditions.

In conclusion, we have to reiterate that provision of adequate housing and environmental conservation are not contradictory. Planning Department should withdraw the GB rezoning proposal, and consider alternatives on land supply, including the use of brownfield and idle lands.

Yours faithfully, Ng Hei Man Campaign Manager The Conservancy Association



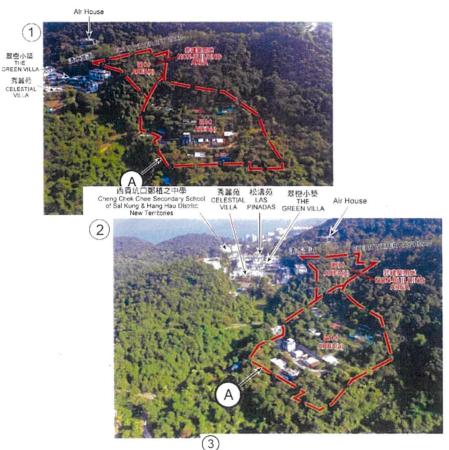
The Conservancy Association

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Figure 1-3 The proposed GB site and its adjacent hillslope are still wellwooded (Source: RNTPC Paper No. 1/22)





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AMENDMENTS TO THE APPROVED TSENG LAN SHUE OZP NO. S/SK-TLS/8

Item A: about 2.55 ha Rezoning of a site at Ta Ku Ling from "GB" to "R(C)7" with a maximum GFA of 23,466m2 in Areas (a) and (b) and a maximum BH of 7 storeys (24m) in Area (a). No development shall be permitted in the NBA except the provision of associated access road, pedestrian facilities and such related facilities.

Strongest objections. To meet the pressing need for housing supply??????

There is no shortage of units for sale in the private sector, currently developers are offering sweeteners and discounts as there is a glut of supply. The projected decline in population, to be accelerated by the sudden surge in emigration, will further increase the stock of unsold units.

Sai Kung area has a particularly high ratio of unsold units, members will remember district council representatives spoke at length about this during the Hebe Have OZP. There are a number of large residential developments under construction that will further increase the level of unoccupied units. The inevitable increase in interest rates will further dampen demand for investment vehicles.

'In June 2018, the Hong Kong government proposed a new housing policy—levying a vacancy tax on new private residential units—to encourage real estate developers to bring completed residential properties to the market as early as possible. However, the draft was aborted in June 2020. Five months later, the Transport and Housing Bureau announced the revocation of the vacancy tax act. Some government insiders expressed disappointment, citing interference from stakeholders in real estate development. Hong Kong depends heavily on property sales for revenue, giving the industry great sway over the city's politics."

When the tax was proposed there were an estimated 200,000 empty units and that number must have grown. The data provided in the media, estimates of almost 70,000 units currently, are misleading as they focus on new developments. For example SHK is going to release more units at Victoria Harbour, a development completed some 4 years ago.

The rezoning of this GB site for private development has nothing to do with housing needs and everything to do with land sales. It is therefore in conflict with the intention of rezoning GB sites to meet urgent housing needs.

The criteria for rezoning GB for development was presented to the community as:

"We began with devegetated, deserted or formed GB sites in the first stage of the review, and then progressed to sites located on the fringe of urban areas or new development areas with a relatively lower buffer or conservation value, including those which are close to developed areas or public roads, in the second stage.

THIS SITE FITS NONE OF THE OBJECTIVES OF THE POLICY ADDRESS

The proposed GB site for rezoning and the surrounding areas are still performing good buffer functions of GB. The site is not a fragmented habitat and has close linkages with adjacent habitats. It is very close to the country park and the proposed development would severely impact the local ecology by blocking migration through the GB area. Access to the main water course would be severed.

There are streams running along the boundaries of Area (a) and passing through Area (b)

The Site (about 2.55ha) is mainly on government land except one private lot.

Area (a) (about 1.79ha and ranging from about 110mPD to 150mPD), is situated on the **existing terraces and vegetated downward slopes**. The formed terraces at the northern portion of the Area (a) are occupied by some squatters/temporary structures and a village house within the private lot 1. Some agricultural activities are found at the southern portion of Area a.

According to the pre-land sale tree survey conducted by the landscape consultant of the LandsD, approximately **981 trees** of common species were identified within and near the Site, with no rare or endangered species and **Old and Valuable Trees**. Majority of the existing trees are semi-mature trees with diameter at breast height (DBH) below 300mm. All existing trees are in **poor to fair health** conditions.

AS USUAL DEROGATORY TERMS AND DESCRIPTIONS. OF COURSE THERE ARE NO OVTS BECAUSE THIS DESIGNATION IS NORMALLY INTENDED TO PROTECT TREES IN AN URBAN SETTING OR AT LOCATIONS OF SIGNIFICANT PUBLIC INTEREST. EXPERTS HAVE ADVISED THAT WHEN MATURE TREES ARE FELED THEIR CARBON-ABSORBING ABILITY IS LOST IMMEDIATELY WHILE NEWLY PLANTED TREES TAKE DECADES TO ABSORB THE SAME AMOUNT OF PLANTE-WARMING EMISSIONS.

There is a level difference of about 40m to 70m between Area (a) and Clear Water Bay Road at about 183mPD to 187mPD.

Area (b) (about 0.76ha and ranging from about 150mPD to 187mPD) is **mainly** occupied by vegetation on downward man-made and natural slopes.

The Tree Survey conducted under the EFS (Attachment Vc) indicates that **375** trees are identified in the Area (b). **TOTAL – 1,356 TREES**

Given the existing typography, it is anticipated that the general landscape of the Site will be modified to accommodate the proposed development as well as site formation, geotechnical and other infrastructural works, such as the proposed access road. Nevertheless, with the possible landscape mitigation and design measures, such as proper and adequate landscape treatments along the site boundary, green coverage, roadside planting and other quality landscape design and open space provision, the resulting landscape impact can be relatively reduced. To minimise tree felling within the Site and its periphery, tree preservation clause will be incorporated in the lease.

NOTE NO INDICATION AS TO HOW MANY TREES WOULD BE FELLED, BUT IN VIEW OF THE EXTENSIVE SITE FORMATION THAT WOULD BE REQUIRED IT CAN BE ASSUMED THAT AT LEAST 1,000 TREES WOULD DISAPPEAR. NOTE NO MENTION OF TRANSPANTING OR COMPENSATORY PLANTING.

Then there is the issue of the need to build a new road, effectively transforming the b area into asphalt and dedicating around one third of the site just to road.

The existing vehicular access to/from the Site is via a local track from Ta Ku Ling San Tsuen Access Road and Clear Water Bay Road.

Whilst the proposed development intensity at the Site with GFA and BH restrictions of 23,466m2 (equivalent to a PR of about 1.3 in Area (a)) and 7 storeys (24m) is on the high side of the permitted development intensity of the other "R(C)" sub-areas

INDEED ON THE MORE THAN HIGH SIDE AND WITH SIGNIFICANT NEGATIVE IMPACT ON THE ENJOYMENT OF THE COMMUNITY OF THE GREEN BACKGROUND.

The notes also indicate that there are a number of important flora and fauna species that would be eliminated.

Eight flora species and ten fauna species of conservation importance have been recorded within the study area of the EFS (500m from the boundary of the Area (b)). The identified flora species include Aquilaria sinensis (土沈香), Artabotrys hongkongensis (香港鷹爪花), Cibotium Barometz (金狗毛蕨), Diospyros Vaccinioides (小果柿), Elaeocarpus nitentifolius (絹毛杜英), Euonymus tsoi (長葉衛矛), Gymnosphaera podophylla (黑桫欏), and Morinda cochinchinensis (大果巴戟). The identified fauna species include Black Kite (黑鳶), Greater Coucal (褐翅鴉鵑), Grey-chinned Minivet (灰喉山椒鳥), Rufous-capped Babbler (山紅頭), Short-legged Toad (短腳角蟾), Lesser Spiny Frog (小棘蛙), Japanese Pipistrelle (東亞家蝠), Pallas's Squirrel (赤腹松鼠) and two Unidentified Bat (in the vicinity of the site)

Two flora species, i.e. Aquilaria sinensis (土沈香) and Cibotium Barometz (金狗毛蕨), and one fauna species, i.e. unidentified bat, are found within the Site. With due consideration given to preservation of the important plants in-situ by refining the alignment of the proposed road and/or transplantation at the detailed design stage, no significant ecological impacts are anticipated.

AND PIGS WILL FLY

Elderly Care Home:

Inclusion of this facility is a crude and calculating move to encourage both support of the community and of board members. For sure the developer would in due course find some way to back out of providing the facility, like building elderly friendly residential units.

Members must reject this application. The administration can no longer depend on land sales to fund its often frivolous expenditure. It is time to reduce this dependency and force the long overdue revision of our taxation system in line with the policy of Common Prosperity as espoused by President Xi Jinping.

Mary Mulvihill



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	井欄樹 S/SK-TLS 25/04/2022 17:55	6/9 申述					
From: To: File Ref:	tpbpd <tpbpd@pland.gov.hk></tpbpd@pland.gov.hk>						

就井欄樹分區計劃大綱草圖 編號S/SK-TLS/9 作出申述 提意見人: Fung Kam Lam 身份證首四個字符:

本人反對修訂II. (d),即

修訂「自然保育區」地帶《註釋》的「備註」內填土或挖土工程的豁免條款,由政府統籌或落實的公共工程,以及保養、修葺或翻建工程免於規劃許可的要求。

理由如下:

- 1. 是項修訂將豁免政府在自然保育區進行涉及填土、挖土工程,即使過去受規管者現在也納入豁免範圍。按原規定,在註釋中屬經常准許用途,及土地用途表中「自然保育區」第一欄用途的新開展用途(工程)如涉及填土挖土,均需取得城規會許可,新修訂則豁免之。規劃署倘回應本人意見時,不要再提出:如屬「第二欄」土地用途則仍須申請云云。這不是重點,請勿轉移視線,「豁免條款」放寬了對政府管制就是放寬。
- 2. 規劃署經常指該等工程需遵守其他一切政府部門(如適用)的要求及程序。然而,政府在其他法例框架上將放寬「小型工程」的定義,該等「小型工程」將不受諸如法定環評等監管。如小型工程根本不受環評條例規管,亦不用向城規會作出「第16條」的申請,又有哪些法定程序會要求負責部門將技術研究如環境影響研究報告主動公開讓市民參考?
- 3. 就本圖則而言,就曾經出現大上托行山徑路段石屎化的工程,試問需要「落石屎」的山徑工程完全不用挖泥嗎?而項目工程方似乎沒有按當時法定圖則的要求進行第 16條申請。抑或規劃部門也同意不用申請?將來就本圖則進行聆聽會議時,歡迎規劃 當局就此例子提出其說法及判斷。

倘通過是項修訂,不要說涉及挖泥的小徑石屎化「保養或修葺工程」,在本圖則「自然保育區」的尖風山、鷓鴣山各山頭開闢新的「自然教育徑」又或「野餐地點」均毋順再經過城規會(過去要,因為工程會挖土);亦不用經法定環評(見環評條例附表2指定工程項目Q1列出的例外項目)。林林總總,還有十分神秘的「其他公共工程」。

一完一

就草圖作出申述

Representation Relating to Draft Plan

參考編號

Reference Number:

220413-174152-02424

提交限期

Deadline for submission:

25/04/2022

提交日期及時間

Date and time of submission:

13/04/2022 17:41:52

「申述人」全名

先生 Mr. Edmond Fong for The Hong Kong and China Ga

Full Name of "Representer":

s Company Limited

「獲授權代理人」全名

Full Name of "Authorized Agent":

與申述相關的草圖

S/SK-TLS/9

Draft plan to which the representation relates:

申述的性質及理由

Nature of and reasons for the representation:

有關事項	性質	理由
Subject Matters	Nature	Reason
Item A		Since the proposed rezoning from "GB" to "R(C)" is in close vicinity to our existing High Pressure gas pipeline along Clear Water Bay Road, the rezoning/project proponent should conduct Quantitative Risk Assessment (QRA) to evaluate the potential risk and determine/implement the necessary mitigation measure(s) if required. The QRA should take into account the future population of the area, such as those in the existing buildings, in the proposed development, and in other approved developments, etc. where applicable. The rezoning/project proponent should consult our company in the design stage and closely coordinate with our company during the construction stage, and provide protective measures.

對草圖的建議修訂(如有的話)

Proposed Amendments to Draft Plan(if any):

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DHK's comment on S/SK-TLS/9 31/05/2022 13:26	
From: To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk> File Ref:</tpbpd@pland.gov.hk>	
1 attachment	•
20220604 S_SK-TSL_9 Draft Tseng Lan Shue OZP.pdf	·
Dear Sir/Madam,	
Our comment on the following Outline Zoning Plan is attached: 1. S/SK-TLS/9	
Thank you for your attention.	
Yours faithfully, For and on behalf of Designing Hong Kong Limited Samuel Wong Project Officer	



31 May 2022 Chairman and Members Town Planning Board 15/F, North Point Government Offices 333 Java Road, North Point Hong Kong

Fax: 2877 0245;

Email: tpbpd@pland.gov.hk

Comments on Representations in respect of Draft Tseng Lan Shue Outline Zoning Plan (Plan No. S/SK-TLS/9)

Dear Chairman and Members,

Designing Hong Kong **supports** the representations TPB/R/S/SK-TLS/9-1, and TPB/R/S/SK-TLS/9-2.

We agree with the above representations for the following reasons:

- According to the Draft Tseng Lan Shue Outline Zoning Plan (S/SK-TLS/9), the site is currently
 zoned as "Green Belt". The planning intention of this zone is 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 is a general presumption against
 development within this zone.
- The latest satellite image on Google Earth shows that the rezoning area is vegetated and functioning well as a Green Belt. The woodland is also well-connected with the surrounding environment including the surrounding "Green Belt" areas, the area zone as "Conservation Area" to its west and north and the country park further northwest.
- We are sceptical about the effectiveness of the proposed development one alleviating the
 housing pressure of the city. There is a large demand of subsidized and affordable housing in
 the city. We believe the proposed private development cannot benefit the majority of public,
 especially for those who are living in poor living conditions.
- The approval of the rezoning would set an undesirable precedent for other rezonings within the Green Belt zone and lead to a general degradation of the natural environment of the territory.
- The government should give priority to developing brownfield sites in the New Territories, rather than overriding the public consensus on halting development of the well vegetated countryside near urban conglomerations. The government has a responsibility to ensure the greenery of our city is being protected and eliminate all development threats to ensure a green and healthy living environment for nearby residents

DesigningHongKong 香港。。

We call on the Town Planning Board to protect our city's grand natural environment for our future generations and to ask Government and the Planning Department to withdraw the plans.

Here we submit our comments for your consideration.

Yours, Designing Hong Kong Limited

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	Tseng Lan Shue OZP 04/06/2022 15:18	S/SK-TLS/9		
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Tseng Lan Shue OZP S/SK-TLS/9

Dear TPB Members.

Some recent media reports:

The world's least affordable housing market is in a rut. Hong Kong home prices have fallen more than 6% since a peak in August, with no quick recovery in sight as residents leave the city at record rates. Some analysts are predicting another 20% slump by 2025 due to rising mortgage rates and a slowing economy

12 Apr 2022 Bloomberg

Hong Kong's buyers give their collective cold shoulder to flats at 3 locations, buying only 15 per cent of 200 units on offer

May 21, 2022 SCMP

And there is more to come with stagflation looming. While the administration and developers try to gloss over the issues facing Hong Kong with a 'Build it and they'll Come' policy, it is time the reality of economic conditions both here and on the mainland.

Apart from local issues such as immigration and increasing jog insecurity, the impact of recent events over the border is resulting in folk there trying to offload units here rather than buy more for investment purposes. In addition a HK ID no longer has any value for them as it is now clear that it can provide no protection, better to invest in jurisdictions that provide passports.

Once again I urge members to question why we have had no recent data with regard to the number of vacant units. When I left TPB after the Tsing Yi OZP that ran until 6.30pm I took the 722 bus to Admiralty. Passing in front of SHK's Victoria Harbour development I noted that apart from one tower there were no lights on in the other blocks, indicating that they have neither been sold nor rented out.

It is now time that TPB members have a clear picture of the number of vacant private residential units and where they are located. Without this data they cannot

make an informed decision with regard to applications like this.

I would remind members, particularly those more recently appointed that

Judge Au High Court TPB Country Park Enclaves JR

"The TPB had failed to properly inquire into the matters raised by the above representations as to whether the proposed [village type development] zoning was based on the genuine needs of the indigenous villagers."

"I therefore accept the applicant's submissions that in making the TPB Decision, the TPB had failed to carry out its duty of inquiry in relation to this issue."

As then so now members must ensure that "zoning is based on the genuine needs", in this case the need for additional upmarket residential units in the area.

Mary Mulvihill

Extract of the Minutes of the Meeting of the Rural and New Town Planning Committee held on 28.1.2022

Sai Kung and Islands District

Agenda Item 5

[Open Meeting (Presentation and Question Sessions only)]

Proposed Amendments to the Approved Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/8

(RNTPC Paper No. 1/22)

20. The Secretary reported that proposed amendments to the approved Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/8 (the OZP) involved the rezoning of a site at Ta Ku Ling (the Site) from "Green Belt" ("GB") to "Residential (Group C)7" ("R(C)7") for private residential development. AECOM Asia Company Limited (AECOM) was the consultant of the engineering feasibility study undertaken by the Highways Department to assess the technical feasibility of the proposed residential development. The following Members had declared interests on the item:

Mr K.K. Cheung - his firm having current business dealings with AECOM; and

Dr C.H. Hau - having past business dealings with AECOM.

21. As Mr K. K. Cheung and Dr C.H. Hau had no involvement in the amendment item, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

22. The following government representatives were invited to the meeting at this point:

Planning Department (PlanD)

Ms Caroline T.Y. - District Planning Officer/Sai Kung and

Tang Islands (DPO/SKIs)

Ms W.H. Ho - Senior Town Planner/Sai Kung and Islands

(STP/SKIs)

Miss Melissa C.H. - Town Planner/Sai Kung and Islands

Kwan (TP/SKIs)

Highways Department (HyD)

Mr Cheng Wun Chee - Senior District Engineer/ General (2)

- With the aid of a PowerPoint presentation, Ms W.H. Ho, STP/SKIs, briefed Members on the background, the proposed amendments to the OZP and the Notes of the OZP, the technical considerations, consultation conducted and department comments as detailed in the Paper. The proposed amendments to the OZP were as follows:
 - (a) rezoning a site (about 2.55ha), which comprised two portions (Areas (a) and (b)) and was mainly on government land except a private lot (i.e. Lot 264 in D.D. 223), from "GB" to "R(C)7" with a maximum gross floor area (GFA) of 23,466m² in Areas (a) and (b) and a maximum building height (BH) of 7 storeys (24m) in Area (a) to facilitate a private residential

development with social welfare facilities;

- (b) amending the Notes and the Remarks for the "R(C)" zone to incorporate development restrictions and non-building area restriction for the "R(C)7" sub-area; and
- (c) technical amendments to tally with the latest updates to the Master Schedule of Notes.
- 24. As the presentation by PlanD's representative had been completed, the Chairman invited questions from Members. Some Members raised the following questions:
 - (a) whether the existing private lot within the Site would be affected by the proposed residential development;
 - (b) whether the scope and extent of technical assessments conducted for the current OZP amendments were different from those of other OZP amendments of similar nature, such as the Ma On Shan (MOS) OZP;
 - (c) the number of trees that would be affected by the proposed development and the mitigation measures to preserve the two flora species with conservation value identified within the Site;
 - (d) whether Ta Ku Ling San Tsuen (TKLST) Access Road, which was currently connecting to the Site, would be widened to serve as access to the Site; and
 - (e) whether extensive site formation works would be required for the proposed residential development as shown in the indicative development scheme.
- 25. In response, Ms Caroline T.Y. Tang, DPO/SKIs, PlanD, made the following main points:
 - (a) the existing private lot within the Site would not be affected by the

proposed residential development and the owner of the private lot would be allowed to redevelop the lot up to its existing GFA. Besides, the future developer of the proposed residential development would be required to provide permanent free pedestrian and road accesses to the private lot;

- (b) various technical assessments had been conducted by different government departments, including a Tree Survey by Lands Department, a Visual Appraisal and a Landscape Assessment by PlanD, and an Engineering Feasibility Study (EFS) for the Proposed Road Works by HyD which included Tree Survey, Ecological Impact Assessment, Environmental Assessment, Traffic Impact Assessment, Geological and Geotechnical Appraisal, etc. The major findings of the technical assessments had been incorporated in the Paper and most of the technical reports had been included in the attachments of the Paper. The scope and extent of the technical assessments conducted for the current OZP amendments were similar to those for amendments to other OZPs with similar scale of development proposal. For the MOS OZP, since it involved quite a number of housing sites as compared with a single housing site on the subject OZP, more detailed tree surveys were conducted with compensatory planting proposed;
- (c) according to the Tree Survey conducted by LandsD and the estimation of PlanD, there were about 700 trees of common species within the Site. Based on the initial assessment under the EFS for the Proposed Road Works conducted by HyD, 152 trees might be affected by the indicative road scheme in Area (b). Nevertheless, the actual number of trees that would be affected by the proposed development could only be ascertained by the future developer at the detailed design stage of the proposed residential development and road scheme. To minimise adverse landscape impact of the proposed development, tree preservation and compensatory planting proposals would be implemented by the future developer and tree preservation clause would be incorporated in the land sale conditions at the land disposal stage;

- (d) several options of providing access to the Site, including the option of using TKLST Access Road, had been explored under the EFS for the Proposed Road Works conducted by HyD. The widening of TKLST Access Road was not considered a preferred option as land resumption would be required for road improvement works so as to meet the public road standard, which would affect the adjacent private residential developments and graves. In this regard, a new access road and pedestrian facilities were hence proposed in Area (b) to serve the proposed residential development; and
- (e) while extensive site formation works and the need for retaining wall were not anticipated for the residential development, the future developer would need to conduct geotechnical assessment and natural terrain hazard study to determine the extent of site formation works. Relevant requirements would also be incorporated in the land sale conditions of the Site.
- 26. The Chairman said that as a general practice, requirements for detailed technical assessments for the proposed development would be incorporated in the land sale conditions and subject to the scrutiny of relevant government departments after the plan-making process was completed. Members generally had no objection to the proposed amendments on the OZP.

27. After deliberation, the Committee decided to:

- "(a) <u>agree</u> that the proposed amendments to the approved Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/8 as shown on the draft Tseng Lan Shue OZP No. S/SK-TLS/8A at Attachment II of the Paper (to be renumbered as S/SK-TLS/9 upon exhibition) and its Notes at Attachment III of the Paper are suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance; and
 - (b) <u>adopt</u> the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft Tseng Lan Shue OZP No. S/SK-TLS/8A (to be

renumbered as S/SK-TLS/9 upon exhibition) as an expression of the planning intention and objectives of the Town Planning Board for various land use zonings on the OZP and the revised ES will be published together with the draft OZP."

28. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Town Planning Ordinance. Any major revisions would be submitted for the Board's consideration.

[Mr K. K. Cheung left the meeting at this point.]

[The Chairman thanked the government representatives for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Ms W.H. HO and Ms Jane W.L. Kwan, STPs/SKIs, were invited to the meeting at this point.]

Extract of the Minutes of the Meeting of HPEC of SKDC held on 23.11.2022 (in Chinese only)

西貢區議會 房屋、規劃及環境委員會 二零二一年第二次會議記錄

日期:二零二一年十一月二十三日(星期二)

時間:上午九時三十分 地點:西貢區議會會議室

出席者	<u>出席時間</u>	離席時間_
方國珊女士 (主席)	上午九時三十分	中午十二時
張展鵬先生 (副主席)	上午九時三十分	下午一時
陳耀初先生	上午九時三十分	下午一時
周賢明先生,BBS,MH	上午九時三十分	下午一時
張美雄先生	上午九時三十分	下午一時
蔡明禧先生	上午九時三十分	上午九時四十分
劉啟康先生	上午九時三十分	下午一時
王水生先生	上午九時三十分	下午一時
陳梓文先生 (秘書)	西貢民政事務處行	政主任(區議會)1

列席者

周達榮先生	西貢民政事務處民政事務助理專員(1)
鄭智榮先生	西貢民政事務處高級聯絡主任(1)
林綺萌女士	西貢民政事務處高級聯絡主任(2)
李潔婷女士	西貢民政事務處聯絡主任主管(將軍澳)南
俞巧玲女士	西貢民政事務處行政助理(區議會)9
凌煒傑先生	房屋署高級物業服務經理(西九龍及西貢)
黃偉霖先生	房屋署物業服務經理(物業服務)(西九龍及西貢)(5)
蔡德成先生	西貢地政處高級產業測量師/將軍澳
何尉紅女士	規劃署高級城市規劃師/將軍澳
陳家亮先生	食物環境衞生署西貢區環境衞生總監
何秀盈女士	食物環境衞生署西貢區衞生總督察 1
何耀明先生	食物環境衞生署西貢區衞生總督察 2
陳志斌先生	康樂及文化事務署西貢區副康樂事務經理 2
黄可瑩女士	環境保護署高級環境保護主任(區域東)4
黄可翹女士	環境保護署助理環境保護主任(區域東)43
沈定虔先生	水務署工程師/新界東區(分配 3)

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彭志文先生
          政府產業署總產業經理(發展項目)
霍蕙妍女士
          政府產業署高級產業經理(發展項目)1
蕭慶達先生
          政府產業署物業估價測量師(發展項目)12
          建築署高級工程策劃經理 334
黄芷娟女士
馬穎敏女士
          建築署工程策劃經理 367
乙增志先生
          亞設貝佳國際有限公司董事
張偉京先生
          亞設貝佳國際有限公司董事
                                     出席議程
                                     第 III
陳偉明先生
          民政事務總署高級行政主任(2)2
                                     (一)項
葉曉彤女士
          民政事務總署行政主任(2)3
葉頴詩女士
          西貢民政事務處高級行政主任(地區管理)
麥慧娟女士
          康樂及文化事務署西貢區副康樂事務經理 1
劉詠竹女士
          康樂及文化事務署圖書館高級館長(策劃及發展)
張國輝先生
          運輸署高級工程師/泊車項目1
黄倩欣女士
          運輸署工程師/泊車項目1
黄靖雯女士
          運輸署工程師/觀塘 4
俞真先生
          康樂及文化事務署高級行政主任(策劃事務)22
                                    出席議程
                                    第 III (一)和
鄭國權先生
          康樂及文化事務署西貢區康樂事務經理
                                    III(二)項
          康樂及文化事務署行政主任(策劃事務)22B
陳巧倩女士
                                    出席議程
          社會福利署黃大仙及西貢區助理福利專員3
林婉婷女士
                                    第 III(一)和
駱穩柏先生
          建築署高級工程策劃經理 333
                                    (三)項
          建築署工程策劃經理 351
馮永熙先生
                             出席議程
                             第 III(二)項
          興業建築師樓有限公司項目總監
莫偉堅先生
鄭詠恩女士
          興業建築師樓有限公司建築師
          規劃署西貢及離島規劃專員
鄧翠儀女士
                                出席議程
                                第 III(三)項
關竹嫺女士
          規劃署城市規劃師/西貢1
王然先生
          運輸署工程師/西貢
鄭韞慈先生
          路政署高級區域工程師/一般職務(2)
                                出席議程
鍾明先生
          路政署區域工程師(2)A
                                第 III(三)項和
陳樂章先生
          艾奕康有限公司執行董事
                                第 III(四)項
張維女士
          艾奕康有限公司高級工程師
韓翠珊女士
          地政總署高級產業測量師/土地供應2
                                出席議程
                                第 III(四)項
王芷媛女士
          地政總署產業測量師/土地供應 2(2)
陳家亮先生
          食物環境衞牛署西貢區環境衞牛總監
                                出席議程
何耀明先生
          食物環境衞生署西貢區衞生總督察 2
                                第 III(五)項
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歡迎詞

主席歡迎所有出席及列席會議的人士。

2. 主席表示,秘書處在會前沒有收到委員提交的缺席會議通知書

- 44. <u>主席表示,雖然龍窩一帶與安達臣道石礦場發展區有一段距離,但應</u>該能聞到濃烈的豬欄味道。她希望部門在規劃時考慮這一點,提前準備應對措施。
- 45. <u>康文署俞真先生</u>備悉委員就石礦公園與鄰近社區的連接性提出的意見,表示會向土拓署和相關部門反映。他補充,從石礦公園出發,朝湖泊公園方向步行到水務署配水庫,便會到達衛奕信徑第三段的遠足徑。據他的了解,未來往岩壁方向步行也能到達衛奕信徑第三段的遠足徑。
- 46. <u>方國珊女士</u>希望康文署和相關部門為委員會安排安達臣道石礦場發展區地盤的實地考察。
- 47. <u>康文署俞真先生</u>表示,工地仍然由土拓署管轄,平整工程還在進行中,會後會與土拓署協調,稍後再通知委員會。
- 48. <u>主席</u>感謝相關部門/機構代表出席會議。她建議去信土拓署反映委員的 意見。主席宣布有關議題討論至此。
 - (三) 《井欄樹分區計劃大綱核准圖編號 S/SK-TLS/8》及《清水灣半島 北分區計劃大綱核准圖編號 S/SK-CWBN/6》的擬議修訂項目
- 49. 主席歡迎以下人士出席會議:

■ 規劃署西貢及離島規劃專員	鄧翠儀女士
■ 規劃署高級城市規劃師/將軍澳	何尉紅女士
■ 規劃署城市規劃師/西貢 1	關竹嫺女士
■路政署高級區域工程師/一般職務(2)	鄭韞慈先生
■路政署區域工程師/一般職務(2)A	鍾明先生
■艾奕康有限公司執行董事	陳樂章先生
■艾奕康有限公司高級工程師	張維女士
■ 社會福利署黃大仙及西貢區助理福利專員	林婉婷女士
■ 運輸署工程師/西貢	王然先生

- 50. <u>規劃署西貢及離島規劃專員鄧翠儀女士</u>按投影簡報介紹井欄樹和清水灣半島北兩張分區計劃大綱核准圖的擬議修訂項目。
- 51. <u>主席</u>表示,由於新議事項(四)與新議事項(三)內容相關,建議調前一併 討論。委員同意。

- (四) 西貢清水灣道擬議道路工程以及擬永久封閉打鼓嶺住宅用地內 的道路、行人路及樓梯
- 52. 主席歡迎以下人士出席會議:

■ 地政總署高級產業測量師/土地供應 2 韓翠珊女士

■ 地政總署產業測量師/土地供應 2(2) 王芷媛女士

■ 路政署高級區域工程師/一般職務(2) 鄭韞慈先生

鍾明先生 ■ 路政署區域工程師/一般職務(2)A

■ 艾奕康有限公司執行董事 陳樂章先生 張維女士

■ 艾奕康有限公司高級工程師

■ 運輸署工程師/西貢 王然先生

《井欄樹分區計劃大綱核准圖編號 S/SK-TLS/8》的擬議修訂項目和 相關道路工程

- 地政總署產業測量師/土地供應 2(2) 王芷媛女士按投影簡報介紹因應 規劃署的改劃建議而擬議的道路工程和安排。路政署高級區域工程師/一般 職務(2) 鄭韞慈先生補充道路工程的細節。
- 54. 地政總署高級產業測量師/土地供應2韓翠珊女士表示,在徵詢委員的 意見後,部門將按照《道路(工程、使用及補償)條例》的既定程序進行 刊憲工作。
- 主席表示她曾到打鼓嶺新村視察。她認為現有打鼓嶺新村的行車道對 55. 出清水灣道路段的行車車速較高,詢問是否已預留足夠的緩衝空間和規劃 上有否考慮現有道路。她指出途徑的車輛主要以西貢為目的地,擔心出現 道路擠塞的問題。
- 56. 劉啟康先生表示,擬建的車輛出入口位於超速駕駛黑點路段。他建議 與現有打鼓嶺新村的車輛出入口合併。他擔心於彎道設置兩個相鄰的車輛 出入口會影響行車安全。他查詢道路工程是否不涉及徵收私人土地,而是 沿用打鼓嶺新村公廁對開的道路。。由於井欄樹分區擬議修訂項目 A 內的 區(a) (下稱「區(a)」)仍然有幾戶村民居住,他關注當局如何安排村民進出 區(a)。
- 周賢明先生就《井欄樹分區計劃大綱核准圖》的擬議修訂項目A和相 57. 關道路工程有以下查詢:
 - 除了丈量約份第 223 約地段第 264 號(下稱「地段第 264 號」)為村

屋外,其他屋宇是否為寮屋;

- 擬議的七層高樓宇和附屬設施會否影響附近的景觀;
- 擬建行車道和車輛出入口是否因應擬議樓宇和設施而加設、可否 使用現有道路;
- 井欄樹分區擬議修訂項目 A 內的區(b) (下稱「區(b)」)的擬建行車 道會如何運作;及
- 賣地範圍是否包括區(a)除地段第264號外的所有土地。
- 58. <u>劉啟康先生</u>表示,碧水新村外已有一所擬議的安老設施,與現時擬議的安老設施相隔只有數百米。他詢問部門是否知悉此事。
- 59. <u>社署林婉婷女士</u>回覆指她目前沒有碧水新村安老設施的資料。她表示,現時安老服務的需求殷切,全港有幾萬名長者正在輪候。而院舍的需求尤其高,只要有合適的用地,社署都會爭取設置安老設施。安老院舍不論位置都會有輪候人士接受,因為可以縮短輪候時間。
- 60. <u>劉啟康先生</u>指出,由於地勢的緣故,擬議改劃的打鼓嶺用地(下稱「打鼓嶺用地」)非常潮濕和大霧,他認為該位置不太適合長者居住,希望社署備悉。
- 61. <u>主席</u>歡迎打鼓嶺用地設有安老設施。她詢問安老設施會由政府營運,還是由私人機構營運。
- 62. <u>社署林婉婷女士</u>回應指,社署會公開邀請機構營運安老設施,宿位會由政府資助。
- 63. <u>主席</u>查詢建造擬建車輛出入口和行車道的原因。跟據地契條款,附近住宅項目現時使用的打鼓嶺新村的行車道均由所屬住宅項目負責保養和維修。她詢問未有使用現有道路而另辟新路的原因。
- 64. <u>路政署鄭韞慈先生</u>表示,擬建車輛出入口為「停車」優先通行路口, 駕駛者須停車等待至安全情況下才可開車前進。由於改善及擴闊現有打鼓 嶺新村的行車道需牽涉私人地段,部門不建議擴闊現有道路。
- 65. <u>副主席</u>查詢打鼓嶺用地最高地積比率為 1.3 倍的原因。他指出,在類似的建築物高度限制下,其他「住宅(丙類)」地帶的最高地積比率或可高達 5 倍。他查詢最高地積比率是否與擬議建築物的層數相關。他認為香港的住宅用地短缺,應該提高打鼓嶺用地的最高地積比率,而該項目應可興建七百到九百個單位。

- 66. <u>規劃署鄧翠儀女士</u>指出,在評估有關土地的發展潛力時,須考慮多方面的因素,包括地勢、景觀、對環境的影響、區內的交通和基礎設施容量等。而在制定擬議的發展計劃時,亦須顧及當區的環境特徵。由於打鼓嶺附近普遍是三層高的低密度住宅,最高地積比率為 0.6 倍,因此現時擬議的發展限制(包括最高地積比率 1.3 倍和最高建築物高度七層)是較合適的建議,能確保擬議發展與周圍環境協調。她補充,地積比率限制只針對擬議發展內的私人住宅部分,項目內的社會福利設施的總樓面面積將可獲得豁免。
- 67. <u>主席</u>指出打鼓嶺新村外為落斜路段,即使設置必須停車或讓路的路口也未能有效解決該處行車車速過快帶來的安全問題。她查詢擬建行車道未有連接現有道路的原因。她認為上述道路貫通後能疏導交通。她表示,如果道路改劃涉及徵收私人土地,委員會可再另行討論。她表示,提高打鼓嶺用地的暢達度有助提高地皮的拍賣價值,為庫房帶來更多收入。她擔心如果出現突發情況,單線雙程行車的設計會阻礙緊急車輛出入。而且擬議的安老院舍暨長者日間護理單位與將軍澳醫院和聯合醫院也有一段距離。因此,她建議部門考慮擬建行車道連接現有道路的提議。
- 68. <u>劉啟康先生</u>認為打鼓嶺用地車輛出入口的位置不理想。他指現時打鼓嶺新村的行車道與莫遮輋路相連,如果西貢公路出現交通事故,駕車人士可取道莫遮輋路進出西貢。他建議優先優化現有道路網絡,在打鼓嶺新村公廁對開建設新路連接打鼓嶺用地,代替另建新車輛出入口和新行車道的方案。
- 69. <u>地政總署韓翠珊女士</u>表示,是次賣地計劃不涉及收回私人土地。未來的賣地章程會註明預留行人路和行車道給地段第 264 號的使用者使用。賣地計劃涉及的其他土地均為政府土地。政府會進行清拆前登記,以蒐集目前佔用情況和現有構築物的狀況資料,作為日後評估安置及/或發放特惠津貼的資格準則基礎。地政總署會適時為受影響人士展開資格審核。地政總署有既定安排發放特惠津貼和安置。受影響人士可在地政總署的網站瀏覽相關資料。而擬議道路工程的安排交由路政署代表補充。
- 70. <u>路政署鄭韞慈先生</u>回應指若要使用現有打鼓嶺新村道路作為發展用地的連接路,打鼓嶺新村道路則須進行道路改善及擴闊工程,以符合公共道路的設計標準。而所須道路改善及擴闊工程則須收回或影響部分鄰近現有住宅用地及墳地作為擴闊道路及工程用地,對鄰近墳地後人及住宅物業持有人帶來較大影響。因此,經評估後認為現時擬議的道路工程方案是更適合的。

- 71. <u>主席</u>向地政總署代表查詢是次賣地計劃是否需要收回政府土地上的寮屋,並補償居民,而私人土地則不包括在賣地計劃內。
- 72. <u>地政總署韓翠珊女士</u>確認賣地計劃涉及收回政府土地上的寮屋,而私人土地則不包括在賣地計劃內。
- 73. <u>主席</u>續查詢補償方案的細節,詢問是否會讓居民以低於市價換購公營 房屋。
- 74. 地政總署韓翠珊女士表示,手頭上沒有相關資料,會於會後了解。
- 75. <u>主席</u>指出,寮屋居民已在當區居住多年,希望部門慎重考慮。她表示該地帶原是「綠化地帶」,現計劃修訂為「住宅(丙類) 7 」地帶。她建議部門修訂賣地計劃的範圍,避開有關寮屋。她希望部門考慮兩位鄉郊代表對道路規劃的意見。她支持精簡建築程序。
- 76. <u>周賢明先生</u>希望部門修訂擬議的道路規劃,特別是區(b)往清水灣道的擬建車輛出入口,加入更多緩衝空間,以減低車輛匯入清水灣道的危險。他認為在沒有適當的道路改善工程的配合下,於打鼓嶺用地上興建三百三十多個住宅單位和安老設施會帶來更多車流,令人擔憂。他也擔心工程對現有河溪有負面影響。而且打鼓嶺用地靠近「自然保育區」地帶,他希望部門採取適當的保護措施。他查詢改劃土地用途地帶對現有居民的影響。
- 77. <u>地政總署韓翠珊女士</u>表示,除了地段第 264 號外,所有政府土地上的 寮屋都會在賣地前清拆。地政總署會根據既定機制安排特惠津貼和安置受 賣地計劃影響的合資格人士
- 78. <u>主席</u>建議去信規劃署、地政總署、路政署和運輸署,反映委員對《井欄樹分區計劃大綱核准圖》擬議修訂項目和相關道路工程的意見。
- 79. <u>王水生先生</u>查詢打鼓嶺用地賣出成為私人土地後,地段第 264 號的居民會如何進出屋苑範圍。
- 80. <u>地政總署韓翠珊女士</u>表示,署方會在將來的賣地章程中,要求發展商提供行人路和行車道,連接地段第 264 號和打鼓嶺新村公廁對開的道路, 地段第 264 號的使用者可隨時隨地進出屋苑範圍。
- 81. <u>主席</u>查詢賣地後地段第 264 號的居民如何在私人屋苑的範圍內自由出入和其他運作上的細節。

- 82. <u>王水生先生</u>以竹洋路為例,表示過去在勾地時,竹洋路應由私人屋苑西沙小築的發展商負責管理和保養。可惜樓宇售出後,發展商未有按承諾承擔竹洋路的維修保養。由於舊有道路已關閉,竹洋路成為村民必經之路。現時竹洋路已日久失修,需要村民自行負責維修。村民變相負擔了竹洋路的維修保養責任。他擔心同樣情況會在打鼓嶺用地再次發生。
- 83. <u>主席</u>指出,清水灣一帶的別墅群在地契規定下,每個屋苑負責屋苑範 圍對出路段的維修保養。如果一條行車道上有八個屋苑,便需要得到八個 屋苑的一致同意才能進行維修工程。
- 84. <u>王水生先生</u>指西沙小築的發展商曾承諾負責竹洋路的維修保養。但發展商未有履行承諾,現有的管理公司也不願意維修竹洋路。他十分關注打鼓嶺用地賣地後道路的維修保養責任誰屬。
- 85. <u>地政總署韓翠珊女士</u>表示,打鼓嶺賣地計劃的安排與委員提及的個案情況不一樣。該行人及行車路以連接地段第 264 號及打鼓嶺新村公廁對開的道路會納入賣地計劃範圍。發展商將負責該行人及行車路的建造、維修和保養。
- 86. <u>主席</u>認為發展商把道路的維修保養責任轉嫁到小業主身上。她建議發展商修建屋苑的行車路和行人路後,交回政府負責維修保養。現時這類屬非專用通行權的路段的維修,包括增加路燈,均需要道路上所有屋苑法團同意才能進行。她認為這是一個大問題,也不利居民和當區區議員跟進。她擔心日後打鼓嶺用地的道路由私人屋苑負責維修會出現問題。她指清水灣半島居民為維修道路向路政署申請道路工程許可花了六個月時間。她認為私人屋苑願意出資維修也需要等候的安排不合理。她希望地政總署從長遠角度考慮道路的維修責任是否應由政府負責。
- 87. <u>周賢明先生</u>表示,除了區(a)的道路安排外,他也關注區(b)行人路和行車道的維修責任是否也交由發展商負責。他認為小業主一般在購入單位時不知道屋苑可能要負上附近道路的維修責任。現時清水灣半島和維景灣畔的居民都需要負責屬非專用通行權的相連路段的保養維修。他建議政府提高地皮的拍賣價,部分收益用於維護公用道路。他認為部分有爭議的道路由政府負責保養維修較為可取,也給政府在未來的道路規劃留有調整空間。
- 88. <u>王水生先生</u>表示,他明白香港土地短缺,並不反對擬議的改劃土地用途地帶。他只是擔心過去竹洋路的先例再發生。他希望在賣地前妥善完成道路規劃,避免再讓小業主、村民和管理公司承擔該由發展商負責的道路維修責任。他認為賣地制度應該不斷優化,不應只延續過往的做法。他不希望發展商和政府再次推卻道路維修責任,建議把道路維修責任寫進賣地

條款中。

- 89. <u>地政總署韓翠珊女士</u>表示,會議文件所詳述的清水灣道擬議道路工程 在完工後將交由政府的相關部門負責維修保養。而連接地段第 264 號和打 鼓嶺新村公廁對開的道路的行人路和行車道會被納入賣地計劃範圍。由於上 述行人和行車路在屋苑私人地段範圍內,她相信發展商會確保道路符合可 使用的標準。
- 90. <u>主席</u>感謝委員踴躍參與討論,希望規劃署慎重考慮委員就道路規劃和設計提出的意見。她希望部門在檢視打鼓嶺用地的道路方案後再次向委員會匯報。
- 91. <u>規劃署鄧翠儀女士</u>表示,相關部門已備悉委員就道路方案提出的意見,並會檢視有關計劃和作出適當的跟進。她表示,由於政府希望能及早把上述土地推出市場,規劃署希望儘快將改劃建議交予城市規劃委員會(下稱「城規會」)考慮。她建議相關部門以書面形式向委員會提交補充資料,而委員亦可在修訂後的分區計劃大綱草圖的法定展示期提交意見。

《清水灣半島北分區計劃大綱核准圖編號 S/SK-CWBN/6》的擬議修訂項目

- 92. <u>周賢明先生</u>表示,城規會批准有關擬議清水灣 STEAM 學校(下稱「STEAM 學校」)的修訂圖則申請(編號 Y/SK-CWBN/10)後,未有詳細交代將在分區計劃大綱圖設立的發展限制及要求。委員會曾討論 STEAM 學校在上課和下課時間的交通安排。他查詢有關交通安排是口頭承諾,還是會列入發展限制及要求內。他查詢城規會就交通安排所施加的發展限制及要求。
- 93. <u>規劃署鄧翠儀</u>女士指出 STEAM 學校倡議人在諮詢委員會的意見後,建議按年級安排學生分批上下課等措施,以減輕對附近交通的影響。教育局會與 STEAM 學校簽訂服務合約,條款將包括交通改善措施例如學生上下課的交通安排等。運輸署會審批 STEAM 學校倡議人提交的交通設施及/或道路改善工程的設計,並監察學校落實交通改善措施的情況。
- 94. <u>主席</u>感謝相關部門/機構代表出席會議。她建議去信相關部門反映委員的意見。主席宣布有關議題討論至此。

(會議交由副主席主持。)

Written Replies in December 2021 and March 2022 in Response to SKDC Members' Follow-up Questions raised at the HPEC Meetings (in Chinese only)

西貢區議會 房屋、規劃及環境委員會 SKDC(HPEC)文件第17/22號

地政總署、路政署、規劃署就 SKDC(HPEC)文件第 32/21 及 33/21 號的綜合回覆

西貢區議會 房屋、規劃及環境委員會("委員會")二零二一年十一月二十三日第二次會議

> 《井欄樹分區計劃大綱核准圖編號 S/SK-TLS/8》, 《清水灣半島北分區計劃大綱核准圖編號 S/SK-CWBN/6》及 西貢清水灣道擬議道路工程以及擬永久封閉打鼓嶺 住宅用地內的道路、行人路及樓梯

就<u>委員會</u>主席於二零二一年十二月一日的來函對上述標題事宜於<u>第二次委</u>員會會議討論的關注,現綜合回覆如下:-

(i) 考慮擴闊現有打鼓嶺新村的車輛出入口,代替建造另一個車輛出入口

路政署較早前已委託顧問進行道路工程可行性研究,以探討不同擬議道路工程方案的可行性。研究已審視使用現有打鼓嶺新村道路及其位於清水灣道路及界的路口作為連接發展用地的路段亦有較多急彎。若果要使用現有打鼓嶺新村道路和清水灣道交界路口以配合車輛進出發展用地的需要,打鼓嶺新村道路及擴闊工程則須收回或影響部分鄰近現有住宅用地及墳地作為擴闊道路及工程用地,對鄰近墳地後人及住宅物業持有人帶來較大影響。此外,如使用打鼓嶺新村道路及鄰近居民造成一定影響。因此,為減少對打鼓嶺新村道路及鄰近居民造成一定影響。因此,為減少對打鼓嶺新村道路的交通影響,及避免收回或影響鄰近私人土地及墳地,經顧問評估後認為現時擬議的道路工程方案是更適合的。

(ii) 連接現有打鼓嶺新村的行車道和擬建的行車道,方便緊急車輛出入

打鼓嶺用地的賣地條款會要求發展商須在完成發展後建造永久行人及行車路 以連接丈量約份第223約地段第264號(下稱「地段第264號」)及打鼓嶺新 村公廁對開的道路。位於私人發展用地內的內部道路及緊急車輛出入的行車 道/緊急車輛通道,將由發展商按發展需要設計及建造。發展商須為發展項目 呈交建築圖則以顯示擬議行車道的位置及設計符合相關法例規定及設計標準, 包括緊急車輛通道的標準。另外,如要連接擬建的行車道至現有打鼓嶺新村 的行車道,同樣需要對打鼓嶺新村道路進行道路改善及擴闊工程,以符合公 共道路的設計標準。因此,如上文第(i)段中所陳述的原因,現時擬議的道 路工程方案經顧問評估後是更適合的。

(iii)就打鼓嶺用地旁的河溪採取保護措施

現有河溪位於擬議住宅發展用地的邊界,預計擬議住宅發展不會對河道造成直接影響。此外,擬議道路工程的可行性研究亦已考慮了道路工程對附近河道的影響,並建議避免於河道範圍安裝道路工程樁柱,預計道路工程不會對河道造成直接影響。發展商須就擬議住宅發展及道路工程於詳細設計階段作進一步的評估,因應工程和營運期間的需要提供緩解措施。若將來擬議發展須進行河道工程,發展商須按照《環境影響評估條例》審視並跟從有關規定。此外,發展商亦須按照《水污染管制條例》及其他相關法例及指引提供污水處理及排放設施,以免對打鼓嶺用地旁的河溪水質造成影響。

(iv) <u>在賣地條款中釐清打鼓嶺用地擬建行人路和行車道的維修保養由發展商負</u> 責,避免出現爭拗

擬議連接清水灣道的車輛出入口設有公共道路設施(如擬議行人過路設施及安全島等),該擬議的公共道路出入口並不屬於擬議私人發展用地範圍,並將由相關政府部門負責管理、營運和維修保養。一般而言,私人土地內的道路則由發展商及業權人負責管理、營運和維修保養。政府會在地契條款要求發展商於施工期間在發展用地內提供臨時行人及行車路,並在發展完成後建造(i)永久行人及行車路以連接地段第264號及打鼓嶺新村公廁對開的道路,以及(ii)永久行人路以連接打鼓嶺用地以北範圍及打鼓嶺新村公廁對開的道路。由於上述臨時及永久行人及行車路位於私人土地,而非政府土地上的道路通行權,所以由發展商及業權人負責管理、營運和維修保養。

地政總署

路政署

規劃署

二零二一年十二月

規劃署、路政署、地政總署就 SKDC(HPEC)文件第 32/21 及 33/21 號的 綜合回覆

西貢區議會

房屋、規劃及環境委員會("委員會")二零二二年一月十八日會議討論事項

《井欄樹分區計劃大綱核准圖編號 S/SK-TLS/8》, 《清水灣半島北分區計劃大綱核准圖編號 S/SK-CWBN/6》及 西頁清水灣道擬議道路工程以及擬永久封閉 打鼓嶺住宅用地內的道路、行人路及樓梯

就<u>委員會</u>主席於二零二二年一月二十五日的來函對上述標題事宜於<u>委</u>員會會議討論的關注,現綜合回覆如下:-

(i) <u>釐清賣地計劃中,擬建的打鼓嶺行人路和行車路的擁有者和交代該些道</u> 路的使用權

政府會在賣地條款要求打鼓嶺住宅用地的承批人在發展用地內建造(i) 永久行人及行車路以連接丈量約份第223約地段第264號(下稱「地段第264號」)及打鼓嶺新村公廁對開的道路,以及(ii)永久行人路以連接打鼓嶺住宅用地以北範圍及打鼓嶺新村公廁對開的道路。請參閱附件一。有別於政府土地上的道路通行權,上述永久行人及行車路位於打鼓嶺住宅用地內的私人土地,屬私人土地承批人擁有。賣地條款將列明上述(i)的道路須全日24小時維持暢通無阻,以供地段第264號的使用者免費使用,以及(ii)的道路須全日24小時維持暢通無阻,以供公眾免費使用。

(ii) <u>修訂現有地契有關道路維修責任的條款和相關法例,避免行車道、行人</u> <u>路和街燈因道路業權人未有承擔維修保養責任而未能正常運作,供公眾</u> 使用

一般而言,地政總署不會修訂現有地契有關道路維修責任的條款。就上述提議,根據相關土地契約,連接打鼓嶺住宅用地以東(打鼓嶺新村公廁對開)及清水灣道之部份路段是由丈量約份第 223 號約地段第 247 號(松濤苑)及第 251 號(翠巒小築)的承批人負責保養及維修。如上述承批人沒有履行有關的地契條款,地政總署會採取適當的執行契約條款行動。

(iii) 修訂綠化帶改劃範圍,避開牌照屋

擬議改劃的範圍已按既定機制和準則對一系列因素作出評估,包括地形、天然斜坡、環境因素、景觀植被、發展限制,以及對當區環境的潛在影響等,以確保改劃項目不會對當區造成不可接受的影響。由於擬議改劃範圍西面和北面主要為「自然保育區」地帶,而東面的「綠化地帶」為陡峭山坡,有溪流貫穿,並鄰近現有住宅及墳地。此外,根據政府目前的寮屋管制政策,在政府土地上已登記的寮屋均採取暫准存在的安排,沒有授予任何人佔用土地的權利。綜合以上考慮,擬議改劃範圍是經評估後認為最適合用作發展的用地。

(iv) 考慮以原區安置取代安置牌照屋居民入住公屋作補償方案

就受影響的政府土地牌照准許臨時構築物,地政總署會按賣地時間表, 適時向有關持牌人發出撤銷牌照通知書以終止政府土地牌照,持牌人須 在該通知書指定的限期內遷出及交還政府土地。地政總署於終止政府土 地牌照時,不會作任何重置安排。

按現行政策,受政府發展計劃收回土地及/或清拆行動影響的寮屋住戶/ 佔用人,須符合既定的資格準則(包括構築物是已登記寮屋/持牌構築 物,於清拆前登記中紀錄在案,並在緊接清拆日期前仍居於受影響的構 築物等),方可受惠於特惠補償及/或安置安排。

(v) 安排委員到以下地點進行實地視察:打鼓嶺改劃地帶範圍及 STEAM 學校

就實地視察打鼓嶺改劃地帶範圍的事宜,鑑於現時疫情嚴峻,實地視察的日子時間等細節將稍後再作安排。至於實地視察擬建 STEAM 學校地點的事宜,西貢地政處已轉介有關項目倡議人跟進。 該倡議人回覆受新型冠狀病毒疫情影響,有關實地視察事宜將於稍後另作安排。

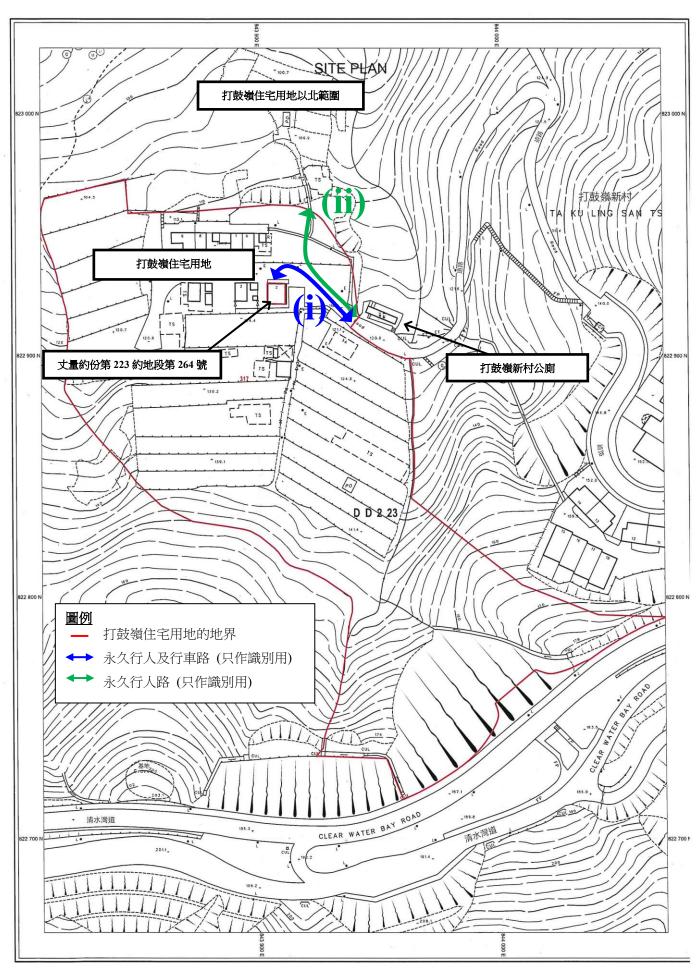
附件一: 位置圖(作識別用)

規劃署

路政署

地政總署

二零二二年三月八日



For identification purpose only.

Not to scale.

Landscape Assessment on Proposed Amendment to Approved Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/8

Rezone a Site in Ta Ku Ling, Sai Kung from "Green Belt" ("GB") to "Residential (Group C)7" ("R(C)7")

1. Introduction

The Site, located in Tseng Lan Shue, Sai Kung, falls within an area zoned "Green Belt" ("GB") on the approved Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/8. The Site, with a total site area of approximately 25,500 m², is situated on existing terraces and vegetated slopes, partly occupied by some low-rise buildings at the northern portion with a low-density residential neighbourhood to its east. The Site, consist of two portions, is proposed to be rezoned from "Green Belt" to "Residential (Group C)7" with a maximum gross floor area of 23,466 m² in Areas (a) and (b), a maximum building height of 7 storeys (24m) in Area (a). Area (a) is an area designated for residential use and a Residential Care Home for Elderly cum Day Care Unit, as well as a private lot with an existing house. Area (b) is designated as non-building area for associated access road and pedestrian facilities.

2. Landscape Baselines

The Site, with elevation undulating between +110mPD to +187mPD, is situated on existing terraces and vegetated slopes at Ta Ku Ling in Sai Kung. The Site is accessible by a local track and some low-rise buildings are scattered in the northern part of the Site. The rest of the Site is generally covered by semi-natural woodlands, in particular at the southern part with dense vegetation identified.

2.1. Landscape Resources

With reference to Lands Department (LandsD)'s aerial photo of 2019 (**Figure 1**) and the tree survey report¹ prepared by District Land Office (DLO)'s consultant, the following landscape resources are broadly identified in the Site:

¹ The tree survey report was prepared by DLO's consultant on 14 Nov 2019 to estimate the quantity and assess the general condition of the existing trees. The Site is slightly smaller than the area covered by the tree survey.

2.1.1. Sloped Topography

The Site is well vegetated and undulating with 77 metres of topographical variation ranging from +110mPD to +187mPD. The topography of southern part of the Site is generally undisturbed except some portions of the site area have been formed for construction of slopes (**Figure 2**).

2.1.2. Woodland

With reference to the tree survey report prepared by LandsD, approximately 981 trees of common species are identified within and near the proposed site boundary and 70 tree species are recorded. In terms of tree distribution, around one third of the identified trees are located in Area (a) and the remaining in Area (b). Trees found in Area (a) are mostly common fruit trees, such as *Dimocarpus longan* 龍眼, *Artocarpus heterophyllus* 菠蘿蜜, *Clausena lansium* 黃皮; and those in Area (b) are mix of native woodland species such as *Machilus chekiangensis* 浙江潤楠, *Mallotus paniculatus* 白楸 and exotic common tree species such as *Acacia confusa* 台灣相思.

Majority (approximately 74%) of the existing trees are semi-mature trees with diameter at breast height (DBH) below 300mm. 21 of them are mature trees which attain DBH of 500mm or above with overall height up to 13m. According to the tree survey, all the existing trees are in poor to fair health condition. No Registered Old and Valuable Trees (OVTs) or potentially registrable OVTs is recorded within the Site. Details of the tree survey are summarised at **Annex 1**.

2.2. Overall Landscape Character

With reference to the Landscape Value Mapping of Hong Kong, the Site falls within the area of settled valleys landscape character (**Figure 3**), predominated by village type developments in Area (a) and secondary woodlands in Area (b), and with terrestrial and high landscape value (**Figure 4**).

With reference to the OZP (**Figure 5**), the extant "GB" serves as a green buffer between the residential developments and Conservation Area to the east and north-west of the Site respectively. It also forms part of the continuous green buffer and provides a sense of tranquillity for the residential neighbourhood.

3. Preliminary Assessment on Landscape Impact

3.1. Source of Landscape Impact

Given the existing typography and the scale of development, it is likely that extensive site clearance, construction of roadside retaining structures and site formation works, such as slope cutting, land excavation and backfilling, are required for the building platforms and associated road works to accommodate the proposed development.

3.2. Potential Impact on Existing Landscape Resources

Modification of existing topography will be substantial and irreversible. Extensive site clearance and total removal of semi-natural woodlands accounting for adverse impact on the existing trees and other vegetation atop within the site area would also be unavoidable.

3.3. Potential Impact on Existing Landscape Characters

With some village type developments in Area (a), the proposed residential development at the Site is considered not entirely incompatible with the surrounding landscape character. Area (b) of the Site is considered being part of an intact secondary native woodland and the proposed vehicular and pedestrian access are considered not entirely compatible with surrounding landscape character. In general, the landscape character of the local area would be altered, it would inevitably impose landscape impacts due to the irreversible change of land use, land form and vegetation covered of the Site.

4. Possible Landscape Mitigation Measures

4.1. Preservation of Existing Trees and Compensatory Tree Planting

To minimize the likely tree felling within the Site and its periphery, tree preservation clause should be included in the lease condition. Any proposed tree removal shall be critically assessed at design stage with justification and be adequately compensated in accordance with the prevailing Lands Administration Office Practice Note No. 2/2020 and Technical Circular (Works) No. 4/2020 promulgated by LandsD and Development Bureau respectively.

4.2. Landscape Treatment for the Site Boundary

Due to the site formation works, it is anticipated that the retaining structures

would be constructed along the boundary of the proposed development. Proper and adequate landscape treatments should be provided along the boundary of the Site as per the requirement in paragraph 2.7.1(c) of Chapter 4, Hong Kong Planning Standards and Guidelines (HKPSG). The guidelines and good practices in maximizing landscape planting opportunities within the Site as stipulated in the GEO Publication No. 1/2011 "Technical Guidelines on Landscape Treatment for Slopes" should be fully explored to enhance the appearance of man-made slopes and the associated retaining structures, and making them ecologically acceptable and sustainable.

4.3. Green Coverage and other Quality Landscape Design

In general, the provision of site coverage of greenery should be in accordance with Building Department's PNAP APP-152 "Sustainable Building Design Guidelines" where appropriate. With reference to the PNAP, for site area equal to more than 20,000 m², a minimum 30% of overall greenery area should be provided. As such, new amenity planting of trees, shrubs, groundcovers, climbers, grasses and other types of living plants shall be provided to improve the overall landscape quality of the proposed development. In addition, due consideration at design stage should be given to selecting appropriate native plant species for vegetation diversity as well as local ecological enhancement.

For the proposed vehicular access and pedestrian access in Area (b), roadside planting shall be provided to enhance the landscape and visual amenity of the surrounding environment, especially along the interface with the prominent public frontage.

4.4. Open Space Provisions

In terms of quantity, a minimum of 1 m² per person local open space should be provided within the Site in accordance with the HKPSG. In this regard, the landscaped amenity space, with passive/active recreation use, would serve as new landscape features in the proposed development. With the increase of projected population within the district, the provision of district open space should also meet the requirement as stipulated in paragraph 1.8.2, Chapter 4 of HKPSG.

5. Conclusion

Given the existing typography and the scale of the development, it is anticipated that the Site will be substantially modified to accommodate the proposed development as well as the associated site formation works, geotechnical works and other infrastructure works, such as access roads and pedestrian facilities. Most of the existing trees within the Site would inevitably be affected due to the possible site works. Irreversible adverse impacts on existing landscape resources of the local area are anticipated. The landscape character of the local area would also be altered, it would inevitably impose landscape impacts due to the irreversible change of land use, land form and vegetation covered of the Site. Nevertheless, with the possible landscape mitigation and design measures abovementioned, the resulting landscape impact can be relatively reduced.



Figure 1: Aerial Photo

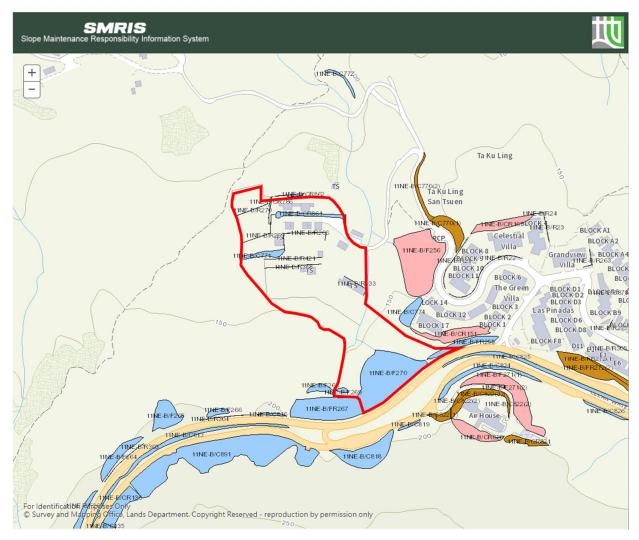


Figure 2: Man-made slopes



Figure 3: Landscape Character



Figure 4: Landscape Value



Figure 5: Tseng Lan Shue OZP No. S/SK-TLS/8

Tree Survey Details

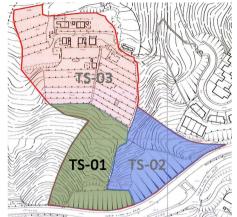
(Extracted from the Pre-land Sale Tree Survey)

Botanical Name	Chinese Name	Qty.
Acacia confusa	台灣相思	135
Acronychia pedunculata	山油柑	3
Adinandra millettii	黄瑞木	2
Alangium chinense	八角楓	28
Aporusa dioica	銀柴	20
Araucaria heterophylla	異葉南洋杉	1
Artocarpus heterophyllus	菠蘿蜜	15
Artocarpus hypargyreus	白桂木	2
Averrhoa carambola	楊桃	28
Bischofia javanica	秋楓	1
Canarium album	白欖	2
Carallia brachiata	竹節樹	3
Carica papaya	番木瓜	11
Casuarina equisetifolia	木麻黄	4
Celtis sinensis	朴樹	1
Cinnamomum parthenoxylon	黄樟	75
Citrus maxima	柚	6
Citrus reticulata	柑橘	5
Clausena lansium	黄皮	49
Cratoxylum cochinchinense	黄牛木	3
Cyclobalanopsis spp.	青岡屬	1
Dead tree	枯死樹木	5
Dimocarpus longan	龍眼	81
Diospyros eriantha	烏柿	2
Diospyros kaki	柿	3

Diospyros morrisiana	羅浮柿	23
Elaeis guineensis	油棕	1
Elaeocarpus sylvestris	山杜英	3
Endospermum chinense	黄桐	2
Eucalyptus citriodora	檸檬桉	2
Ficus hispida	對葉榕	3
Ficus variegata var. chlorocarpa	青果榕	12
Ficus vasculosa	白肉榕	1
Ficus nervosa	九丁樹	2
Garcinia oblongifolia	黄牙果	1
llex rotunda	鐵冬青	1
Juniperus chinensis 'Kaizuca'	龍柏	2
Liquidambar formosana	楓香	11
Litchi chinensis	荔枝	14
Litsea glutinosa	潺槁	1
Litsea monopetala	假柿木薑子	17
Livistona chinensis	蒲葵	2
Lophostemon confertus	紅膠木	5
Macaranga tanarius var. tomentosa	血桐	4
Machilus breviflora	短序潤楠	2
Machilus chekiangensis	浙江潤楠	164
Machilus pauhoi	刨花潤楠	1
Mallotus paniculatus	白楸	78
Mangifera indica	杧果	15
Melaleuca cajuputi subsp. Cumingiana	白千層	8
Michelia x alba	白蘭	2
Microcos nervosa	布渣葉	2
Morus alba	桑	2
Osmanthus fragrans	桂花	1
Phyllanthus emblica	油甘子	1
Pinus massoniana	馬尾松	5
Polyspora axillaris	大頭茶	6
Psidium guajava	番石榴	3
Schefflera heptaphylla	鴨腳木	32
Scolopia saeva	廣東刺柊	17
Sterculia lanceolata	假蘋婆	25
Sterculia nobilis	蘋婆	1
Symplocos glauca	羊舌樹	3
Symplocos spp.	山礬屬	2

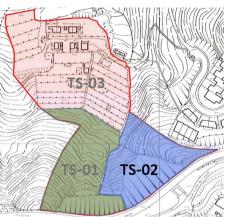
Syzygium hancei Syzygium jambos	紅鱗蒲桃 蒲桃	3
Syzygium samarangense	洋蒲桃	1
Trema tomentosa	山黃麻	1
Viburnum odoratissimum	珊瑚樹	7
Vitex quinata	山牡荊	1
TOTAL		981









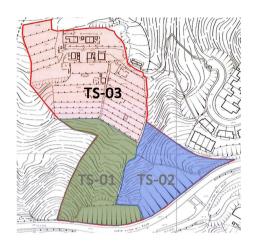


Tree Survey at Ta Ku Ling in Sai Kung, N.T.

Tree Survey Plan (2 of 3) - Drawing No. TS-02







LWK LANDSCAPE

Tree Survey at Ta Ku Ling in Sai Kung, N.T.

Tree Survey Plan (3 of 3) - Drawing No. TS-03