

RNTPC Paper No. A/SK-HC/354B  
For Consideration by the  
Rural and New Town  
Planning Committee on 6.12.2024

**APPLICATION FOR PERMISSION  
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/SK-HC/354**

- Applicant** : Ms. LAM Yeuk Yin represented by Mr. YEUNG Siu Fung
- Site** : Lot 429 S.B (Part) in D.D. 244 and Adjoining Government Land (GL),  
Ho Chung New Village, Sai Kung, New Territories
- Site Area** : About 282.33m<sup>2</sup> (including about 216.77m<sup>2</sup> (about 77%) of GL)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Ho Chung Outline Zoning Plan (OZP) No. S/SK-HC/12  
(currently in force)
- Approved Ho Chung OZP No. S/SK-HC/11  
(at the time of submission)
- Zoning** : “Agriculture” (“AGR”)  
*[no change on the current OZP]*
- Application** : Temporary Private Garden for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for a temporary private garden for a period of three years. The Site falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is enclosed by fence wall and currently used as a private garden for the adjoining New Territories Exempted House (NTEH) (i.e. No. 450, Ho Chung New Village at Lot 2194 in D.D. 244 which is the subject of an approved planning application No. A/SK-HC/167) (**Plan A-2**) without planning permission.
- 1.2 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on (**Appendix I**)  
30.4.2024

- (b) Further Information (FI) received on 19.8.2024\* and 20.8.2024\* (Appendix Ia)
- (c) FI received on 14.10.2024<sup>#</sup> (Appendix Ib)
- (d) FI received on 24.10.2024<sup>#</sup> (Appendix Ic)
- (e) FI received on 5.11.2024<sup>#</sup> (Appendix Id)
- (f) FI received on 25.11.2024<sup>#</sup> (Appendix Ie)
- (g) FI received on 29.11.2024<sup>#</sup> (Appendix If)

*\*accepted but not exempted from publication and recounting requirements*

*<sup>#</sup>accepted and exempted from publication and recounting requirements*

- 1.3 On 21.6.2024 and 4.10.2024, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicant's requests to defer making a decision on the application for two months each.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in Part 7 of the Application Form and FIs at **Appendices I to Ie** and summarised below:

- (a) the private garden and fence wall were built before the applicant bought the subject lot and adjoining house and the erection of fence wall is for protection against trespassers and wild animals;
- (b) the existing greenhouse will be removed and other unauthorised structures within the Site would be cleared upon approval;
- (c) no development proposal at the Site at the moment and no excavation of land will be carried out at the Site in future to preserve archaeological remains if present;
- (d) risk assessment report demonstrated that no contamination to the Water Gathering Ground (WGG) will be induced by the applied use and no pesticides and fertilizers will be used;
- (e) no blockage of traffic flow induced by the fence wall is anticipated; and
- (f) the applicant will voluntarily surrender the subject lot and the adjoining house at Lot 2194 in D.D. 244 for public development in future if required.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the above requirements are not applicable.



#### **4. Background**

The Site is currently not subject to planning enforcement action.

#### **5. Previous Applications**

- 5.1 Part of the Site is the subject of two previous applications No. A/SK-HC/13 and 167 for house development, which were submitted by different applicants. Application No. A/SK-HC/13 for 12 3-storey village-type houses was rejected by the Committee on 7.10.1994.
- 5.2 Application No. A/SK-HC/167 for one house (NTEH – Small House) (without private garden proposed) was approved by the Committee on 7.11.2008 mainly on the grounds that land available within “V” zone of Ho Chung Village (including Nam Pin Wai) could not fully meet the future Small House demand at the time of consideration and the site and its surrounding area were not under active cultivation. The house has been completed, i.e. No. 450, Ho Chung New Village.
- 5.3 Details of the previous applications are at **Appendix II** and their locations are shown on **Plans A-1** and **A-2**. The two previous applications are not relevant to the current application.

#### **6. Similar Application**

- 6.1 There was one similar application No. A/SK-HC/300 for temporary private swimming pool and garden use for a period of three years slightly encroaching into the same “AGR” zone while the remaining part was within “V” zone, which was approved by the Committee on 4.1.2019 mainly on the grounds that only a small portion of the proposed use (i.e. about 10m<sup>2</sup> or 8%) fell within the “AGR” zone; adverse traffic, environmental, landscape, drainage and water supply impacts were not anticipated; and was the subject of an approved application for the same temporary swimming pool use by the same applicant and all approval conditions were complied with. The permission lapsed on 4.1.2022.
- 6.2 Details of the similar application are at **Appendix III** and its location is shown on **Plan A-1**.

#### **7. The Site and Its Surrounding Areas (Plans A-1 and A-2, aerial photo on Plan A-3 and site photos on Plans A-4a to 4c)**

- 7.1 The Site is:
  - (a) completely enclosed by fence wall, partly paved and currently used as a private garden, with a greenhouse and a trellis erected, serving the adjoining NTEH (No. 450, Ho Chung New Village);

- (b) located entirely within the village ‘environs’ of Ho Chung and the Ho Chung Site of Archaeological Interest (SAI);
- (c) partly falls within the WGG and waterworks reserve; and
- (d) served by an access road leading to Nam Pin Wai Road.

7.2 The surrounding areas are of settled valleys landscape predominated by tree groups, scrubland, Small Houses and low-rise residential development. To the further east is the village cluster of Ho Chung New Village which is zoned “V”. To the further west is dense woodland intermixed with active cultivation.

## **8. Planning Intention**

The planning intention of “AGR” zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

## **9. Comments from Relevant Government Bureau/Departments**

- 9.1 Apart from the government departments as set out in paragraphs 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and recommended advisory clauses are provided at **Appendices IV** and **V** respectively.
- 9.2 The following government bureau/department has adverse comment or does not support the application:

### **Agriculture**

- 9.2.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):
  - (a) the Site is generally vacant or occupied by some structures. Agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available; and
  - (b) the Site can be used for agricultural activities such as open-field cultivation, greenhouse, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the applied use is not supported from agricultural perspective.

### **Archaeological and Heritage Preservation**

#### **9.2.2 Comments of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office, Development Bureau (ES(AM), AMO, DEVB):**

- (a) the Site falls within Ho Chung SAI entirely. As such, AMO's prior comment and agreement should be sought before implementation of any works including but not limited to excavation, digging, site formation, construction works etc. However, the proposed constructions works, regrettably, had been carried out at the Site **without** prior consultation with AMO not to mention agreement from AMO. No remedial action could be done to reverse the damages already imposed to Ho Chung SAI where the application site is situated;
- (b) she reiterates that pursuant to the Antiquities and Monuments Ordinance (Cap.53), any person who discovers, or knows of the discovery of an antiquity or supposed antiquity shall forthwith report the discovery to the Authority or to a designated person. A person who discovers an antiquity or supposed antiquity shall take all reasonable measures to protect it. Besides, work falls within SAI(s) should be submitted to AMO for consideration and agreement before commencement;
- (c) at present, the construction works had already been conducted in the Site. It is unknown whether or not there was discovery stipulated in the Antiquities and Monuments Ordinance during the course of works and the impact on the archaeological resources. In this connection, the applicant is requested to provide further supplementary information to address AMO's comment with clear photos, shop drawing(s) or any other equivalent materials illustrating the details (e.g. locations, sizes and construction materials) before, during and after the construction of the porch and greenhouse for AMO's assessment on the impact of the works on Ho Chung SAI;
- (d) in addition, despite the applicant's advice that there will not be any digging at the site in future and no development proposal in the area at the moment, it is obligatory for the applicant to seek AMO's comment if the development parameter and scope of works will require excavation and site formation at the Site; and
- (e) the applicant has yet provided the supplementary information (including the required photos and possible follow-up materials) to AMO's satisfaction.

## **10. Public Comments Received During Statutory Publication Periods**

On 10.5.2024 and 30.8.2024, the application was published for public inspection. During the statutory public inspection periods, two public comments were received from the same individual objecting to the application mainly on the ground that it would set a precedent of development encroaching into the “AGR” zone and GL prior to obtaining approval (**Appendix VI**).

## **11. Planning Considerations and Assessments**

- 11.1 The application is for temporary private garden for a period of three years at the Site which falls within an area zoned “AGR” on the OZP (**Plan A-1**). The Site is completely enclosed by fence wall, partly paved and currently used as a private garden without planning permission, with mainly a greenhouse and a trellis erected, serving the adjoining NTEH (No. 450, Ho Chung New Village) (**Plans A-3** and **A-4**). The planning intention of the “AGR” zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The temporary private garden, although applied for a period of three years, is not in line with the planning intention of the “AGR” zone. DAFC does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation for open-field cultivation, greenhouse, plant nurseries, etc., agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. Active cultivation activities are observed to the immediate west of the Site.
- 11.2 District Lands Officer/Sai Kung, Lands Department advises that some irregularities within (e.g. GL being fenced off/illegally occupied with a portion of a greenhouse, a portion of a trellis, a canopy and a pond) and outside (e.g. a raised flower bed) the Site are detected by his office. The lot owner should immediately rectify/regularise the lease breaches. While the Site falls entirely within the Ho Chung SAI, ES(AM), AMO, DEVB considers that the applicant has yet to provide information for her assessment of the archaeological impact arisen from the applied use. She further advises that no remedial action could be done to reverse the damages already imposed to the Ho Chung SAI which have been done without prior consultation or agreement with AMO.
- 11.3 In view of small scale of the private garden, the applied use is not incompatible with the surrounding areas which are predominantly rural in character comprising mainly village houses and scrubland. No adverse traffic, landscape and environmental impacts are also anticipated. Other relevant departments consulted including the Commissioner for Transport, the Director of Environmental Protection, the Chief Engineer/Mainland South, Drainage Services Department, the Chief Engineer/Construction, Water Supplies Department, the Director of Fire Services and the Chief Town Planner/Urban Design and Landscape, Planning Department have no adverse comments on or no objection to the application.

- 11.4 There is one similar application encroaching onto the same “AGR” zone while the remaining area zoned “V” which was for private swimming pool and garden use. This application was approved on grounds that the portion encroached onto the “AGR” zone was very minor (about 8%) and there was previous approval for the swimming pool use. The circumstances of the similar application are different from the current application as the Site falls entirely within the “AGR” zone and there is concern on agricultural perspectives.
- 11.5 Regarding the objecting public comments as detailed in paragraph 10 above, departmental comments in paragraph 9 and planning assessments in paragraphs 11.1 to 11.4 above are relevant.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department does not support the application for the following reason:

the temporary private garden is not in line with the planning intention of “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. There is no strong justification given in the submission for a departure from the planning intention even on a temporary basis.

- 12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until **6.12.2027**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### **Approval Conditions**

- (a) the submission of a fire service installations proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **6.6.2025**;
- (b) in relation to (a) above, the implementation of the fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **6.9.2025**;
- (c) if any of the above planning condition (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be on the same date be revoked without further notice; and

- (d) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are at **Appendix V**.

**13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 13.3 Alternatively, should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

**14. Attachments**

<b>Appendix I</b>	Application Form with Attachments received on 30.4.2024
<b>Appendix Ia</b>	FI received on 19.8.2024 and 20.8.2024
<b>Appendix Ib</b>	FI received on 14.10.2024
<b>Appendix Ic</b>	FI received on 24.10.2024
<b>Appendix Id</b>	FI received on 5.11.2024
<b>Appendix Ie</b>	FI received on 25.11.2024
<b>Appendix If</b>	FI received on 29.11.2024
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Similar Application
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Appendix VI</b>	Public Comments
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Proposed Sand Trap and Septic Tank Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to 4c</b>	Site Photos

2024年 4月 3 日  
此文件在 2024年 4月 3 日收到。城市規劃委員會  
只會在收到所有必要的資料及文件後才正式確認收到  
申請的日期。

30 APR 2024

This document is received on 30 APR 2024.  
The Town Planning Board will formally acknowledge  
the date of receipt of the application only upon receipt  
of all the required information and documents.

Form No. S16-III  
表格第 S16-III 號

**APPLICATION FOR PERMISSION  
UNDER SECTION 16 OF  
THE TOWN PLANNING ORDINANCE  
(CAP. 131)**

根據《城市規劃條例》(第131章)  
第16條遞交的許可申請

**Applicable to Proposal Only Involving Temporary Use/Development of Land  
and/or Building Not Exceeding 3 Years in Rural Areas or Regulated Areas,  
or Renewal of Permission for such Temporary Use or Development\***

**適用於祇涉及位於鄉郊地區或受規管地區土地上及/或建築物內進行  
為期不超過三年的臨時用途/發展或該等臨時用途/發展的許可續期的建議\***

*\*Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.*

*\*其他土地上及/或建築物內的臨時用途/發展 (例如位於市區內的臨時用途或發展) 及有關該等臨時用途/發展的許可續期，應使用表格第 S16-I 號。*

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：

**General Note and Annotation for the Form**

**填寫表格的一般指引及註解**

# "Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made

「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

2400990 19/4 by hand

Form No. S16-III 表格第 S16-III 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/SK-HC/1354
	Date Received 收到日期	30 APR 2024

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.  
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會 (下稱「委員會」) 秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.tpb.gov.hk/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).  
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.tpb.gov.hk/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.  
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

## 1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☒ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

LAM, YEUK YIN

## 2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☒ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

YEUNG, SIU FUNG

## 3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Lot 429 S.B (Part) in D.O. 244 and the adjoining Government land, Ho Chung New Village, Sai Kung, N.T.
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 282.33 sq.m 平方米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 30.55 sq.m 平方米 <input type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	216.77 sq.m 平方米 <input type="checkbox"/> About 約



(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	蠔涌分區計劃大綱核准圖編號 S/SK-HC/11
(e) Land use zone(s) involved 涉及的土地用途地帶	AGRICULTURE
(f) Current use(s) 現時用途	Private garden  (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

#### 4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

- ☒ is the sole "current land owner"<sup>#&</sup> (please proceed to Part 6 and attach documentary proof of ownership).  
是唯一的「現行土地擁有人」<sup>#&</sup> (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"<sup>#&</sup> (please attach documentary proof of ownership).  
是其中一名「現行土地擁有人」<sup>#&</sup> (請夾附業權證明文件)。
- ☐ is not a "current land owner"<sup>#</sup>.  
並不是「現行土地擁有人」<sup>#</sup>。
- ☐ The application site is entirely on Government land (please proceed to Part 6).  
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

#### 5. Statement on Owner's Consent/Notification

##### 就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at ..... (DD/MM/YYYY), this application involves a total of ..... "current land owner(s)"<sup>#</sup>.  
根據土地註冊處截至 ..... 年 ..... 月 ..... 日的記錄，這宗申請共牽涉 ..... 名「現行土地擁有人」<sup>#</sup>。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of ..... "current land owner(s)"<sup>#</sup>.  
已取得 ..... 名「現行土地擁有人」<sup>#</sup>的同意。

Details of consent of "current land owner(s)" <sup>#</sup> obtained 取得「現行土地擁有人」 <sup>#</sup> 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified ..... “current land owner(s)”<sup>#</sup>  
已通知 ..... 名「現行土地擁有人」<sup>#</sup>。

Details of the “current land owner(s)” <sup>#</sup> notified 已獲通知「現行土地擁有人」 <sup>#</sup> 的詳細資料		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):  
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the “current land owner(s)” on \_\_\_\_\_ (DD/MM/YYYY)<sup>#&</sup>  
於\_\_\_\_\_ (日/月/年)向每一名「現行土地擁有人」<sup>#</sup>郵遞要求同意書<sup>&</sup>

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
於\_\_\_\_\_ (日/月/年)在指定報章就申請刊登一次通知<sup>&</sup>
- ☐ posted notice in a prominent position on or near application site/premises on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
於\_\_\_\_\_ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知<sup>&</sup>
- ☐ sent notice to relevant owners’ corporation(s)/owners’ committee(s)/mutual aid committee(s)/management office(s) or rural committee on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
於\_\_\_\_\_ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會<sup>&</sup>

Others 其他

- ☐ others (please specify)  
其他（請指明）

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Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

**6. Type(s) of Application 申請類別****(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas or Regulated Areas**

位於鄉郊地區或受規管地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展

(For Renewal of Permission for Temporary Use or Development in Rural Areas or Regulated Areas, please proceed to Part (B))

(如屬位於鄉郊地區或受規管地區臨時用途/發展的規劃許可續期，請填寫(B)部分)

(a) Proposed use(s)/development  
擬議用途/發展

Temporary Private garden for a period of 3 years.

(Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)

(b) Effective period of permission applied for  
申請的許可有效期☒ year(s) 年 .....3.....☐ month(s) 個月 .....**(c) Development Schedule 發展細節表**Proposed uncovered land area 擬議露天土地面積 .....251.78.....sq.m ☒ About 約Proposed covered land area 擬議有上蓋土地面積 .....30.55.....sq.m ☒ About 約

Proposed number of buildings/structures 擬議建築物/構築物數目 .....1.....

Proposed domestic floor area 擬議住用樓面面積 .....sq.m ☐ About 約Proposed non-domestic floor area 擬議非住用樓面面積 .....30.55.....sq.m ☒ About 約Proposed gross floor area 擬議總樓面面積 .....30.55.....sq.m ☒ About 約

Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明)

Green House of 3.96m in height - 1 storey

Proposed number of car parking spaces by types 不同種類停車位的擬議數目

Private Car Parking Spaces 私家車車位 .....

Motorcycle Parking Spaces 電單車車位 .....

Light Goods Vehicle Parking Spaces 輕型貨車泊車位 .....

Medium Goods Vehicle Parking Spaces 中型貨車泊車位 .....

Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 .....

Others (Please Specify) 其他 (請列明) .....

Proposed number of loading/unloading spaces 上落客貨車位的擬議數目

Taxi Spaces 的士車位 .....

Coach Spaces 旅遊巴車位 .....

Light Goods Vehicle Spaces 輕型貨車車位 .....

Medium Goods Vehicle Spaces 中型貨車車位 .....

Heavy Goods Vehicle Spaces 重型貨車車位 .....

Others (Please Specify) 其他 (請列明) .....

Proposed operating hours 擬議營運時間																																	
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？	Yes 是	<input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用))																															
		<input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度)																															
	No 否	<input type="checkbox"/>																															
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。)																																	
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動？	Yes 是	<input type="checkbox"/> Please provide details 請提供詳情 ..... ..... .....																															
	No 否	<input checked="" type="checkbox"/>																															
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程？	Yes 是	<input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及／或範圍)  <input type="checkbox"/> Diversion of stream 河道改道  <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 ..... m 米 <input type="checkbox"/> About 約  <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 ..... m 米 <input type="checkbox"/> About 約  <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 ..... m 米 <input type="checkbox"/> About 約																															
	No 否	<input checked="" type="checkbox"/>																															
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響？	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">On environment 對環境</td> <td style="width: 10%;">Yes 會 <input type="checkbox"/></td> <td style="width: 10%;">No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table>			On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															
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Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															
Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															
Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															
Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															

	<p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible)</p> <p>請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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**(B) Renewal of Permission for Temporary Use or Development in Rural Areas or Regulated Areas**  
**位於鄉郊地區或受規管地區臨時用途/發展的許可續期**

(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期	..... (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	..... (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<div> <input type="checkbox"/> The permission does not have any approval condition            許可並沒有任何附帶條件         </div> <div> <input type="checkbox"/> Applicant has complied with all the approval conditions            申請人已履行全部附帶條件         </div> <div> <input type="checkbox"/> Applicant has not yet complied with the following approval condition(s):            申請人仍未履行下列附帶條件：            _____            _____            _____         </div> <div>           Reason(s) for non-compliance:            仍未履行的原因：            _____            _____            _____         </div> <div>           (Please use separate sheets if the space above is insufficient)            (如以上空間不足，請另頁說明)         </div>
(f) Renewal period sought 要求的續期期間	<div> <input type="checkbox"/> year(s) 年 .....         </div> <div> <input type="checkbox"/> month(s) 個月 .....         </div>

**7. Justifications 理由**

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.  
 現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

**Justifications**

1. The enclosed area of private garden with proper fencing wall had been erected when Applicant bought Lot 2194 and 429 S. B in DD244 on 16/01/2015. Former owner told Applicant then that the features were built in 2013.
2. The wall fencing is a protection against trespassers, strayed dogs, snakes and other wild animals occasionally come to the area.
3. When small house New Grant No. 20956 was issued on 28/07/2010 for Lot 2194 in DD 244, there was no objection from the TPB, and the Antiquities & Monuments Office.
4. The Ho Chung Approved Plan S/SK-HC/11 was Gazetted under Section 9(1) (A) on 21/03/2014. However the fence wall was erected in 2013 after the issue of Letter of Compliance dated 02/01/2013 to the House built on Lot 2194. As such, the fence wall enclosing the private garden is a pre-existing structure/feature before the enactment of the Ho Chung Approved Plan S/SK-HC/11 on 21/03/2014.
5. Digging of any kind will not be taken in the future to preserve the archeological remains if ever present underneath the top soil.
6. There is no development proposal in the area at the moment.
7. Applicant is willing to give up the proposed private garden area and the House if the said premises are required for public development in the future.
8. The fencing and the wall by the side of the existing track would not block any traffic flow in the area.

**Attachments**

- A. Power of Attorney & Authorization
- B. Copies of HKID for Ms LAM Yeuk Yin and Mr YEUNG Siu Fung
- C. Location Plan
- D. Land status Plan
- E. Structure/feature Plan
- F. Land search for Lot 429 S. B dated 09/04/2024
- G. Land search for Lot 2194 dated 09/04/2024



**8. Declaration 聲明**

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.  
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.

本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature  
簽署

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

YEUNG, Siu Fung

Name in Block Letters  
姓名（請以正楷填寫）

Position (if applicable)  
職位（如適用）

Professional Qualification(s)  
專業資格

☐ Member 會員 / ☐ Fellow of 資深會員

☐ HKIP 香港規劃師學會 /

☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 /

☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 /

☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他 .....

on behalf of  
代表

☐ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

19-4-2024

(DD/MM/YYYY 日/月/年)

**Remark 備註**

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

**Warning 警告**

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

**Statement on Personal Data 個人資料的聲明**

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

(a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and

處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及

(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.

方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

## Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lot 429 S.B (Part) in D.D. 244 and the adjoining Government land, Ho Chung New Village, Sai Kung, N.T.
Site area 地盤面積	282.33 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 216.77 sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	蠔涌分區計劃大綱核准圖編號 S/SK-HC/11
Zoning 地帶	Agriculture
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 3 <input type="checkbox"/> Month(s) 月 _____ <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____
Applied use/ development 申請用途/發展	Temporary Private Garden for a Period of 3 years.



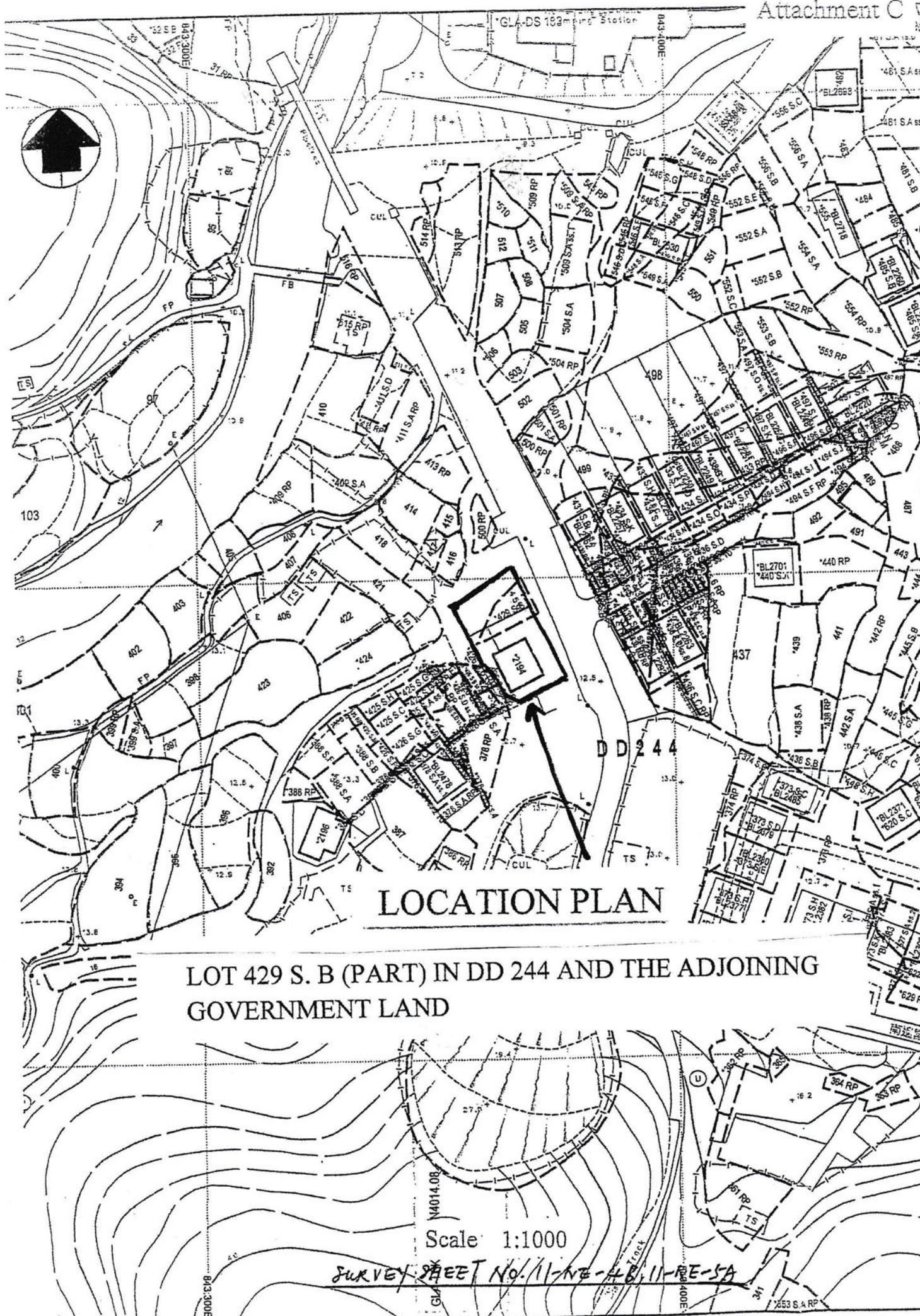
(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率	Domestic 住用	sq.m 平方米 <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	Plot Ratio 地積比率 <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	30.55 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	0.108 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of blocks 幢數	Domestic 住用		
	Non-domestic 非住用	1	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	3.96 m 米 <input checked="" type="checkbox"/> (Not more than 不多於)	
		1 Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	10.82 % <input checked="" type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數  Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____		
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數  Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____		

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
<b>Plans and Drawings 圖則及繪圖</b>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
<u>Location Plan, Land Status &amp; Area Plan, and structure</u>		
<u>&amp; Feature Plan</u>		
<b>Reports 報告書</b>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。





# LOCATION PLAN

LOT 429 S. B (PART) IN DD 244 AND THE ADJOINING GOVERNMENT LAND

Scale 1:1000

SURVEY SHEET NO. 11-NE-4B, 11-NE-5A





### LAND STATUS & AREA PLAN

LOCATION: LOT 429 S. B (PART) IN DD 244 AND THE ADJOINING GOVERNMENT LAND

(ADDRESS: HOUSE NO. 450 HO CHUNG NEW VILLAGE, SAI KUNG, N. T.)

### LEGEND:

PROPOSED GARDEN AREA 

HATCHED AREA: 282.33m<sup>2</sup> (216.77m<sup>2</sup> of GOVERNMENT LAND + 65.56m<sup>2</sup> of PRIVATE LOT 429 S.B IN DD 244 (PART))

AREA OF PRIVATE LOTS OWNED BY APPLICANT (WITHIN FENCED AREA):

LOT 2194 IN DD244 OF HOUSE STATUS: 65.03 m<sup>2</sup>

LOT 429 S.B IN DD244 OF AGRICULTURAL LAND (PART) = 65.56 m<sup>2</sup>

Scale 1:1000

SURVEY SHEET NO. 11-NB-4B, 11-RE-SA






### LOCATION & STRUCTURE/FEATURE PLAN

LOCATION: LOT 429 S. B (PART) IN DD 244 AND THE ADJOINING GOVERNMENT LAND

(ADDRESS: HOUSE NO. 450 HO CHUNG NEW VILLAGE, SAI KUNG, N. T.)

### EXISTING STRUCTURES/FEATURES

1. GREEN HOUSE: 30.55 m<sup>2</sup> 
2. LAWN & PAVED AREA: 251.78 m<sup>2</sup>

TOTAL PRIVATE GARDEN AREA: 282.33 m<sup>2</sup>

Scale 1:1000

SURVEY SHEET NO. 11-NE-4B, 11-RE-SA

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

**From:** Alex Yeung <[REDACTED]>

**Sent:** Monday, August 19, 2024 11:24 AM

**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>

**Cc:** [REDACTED]

**Subject:** Response to Departmental Comments: Planning Application No. A/SK-HC/354

Dear Sir/Madam,

Planning Application No. A/SK-HC/354

Temporary Private Garden for 3 Years at Lot 429 S. B (Part) in D.D. 244

And Adjoining Government land, Ho Chung New Village, Sai Kung, N. T.

I forward as attached our Response to Departmental Comments for your necessary action.

Should you have any queries concerning the above, please contact the undersigned at tel. no. [REDACTED]

Thank you very much for your kind attention.

Best regards.

YEUNG Siu Fung

Attachments

Attachment 1: Response to Departmental Comments

Attachment 2: Revised Plan

Attachment 3: Risk Assessment Report

## **Planning Application No. A/SK-HC/354**

Response to Departmental Comments in respect of the Application for a Temporary Private Garden on Lot 429 S. B in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.)

### **I. Revised proposal of a simple private garden**

I have discussed thoroughly with Applicant Ms. LAM Yeuk Yin after receiving the Departmental comments.

Ms LAM remarked that in view of comments given particularly by Water Supplies Department (WSD) and the District Lands Office/Sai Kung (DLO/SK), and the fact that there is no public sewer at the present location and in the vicinity around the area, she now desires a simple lawn inside the proposed private garden. The green house would be taken away, and growing of vegetables would be stopped. Part of the garden immediately in front of the house would be paved and the remainder would be used as a lawn which would only involve daily spraying of water. As such, she does not think that there would be any creation of wastewater from the revised proposal.

The revised proposal is at App. I.

### **II. Comments from Construction Division, WSD**

The concerns of WSD are addressed by Mr PAU Wah Lung - a Registered Architect, Fellow Member of HKIA & an Authorised Person – Architect.

Mr PAU has provided A Risk Assessment Report. He is of the view that the revised proposal of a simple lawn within the private garden, and with the setting up of the sand trap plus the septic tank immediately beneath part of the paved area and part of the lawn at Lot 429 S. B in DD244 will not cause any contamination to the Water Gathering Ground (WGG), and will not pose any threat to water quality in and around the area.

A Risk Assessment Report by Mr PAU is attached.

### III. Comments from Environmental Protection Department (EPD)

The Applicant will fully comply with the advice of EPD in observing the Water Pollution Control Ordinance (WPCO) ‘in handling and discharging the waste water arising from the proposed temporary use’.

### IV. Comments from DLO/SK

After studying also DLO/SK’s comment and advice, Applicant now decides to have a simple lawn inside the private garden.

The green house would be taken away, and growing of vegetables would be stopped. All other unauthorized structures within the garden area would be cleared. Details of the revised proposal are described at Paragraph I.

Moreover, Applicant is willing to pay any outstanding Short Term Tenancy and Waiver fees as required according to DLO/SK’s practice.

As part of the wall stands on Lots Nos. 426 S. B RP & 426 S. C RP in DD244, owner’s consent is being sought. The Applicant is confident that consent could be obtained.



## V. Comments from Director of Agriculture Fisheries and Conservation (DAFC)

We are familiar with the surroundings of the area. Other than 3 houses in the southwest of House No. 450 Ho Chung new Village, and the cluster of houses across the track, there are no active farming activities as mentioned by DAFC.

Between the houses and the stream course in the north there is a mud track and wild bushes are grown on both sides of the track. We are of the opinion that it is more suitable for human habitation in and around the area of the houses rather than farming activities as the latter would bring about unsanitary conditions (such as nasty smell, mosquitoes, flies and insects) if farming is carried out.

We are of the view that open-field cultivation, greenhouses, and plant nurseries, etc. may require chemical fertilizers in vegetable growing and flower plant culture. Such activities would certainly have a harmful effect to the WGG in the vicinity if wastewater is directly run into mud and eventually go to the stream course.

The revised proposal of a simple garden with a lawn, and the set up of the septic tank plus a sand trap for treating wastewater if any thus created would have very little effect, if not none at all on the WGG.

We are of the view that we may need to consider more than the ‘agricultural perspective’ in this Application as well.

In reality, there are a total of 15 houses and also WGG in and around the area. The rehabilitation of farming activities so close to

the houses could only bring about uneasiness amongst the residents, create undesirable sanitary conditions and might even disturb local harmony.

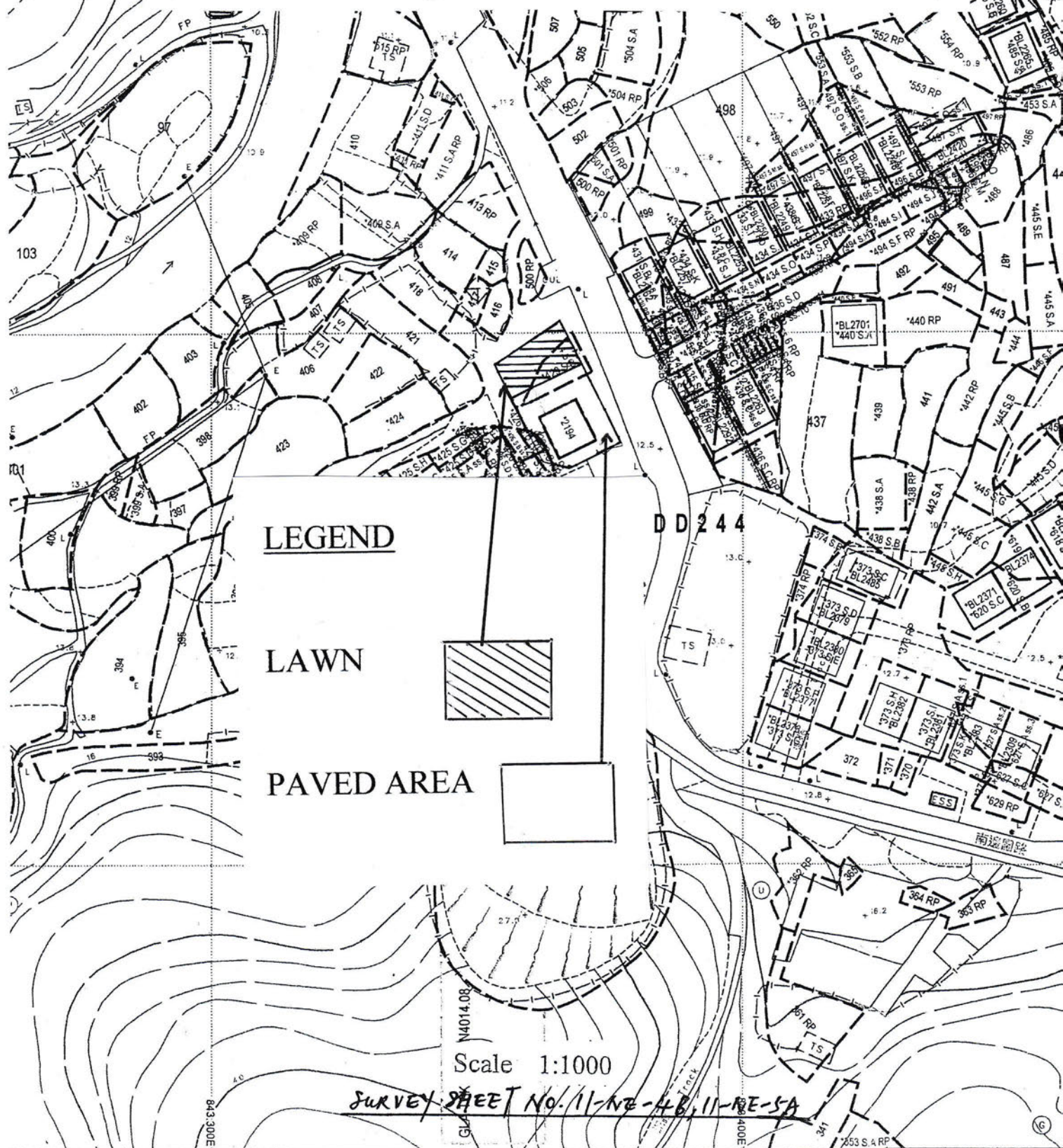
Strictly speaking, the revised proposal of a simple private garden with a lawn, is also the result of good agricultural work which beautifies the landscape.

As such, we sincerely wish DAFC would be more considerate in assessing the revised proposal of a simple garden in this location.



# REVISED PLAN SHOWING PROPOSED PRIVATE GARDEN

Lot No.429 S. B (Part) in DD244 & adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung)

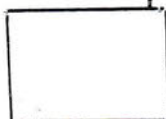


## LEGEND

LAWN



PAVED AREA



Scale 1:1000

SURVEY SHEET No. 11-NB-4B, 11-RE-SA



A Risk Assessment Report on water quality likely to be affected by proposed private garden at Lot No. 429 S. B (Part) in DD244 and adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.)

## I. Introduction

As the proposed temporary garden falls within Water Gathering Ground (WGG), Mr. Terry LAW of the Construction Division, Water Supplies Department (WSD) commented that:

"There are risks of contamination to the WGG due to the formation, operation and management of the garden".

As such Mr. LAW advised that a Risk Assessment Report is required "to prove and demonstrate to the satisfaction of WSD that there is no material increase in pollution effect resulting from the proposed development".

## II. Site visit conducted on 19 July 2024

Site was visited in the afternoon of 19 July 2024. After arriving and dropping off at House No. 450 Ho Chung New Village, I walked towards the stream course in the north and a few photographs were taken. The location plan showing the proposed boundary of the private garden is at Attachment 1, photographs taken of the surrounding at Attachment 2, and plan showing alignment of the U-Channel for rain/storm water outside House No. 450 Ho Chung New Village is at Attachment 3.

## III. Revised proposal of a simple private garden

Discussed with Applicant Ms. LAM Yeuk Yin in her house after walking around the area. Ms LAM remarked that in view of departmental comments given particularly by WSD and the District Lands Office/Sai Kung, and the fact that there is no public sewer at the present location and in the vicinity around the area, she now desires a simple lawn inside the proposed private garden. The green house would be taken away, and the growing of vegetables would be stopped. Part of the garden area immediately in front of the house would be paved and the remainder area would be used as lawn which would only involve daily spraying of water. As such, she does not think that there would be any creation of wastewater from the revised proposal that would contaminate the surrounding. The plan showing the revised proposal is at Attachment 4.

#### IV. History of Lot 2194 & Lot 429 S. B in DD244

The Applicant is the owner of Lots Nos. 2194 and 429 S.B in DD244. Lot 2194 is a 3-storey small house lot (New Grant No. 20956 issued on 28/07/2010), and Lot 429 S. B is an old scheduled Block Government Lease agricultural lot.

The applicant bought the two lots on 16/01/2015 as the small house Lot was completed with Certificate of Compliance duly issued on 02/01/2013 after satisfactory construction of the small house, the septic tank and surface drains in and around Lot 2194 as required by the grant conditions.

I have checked the details of the small house conditions of Lot No. 2194 in DD244 which are common to all small house grants in the New Territories. I am not going to attach the said grant conditions here as it has a total of 22 pages. I shall just mention Special Condition Nos. 17 & 23 at Paragraphs V and VI below.

Nevertheless a copy of the Certificate of Compliance is at Attachment 5 for reference.

#### V. Storm or rain water from Lot No. 2194

According to Special Condition No. 17 (listed at Page 16 of New Grant No. 20956):

"All storm or rain water from the lot shall be conveyed into the nearest stream course, catchpit, channel or storm - water drain as required and in a manner to be approved by the District Lands Officer"

In other words, the Applicant's current practice in discharging storm or rain water according to the aforesaid grant condition is acceptable to the District Lands Officer.

#### VI. Drainage of Lot No. 2194

According to Special Condition No. 23 (listed at Page 17 of New Grant No. 20956):

"The drainage of any building erected on the lot shall be effected as may be required by the District Lands Officer, and the Grantee shall make all arrangements at his own expense and to the satisfaction of the District Lands Officer for the treatment and disposal of sewage, sullage and foul, contaminated or waste water by the construction of suitable works either within the lot or on Government land or otherwise and on such terms as the District Lands Officer shall require, and the Grantee shall be solely liable for any damage or nuisance caused thereby."

As a result septic tank was constructed to the satisfaction of the District Lands Officer and Letter of Compliance was issued on 02/01/2013 as at Attachment 5.

VII. My Views of the septic tank, the small house and the proposed private garden

I have no information as to the reasons leading to the small house grant in this area of current Agriculture zoning and WGG in the year 2010.

Moreover, there were other three small house grants, namely Lot 2196, BL 2527 & BL 2478 to the south-west of Lot 2194, and eleven small houses piled up immediately on the right hand side of Lot 2194 across the track. Plan showing the houses is at Attachment 6.

There was no public sewer then in the vicinity to serve the to-be-built small houses. The Departments in considering issuing small house grants at the time must have thought that the septic tanks (be it individual or communal) would not pose any threat to the WGG and the nearby stream course to the north of the small houses.

In my view, the contamination to the WGG and the stream course to the north as a result of the development of a proposed private garden would have far less pollution effect than the wastewater created by inhabitants of the existing small house or actual farming in the area if a septic tank system is built below the proposed private garden.

If septic tank for a small house can prevent contamination of the WGG and the stream course, I am of the view that a septic tank to hold foul water generates from the simple private lawn can prevent contamination to the surrounding and the stream course in the north as well.

VIII. Concerns of WSD

Let me describe below the concerns of WSD and my recommended proposed measures:

- A. No discharge of effluent or foul water into adjoining land, storm water drain, channel, stream or river course is allowed. Such foul water or effluent shall be collected and disposed of outside WGG.

Proposed measures – A septic tank of similar size as to a septic tank required by a small house would be constructed under Lot 429 S. B in D.D.244. As a result, any foul water or effluent generates from the private garden would be collected

into the said septic tank just like those foul water or effluent generates from the small house on Lot 2194. It is my view that the foul water or effluent generates from the private garden would be far less than that from one small house, and the proposed septic tank could solve the issue of possible contamination.

Moreover an additional sand trap will also be constructed as described at Paragraph IX to filter the foul water and any effluent before entering the septic tank. The plan showing the location of the proposed sand trap and the septic tank is at Attachment 7 for reference.

- B. All solid waste and sludge arising from the development shall be disposed of properly outside WGG.

Proposed measures – the sand trap and the septic tank system as described under A above should serve the propose of preventing pollution in the area. I am of the view that the revised proposal of a simple garden without a green house and non-growing of vegetables would only generate negligible amount of solid waste and sludge, if not none at all. Such a small amount of solid waste and sludge together with wastewater would be first filtered by the sand trap before going to the septic tank. The used sand would be replaced every 6 months and disposed of properly outside WGG according to the rules imposed by the Environmental Protection Department (EPD) as stipulated by their Water Control Pollution Ordinance. More details of the sand trap and septic tank system are also described at Paragraph IX.

- C. The use and storage of pesticide, herbicides, toxicants, chemical solvents, laticidal oil, rodenticide, tar and petroleum oil are strictly prohibited in WGG.

Proposed measures – Applicant promises not to use and the storage of such materials inside the private garden and the small house Lot 2194.

- D. No chemicals including fertilizers and detergents shall be used/stored without the prior approval from the Water Authority.

Proposed measures – Applicant promises to abide by D; demolish the green house and stop growing vegetables.

- E. Oil leakage and spillage are not allowed within WGG at all time.

Proposed measures – Applicant promises to abide by E.

- F. The garden and its associated horticultural activities shall be located away from any water courses as far as possible. All garden structures shall be water tight and properly maintained. Signage for alerting not to pollute WGG should be displayed.

Proposed measures – Applicant promises to abide by F and put up the signage as described.

- G. During the formation of the garden, no earth and other construction materials which may cause contamination to WGG are allowed to be stockpiled or stored on site. Furthermore, all excavated or filled surfaces shall be protected from erosion and siltation to any water courses shall be prevented within WGG. All construction spoils shall be contained and protected; and effluent containing spoils shall be disposed of after desiltation.

Proposed measures – Applicant promises to adhere to all situations as described at G.

#### IX. An on-site sewage disposal septic system

In order to tackle the issue of contamination effectively, the Applicant is agreeable to set up an on-site sewage disposal septic system for any wastewater likely to be generated from the private lawn.

The on-site sewage disposal septic system for the private lawn will consist of two parts. The first part is a sand trap and the second part is the septic tank for the settlement and treatment of the wastewater and slurries in the same place just in case any wastewater and slurries, which are very unlikely, are being generated.

The first treatment removes materials that will settle with gravity or float. The method is to sprinkle or trickle the water over the bed of sand. As the water filters downward, it is put into contact with oxygen and microorganisms, which work together to break down the organic matter in the water before the decomposed wastewater goes down to the septic tank built underneath the lawn below Lot 429 S. B in DD244. In practice the bed of sand will be replaced every six months with clean and fresh sand whereas the used ones will be disposed of properly outside WGG according to rules required by the EPD.

A drainage engineer will be asked to design the drainage facilities (the sand trap plus the septic tank and the surface running water channels) surrounding the proposed garden area should this proposal is acceptable to WSD.



## X. Conclusion

It is my view that the revised proposal of a simple lawn within the private garden and with the setting up of the sand trap plus the septic tank immediately beneath part of the garden area at Lot 429 S. B in DD244 will not cause any contamination to the WGG, and will not pose any threat to water quality in and around the area.

Basing on the preceding paragraphs, I am confident to say that there would be "no material increase in pollution effect resulting from the proposed development" of a revised simple private garden.



PAU Wah Lung  
Registered Architect, Fellow Member of HKIA &  
Authorised Person - Architect

## Attachments

Attachment 1: Location Plan

Attachment 2: Photographs of House No. 450 and the surrounding (a) to (g)

Attachment 3: Plan showing alignment of the U-Channel for rain/storm water

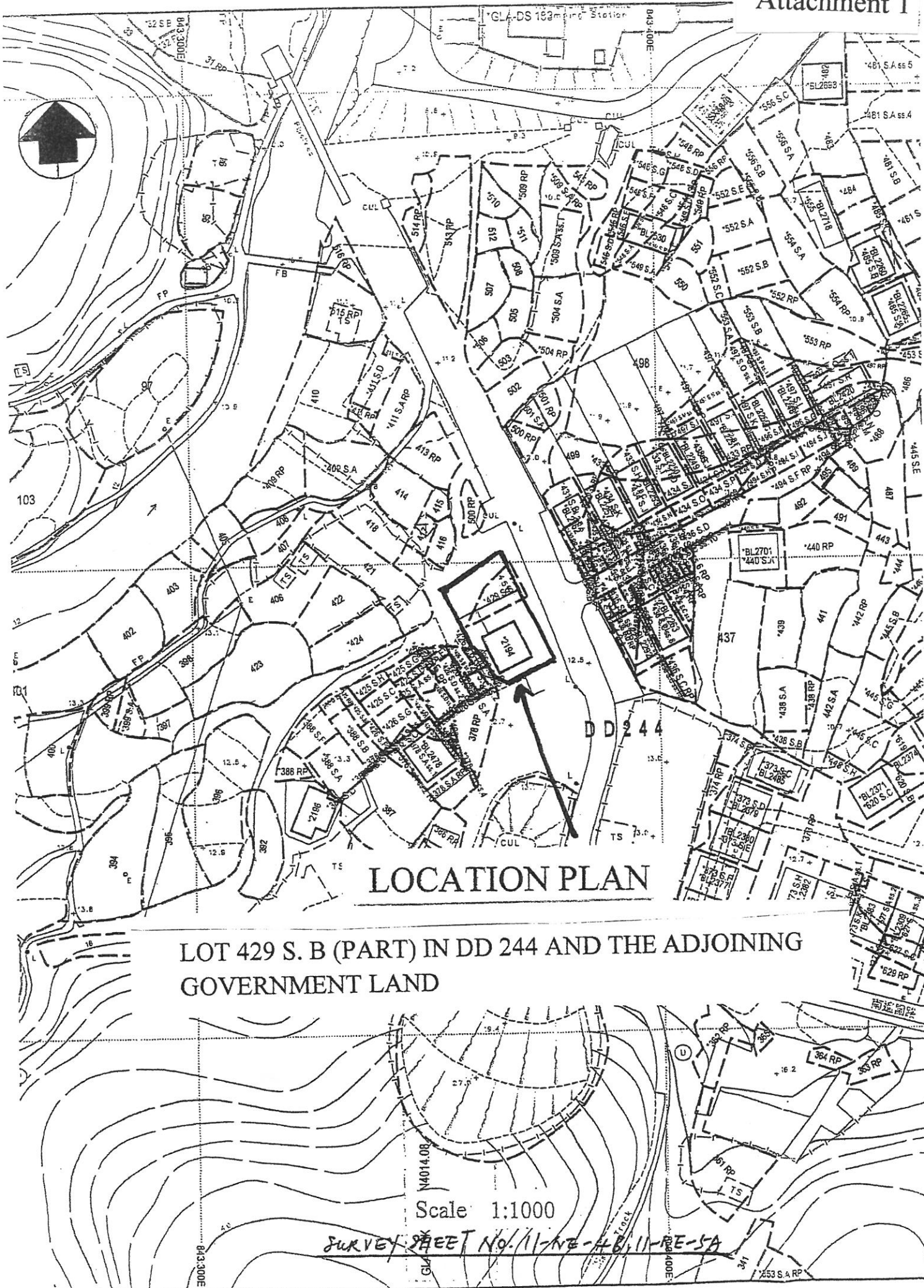
Attachment 4: Revised Plan showing Proposed Private Garden

Attachment 5: Copy of the Certificate of Compliance

Attachment 6: Plan showing the houses in the vicinity

Attachment 7: Plan showing proposed sand trap and the septic tank

Date: 16 August 2024



(a)



House No. 450 Ho Chung New Village, Sai Kung, N. T.





Part of the Existing Features inside House No. 450

( c )



Part of the existing drainage for rain/storm water  
inside House No. 450



( d )



A nearby culvert



( e )



A U-Channel to the North of House No. 450 Ho Chung New Village (Part 1)

( f )

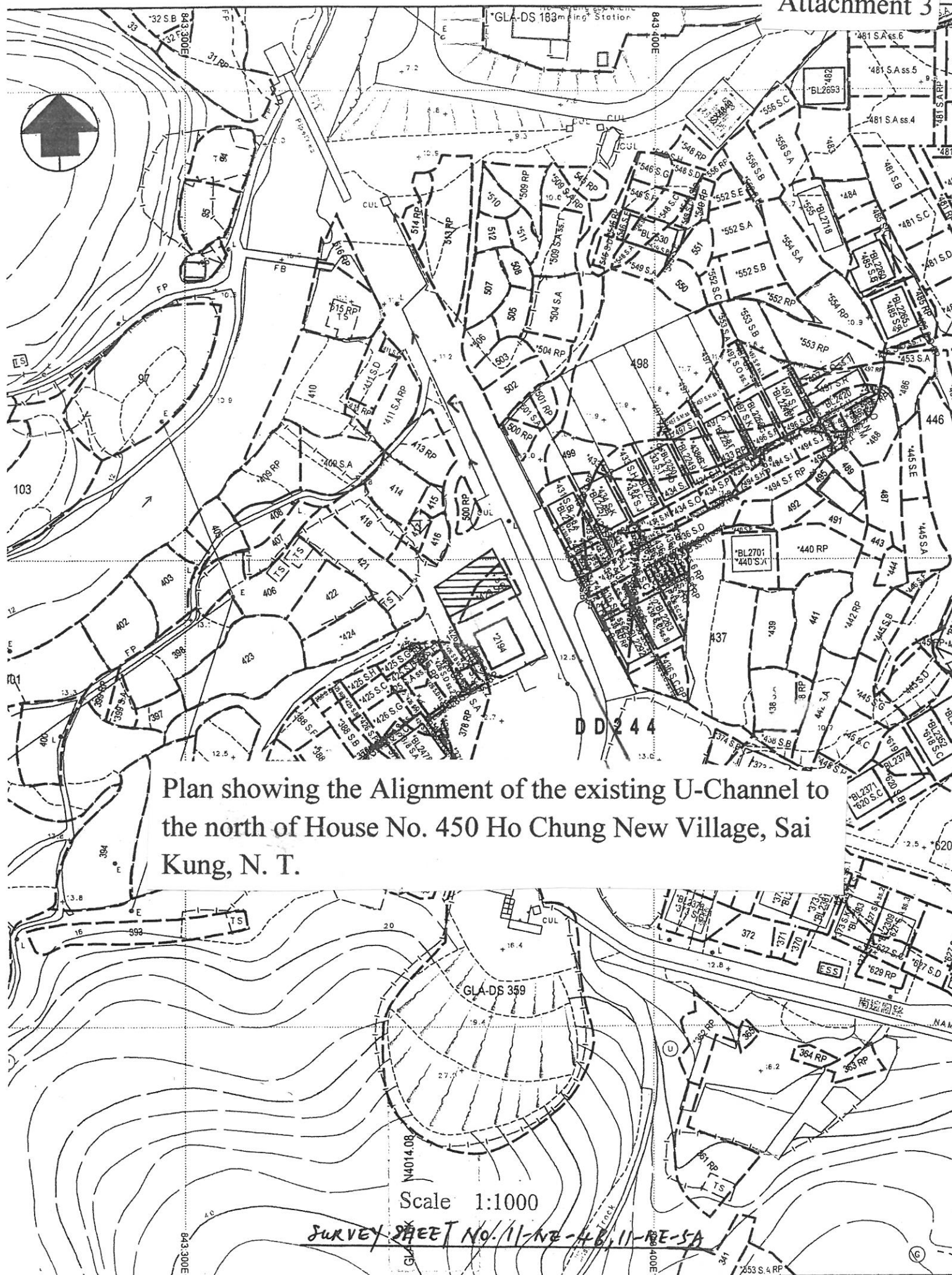


A U-Channel to the North of House No. 450 Ho Chung New Village (Part 2)





The Stream Course to the North





# REVISED PLAN SHOWING PROPOSED PRIVATE GARDEN

Lot No.429 S. B (Part) in DD244 & adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung)

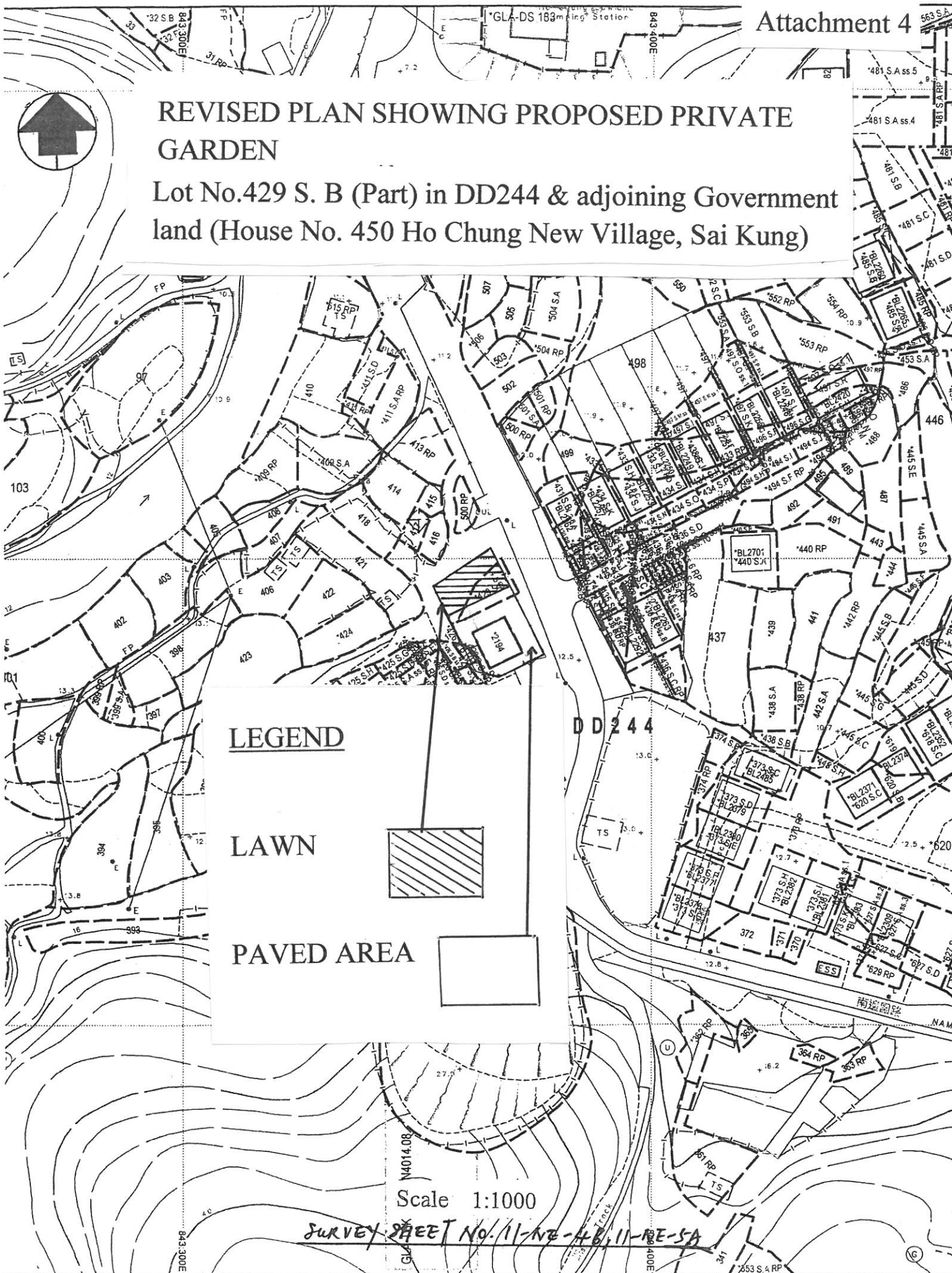
## LEGEND

LAWN

PAVED AREA

Scale 1:1000

SURVEY SHEET No. 11-NE-4B, 11-NE-5A





地政總署  
西貢地政處  
DISTRICT LANDS OFFICE, SAI KUNG  
LANDS DEPARTMENT

電話 Tel: 2972 5187  
圖文傳真 Fax: 2792 0706  
電郵地址 Email: [gendlask@landsd.gov.hk](mailto:gendlask@landsd.gov.hk)  
本署檔號 Our Ref.: (200) in DLO/SK 32/SHL/05  
來函檔號 Your Ref.:

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OFFICES, 34 CHAN MAN STREET, SAI KUNG  
NEW TERRITORIES

網址 Web Site: [www.landsd.gov.hk](http://www.landsd.gov.hk)

**By Recorded Delivery**

- 2 JAN 2013

Dear Sir,

Lot No. 2194 in Demarcation District No. 244

The house erected on the lot pursuant to New Grant No. 20956 under which the above lot has been granted has now been inspected and I hereby certify that all the positive obligations imposed on the Grantee of the above lot under the General and Special Conditions of New Grant No. 20956 have been complied with to my satisfaction.

This certification is given without prejudice to all or any rights of the Government whether under the said Conditions or otherwise in respect of any breach or failure to observe any of the said Conditions which may exist on the date hereof or which may hereafter occur.

As the building erected on the lot is exempted from the provisions of the Buildings Ordinance, Cap. 123 under the Buildings Ordinance (Application to the New Territories) Ordinance, Cap. 121 by virtue of Certificates of Exemption dated 16/11/2010 and 12/04/2012, no site formation, building or other plans have been approved by the Building Authority in respect of the above lot and the building erected thereon. Accordingly this certificate is not to be construed as a representation by Government that the building erected on the above lot or any works in connection therewith are structurally safe and Government expressly excludes any liability arising out of such construction or works.


In your own interest, you are advised to register this certificate in the Land Registry by memorial which shall be verified by the certificate of a solicitor in accordance with Regulation 7 of the Land Registration Regulations.

Yours faithfully,

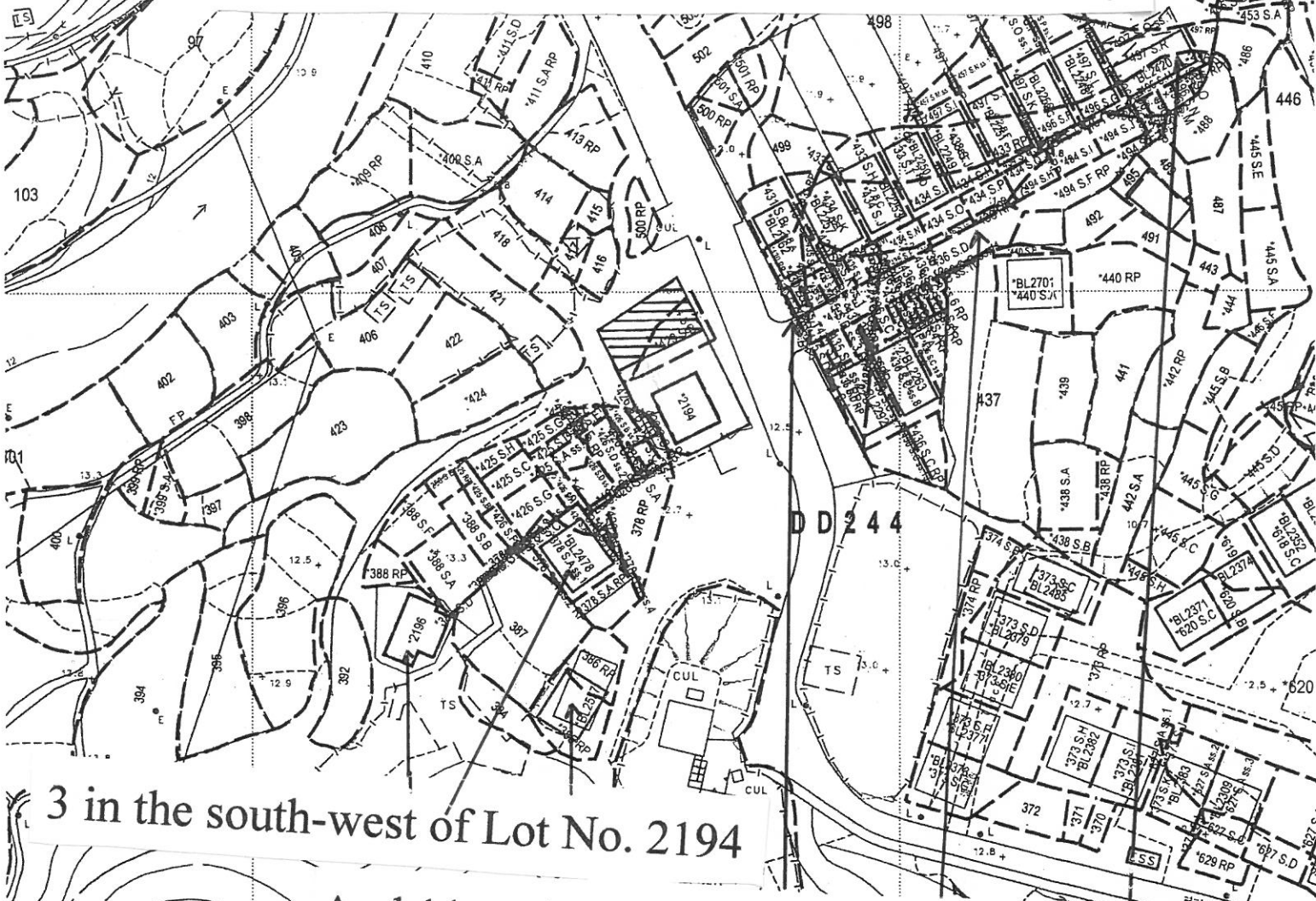
(Ken CHEUNG)  
for District Lands Officer/Sai Kung

c.c. CR & V (Attn. Tech. Secy. (Information)) – with plan  
DSO/SK – with plan

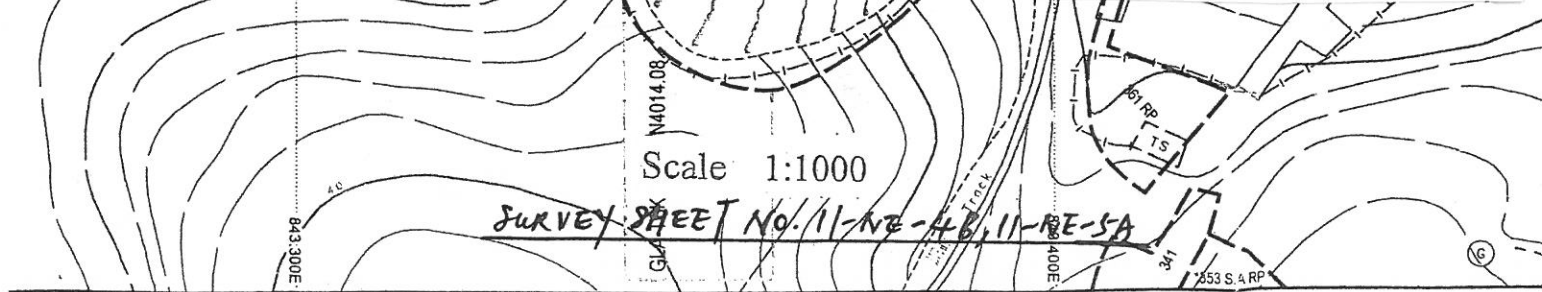


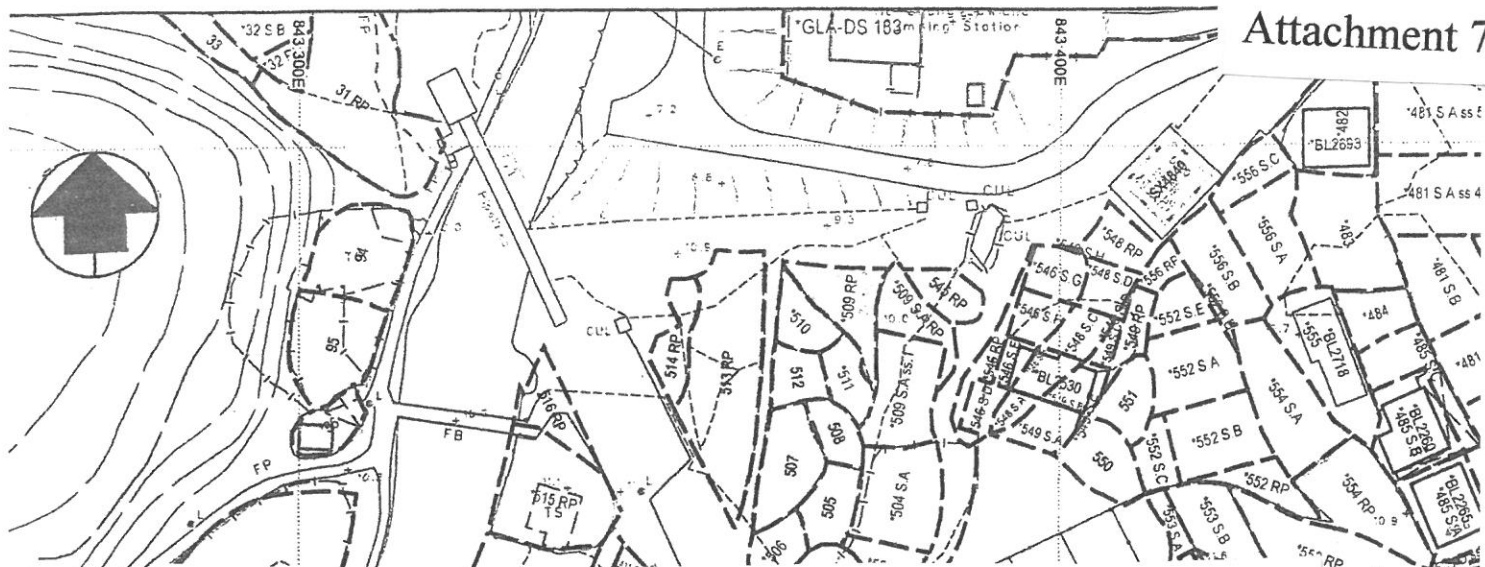


Plan showing the houses in the vicinity



And 11 to the right hand side of Lot 2194 across the track





Plan showing proposed sand trap and the septic tank



☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

**From:** Alex Yeung <[REDACTED]>

**Sent:** Tuesday, August 20, 2024 5:42 PM

**To:** [REDACTED]

**Subject:** S.16 Application for a private garden at House No. 450, Ho Chung New Village, Sai Kung

Dear Mr. YIP,

With reference to our tele-con. today, please be informed that there would not be any proposed structures in the simple garden. As a result there would be zero GFA in the proposed garden.

Thank you for your attention.

YEUNG Siu Fung.

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

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**From:** Alex Yeung <[REDACTED]>

**Sent:** Monday, October 14, 2024 5:02 PM

**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>

**Cc:** [REDACTED]

**Subject:** Response to Comments Part III (Planning Application No. A/SK-HC/354)

Dear Sir/Madam,

Please find attached document concerning  
our response to Antiquities and Monuments Office's  
comment for your necessary action.

Thank you for your kind attention.

YEUNG Siu Fung

## **Planning Application No. A/SK-HC/354**

Response to Departmental Comments in respect of the Application for a Temporary Private Garden on Lot 429 S. B in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) Part III.

- I. This Part III response is addressed to comments from Antiquities and Monuments office (AMO) attached to Email from Mr Jackin YIP of the Planning Department dated 7 October 2024

I have discussed again with Applicant Ms. LAM Yeuk Yin after receiving AMO's comments. She totally agrees to the responses provided below.

- II. The responses are numbered according to the priority as listed at AMO's comments:
1. We regret to inform that the construction work of the wall concerned was erected before 16/01/2015, the date when the current owner bought the small house on Lot 2194 and the agricultural Lot 429 S. B in DD244. As such the current owner has no knowledge of the digging work before her purchase of the properties.
  2. Paragraph 2 of the comment is noted. The owner hereby undertakes to take all reasonable measures to protect any antiquity items or supposed antiquity items should they be found in and around her premises.



3. As explained at Paragraph II. 1, the Applicant has no knowledge of the construction work nor possessed any photos showing the past construction on site. Moreover, she has not discovered any antiquity items or supposed antiquity items after dwelling there since 16/01/2015. The Applicant promises to report immediately to AMO when there is discovery of antiquities or supposed antiquities at the application site.

4. Paragraph 4 of the comment is noted. Though Applicant has no intention of any digging work in the future, she nevertheless would strictly adhere to the following directive:

‘It is obligatory for the Applicant to seek AMO’s comment if the development parameter and scope of works will require excavation and site formation at the application site’.

End of Response Part III.

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

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**From:** Alex Yeung <[REDACTED]>  
**Sent:** Thursday, October 24, 2024 12:28 PM  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Cc:** [REDACTED]  
**Subject:** Fwd: Response to Departmental Comments Part II: Planning Application No. A/SK-HC/354

Dear Sir/Madam,  
Subject: Response to Departmental Comments Part II: Planning Application No. A/SK-HC/354  
I forward below again our previous Response to Departmental Comments Part II, which was referred to your Offices on 19/09/24, for your inclusion as reference for the scheduled TPB Meeting on 20/12/24.  
Thank you very much for your attention.

YEUNG Siu Fung

----- Forwarded message -----  
寄件者： Alex Yeung <[REDACTED]>  
Date: 2024年9月19日 週四 下午7:01  
Subject: Response to Departmental Comments Part II: Planning Application No. A/SK-HC/354  
To: TPB Email <tpbpd@pland.gov.hk>  
Cc: [REDACTED]

Dear Sir/Madam,  
Temporary Private Garden for 3 Years at Lot 429 S. B (Part) in D.D. 244

And Adjoining Government land, House No. 450, Ho Chung New Village, Sai Kung, N. T.

I forward as attached our Response to Departmental Comments Part II for your necessary action.

Should you have any queries concerning the above, please contact the undersigned at tel. no. [REDACTED].

Thank you very much for your kind attention.

Best regards.

YEUNG Siu Fung

Attachments

Attachment 1: Response to Departmental Comments Part II

Attachment 2: Photo of the north-western portion of the proposed garden

Attachment 3: Photo of part of the proposed garden and vegetation in the north

Attachment 4: Photo of part of the proposed garden and adjacent area in the north

## **Planning Application No. A/SK-HC/354**

Response to Departmental Comments in respect of the Application for a Temporary Private Garden on Lot 429 S. B in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) Part II.

### **I. Second round of comments from concerned Departments**

I have discussed again with Applicant Ms. LAM Yeuk Yin after receiving the second round of departmental comments. She totally agrees to the responses provided below.

### **II. Comments from Construction Division, WSD**

1. Three photos showing the concerned portion and the adjacent area within the lower indirect Water Gathering Ground are enclosed for reference.
2. We shall follow and strictly adhere to the following directive:

‘No structures shall be built or materials stored within 3 metres from the centre-line of the water mains shown on the attached plan. Any unauthorized structures or materials located within the WWR obstructing operation and maintenance of the water mains shall be removed’.

3. The Applicant undertakes to vacate and clear the affected areas upon notification if such areas are required for development of a public purpose.

### **III. Comments from Environmental Protection Department (EPD)**

We note that there is no objection from EPD to the revised proposal of a simple private garden.

The Applicant will fully comply with the advice of EPD in observing the Water Pollution Control Ordinance (WPCO) in handling and discharging the wastewater arising from the proposed temporary use.

#### IV. Comments from DLO/SK, Lands D

DLO/SK's latest comment and advice are noted. It is the intention of the Applicant to apply for a simple private garden.

The green house would be taken away, and growing of vegetables would be stopped. All other unauthorized structures within the garden area other than the fencing wall, and flower bed outside the gate area would be cleared within 6 months from the date of approval of the S.16 Application.

Applicant is willing to pay any Short Term Tenancy and Waiver fees as required according to DLO/SK's practice if application for the two are being processed and approved.

As part of the wall stands on Lots Nos. 426 S. B RP & 426 S. C RP in DD244, owner's consent is being sought. The Applicant is confident that consent could be obtained.

#### V. Comments from Director of Agriculture Fisheries and Conservation (DAFC)

We must point out that other than 3 houses in the southwest of House No. 450 Ho Chung New Village, and the cluster of houses across the track, there are no active farming activities around the application site.



Between the houses and the stream course in the north there is a mud track and wild bushes are grown on both sides of the track.

In reality, there are a total of 15 houses in and around the application area. The rehabilitation of farming activities so close to the houses could only bring about uneasiness amongst the residents, create undesirable sanitary conditions (such as nasty smell, mosquitoes, flies and insects) and might even disturb local harmony.

As such we feel that it is more suitable for human habitation in and around the area of the houses rather than farming activities being carried out in the area.

Moreover, we are of the view that open-field cultivation, greenhouses, and plant nurseries, etc. may require chemical fertilizers in vegetable growing and flower plant culture. Such activities would certainly have a harmful effect to the WGG in the vicinity if wastewater is directly run into mud and eventually go to the stream course.

The revised proposal of a simple garden with a lawn, and the set up of the septic tank plus a sand trap for treating wastewater if any thus created would have very little effect, if not none at all on the WGG.

Strictly speaking, the revised proposal of a simple private garden with a lawn-which beautifies the local landscape, is best for the community in and around House No.450 Ho Chung New Village, Sai Kung.















☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy ☐Confidential

[REDACTED]

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寄件者: Alex Yeung <[REDACTED]>  
寄件日期: 2024年11月05日星期二 16:35  
收件者: tpbpd/PLAND  
副本: [REDACTED]  
主旨: Response to Comments Part IV (Planning Application No. A/SK-HC/354)  
附件: 20241105 Response to Comments Part IV.docx  
類別: Internet Email

Dear Sir/Madam,

Please find attached the document concerning  
our Response (Part IV) to Departmental Comments  
forwarded to me by Mr YIP via Email on 1 Nov 2024.

Thank you for your kind attention.

YEUNG Siu Fung



## **Planning Application No. A/SK-HC/354**

Response to Departmental Comments in respect of the Application for a Temporary Private Garden on Lot 429 S. B in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) Part IV.

### **I. Fourth round of comments from concerned Departments**

I have discussed again with Applicant Ms. LAM Yeuk Yin after receiving the fourth round of departmental comments. She totally agrees to the responses provided below.

### **II. Comments from Director of Agriculture Fisheries and Conservation (DAFC)**

As DAFC holds a different view, we have to point out the following once again:

Other than 3 houses in the southwest of House No. 450 Ho Chung New Village, and the cluster of houses across the track, there are no active farming activities around the application site.

Between the houses and the stream course in the north there is a mud track and wild bushes are grown on both sides of the track.

In reality, there are a total of 15 houses in and around the application area. The rehabilitation of farming activities so close to the houses could only bring about uneasiness amongst the residents, create undesirable sanitary conditions (such as nasty smell, mosquitoes, flies and insects) and might even disturb local harmony.

As such we feel that it is more suitable for human habitation in and around the area of the houses rather than farming activities being carried out in the area.

Moreover, we are of the view that open-field cultivation, greenhouses, and plant nurseries, etc. may require chemical fertilizers in vegetable growing

and flower plant culture. Such activities would certainly have a harmful effect to the WGG in the vicinity if wastewater is directly run into mud and eventually go to the stream course.

### III. Comments from Environmental Protection Department (EPD)

We note that there is no objection from EPD to the revised proposal of a simple private garden.

The Applicant will fully comply with the advice of EPD in observing the Water Pollution Control Ordinance (WPCO) in handling and discharging the wastewater arising from the proposed temporary use.

### IV. Comments from DLO/SK, Lands D

We are aware that DLO/SK's previous comments are still the same as before.

It is the intention of the Applicant to apply for a simple private garden.

The green house would be taken away, and growing of vegetables would be stopped. All other unauthorized structures within the garden area, and flower bed outside the gate area would be cleared within 6 months from the date of approval of the S.16 Application. This also includes clearing the affected areas within the WWR of the WSD, but not other parts of the fence wall not affected by public development.

Applicant is willing to pay any Short Term Tenancy and Waiver fees as required according to DLO/SK's practice if application for the two are being processed and approved.

As part of the wall stands on Lots Nos. 426 S. B RP & 426 S. C RP in DD244, owner's consent is being sought. The Applicant is confident that consent could be obtained.

## V. Comments from Construction Division, WSD

The advice from WSD is fully noted.

We hereby clarified that it is the long term aim of the Applicant to apply for a simple private garden (with partly paved area and partly lawn), and she undertakes that no pesticide or chemicals such as fertilisers etc., will be used.

## VI. Conclusion

From the comments of DAFC and WSD, we notice that there are contrasting opinions regarding the usage of land under application.

The advocacy of farming activities by DAFC would likely entail the use of pesticide or chemical fertilizers etc., which is strongly against by WSD on the grounds of not polluting the WGG.

Applicant's current revised proposal of a simple garden, the non-use of pesticide or chemical fertilizers etc., plus the set up of the septic tank and a sand trap for treating wastewater if any thus created would have very little effect, if not none at all on the WGG.

Strictly speaking, the revised proposal of a simple private garden with a lawn-which beautifies the local landscape, is best for the community in and around House No.450 Ho Chung New Village, Sai Kung.

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy ☐Confidential

[REDACTED]

---

寄件者: Alex Yeung <[REDACTED]>  
寄件日期: 2024年11月25日星期一 12:13  
收件者: tpbpd/PLAND  
副本: [REDACTED]  
主旨: Response to Comments Part V (Planning Application No. A/SK-HC/354)  
附件: 20241125 Response Part V.docx; 20241125 Photo showing House before Transaction.jpg; 20241125 Photo showing House before Transaction 2.jpg  
  
類別: Internet Email

Dear Sir/Madam,

Concerning the recent enquiry by the Antiquities and Monument Office as referred by Mr. YIP of PlanD on 22/11/2024, I have discussed with the Applicant and responded as attached.

Attachments

1. Response to Comments Part V.
2. Photo showing the condition of the House, paved area and the wall before transaction (1);
3. Photo showing the condition of the House, paved area and the wall before transaction (2).

Thank you for your attention.

YEUNG Siu Fung

**Planning Application No. A/SK-HC/354**

Response to Departmental Comments in respect of the Application for a Temporary Private Garden on Lot 429 S. B in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) Part V.

- I. Recent Enquiry from the Antiquities and Monument Office as to the condition of the paved area, porch in front of the House, and the green house on Government land

I have discussed again with Applicant Ms. LAM Yeuk Yin.  
Please note our response below:

The small house lot plus the private agricultural lot within the fenced - up wall and part of the paved garden in front of the house was bought by current owner and Applicant Ms LAM Yeuk Yin on 16.01.2015. Two photos showing the then situation before transaction are attached.

As for the porch in front of the house facing the garden, together with the green house were erected by Applicant immediately after she bought the property. As the two features are light structures only, Ms. LAM only disturb the top soil when putting up the porch and the green house. She recalled also that there were no drawings nor records of construction of the two features, nor finding any antiquities when putting up the aforesaid two features.









☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy ☐C

**From:** Alex Yeung <[REDACTED]>

**Sent:** Friday, November 29, 2024 10:38 AM

**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>

**Cc:** Jackin Ho Yeung YIP/PLAND [REDACTED]

**Subject:** Response to Comments Part VI (Planning Application No. A/SK-HC/354)

Dear Sir/Madam,

Concerning the latest comment from AMO as referred by Mr YIP of PlanD on 28/11/2024, I have discussed with the Applicant and responded as attached.

Attachments:

1. Response to Comments Part VI;
2. Photo 1-Showing area without porch before the transaction of the property;
3. Photo 2-Showing area without greenhouse before the transaction of the property;
4. Photo 3-Showing area of porch during construction after the transaction of the property;
5. Photo 4-Showing area of greenhouse during construction after the transaction of the property; and
6. Photo 5-Showing the porch and greenhouse at the present moment.

Thank you for your kind attention.

YEUNG Siu Fung

**Planning Application No. A/SK-HC/354**

Response to Departmental Comments in respect of the Application for a Temporary Private Garden on Lot 429 S. B in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) Part VI.

As to the latest Enquiry from the Antiquities and Monument Office regarding to the photos showing the Application site before, during and after the construction of the porch and green house.

Please note the following:

1. I have discussed again with Applicant Ms. LAM Yeuk Yin. Please note our response below.
2. Photos showing Application site before, during and after the construction of the porch and greenhouse are attached for reference.
3. Please be informed that the porch was constructed with wooden frame and fiberglass in between.
4. As for the greenhouse, it was constructed with light material of transparent fiberglass for passage of sunlight.
5. Both structures are erected on the cement surface which was built before Ms. LAM bought the property on 16.01.2015.
6. The Applicant hereby undertakes not to further disturb the SAI by construction and any other work without approval from AMO and any other relevant authorities.























**Previous Applications Covering the Application Site**

**Approved Application**

<b>Application No.</b>	<b>Proposed Use(s)</b>	<b>Date of Consideration</b>	<b>Approval Condition(s)</b>
A/SK-HC/167	Proposed House (New Territories Exempted House – Small House)	7.11.2008	(1) to (3)

**Approval Condition(s)**

- (1) submission of archaeological survey before the commencement of any construction works and rescue excavation should be undertaken should archaeological remains be found;
- (2) provision of fire fighting access, water supplies and fire service installations; and
- (3) submission and implementation of landscape proposal.

**Rejected Application**

<b>Application No.</b>	<b>Proposed Use(s)</b>	<b>Date of Consideration</b>	<b>Rejection Reason(s)</b>
A/SK-HC/13	12 3-storey Village-type Houses	7.10.1994	(1) to (4)

**Rejection Reason(s)**

- (1) the proposed development is not in line with the planning intention for the area which is to retain the safeguard for agricultural purposes good arable land well served by irrigation, servicing and marketing facilities;
- (2) adequate land suitable for small house development has been reserved within the "Village Type Development" zone for Ho Chung;
- (3) the layout of the proposed development is unacceptable as it fails to provide an emergency vehicular access to cater for the proposed development; and
- (4) approval of the proposed development will set a precedent for similar applications leading to the loss of agricultural land and cause adverse cumulative effects on the environment and infrastructural provisions in the area.

**Similar Application within/straddle the same “Agriculture” (“AGR”) Zone**  
**on the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11**

**Approved Application**

<b>Application No.</b>	<b>Location</b>	<b>Zoning</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/SK-HC/300 Temporary Private Swimming Pool and Garden for a Period of 3 Years	Lot 479 in D.D.244, Ho Chung, Sai Kung, New Territories	“V” & “AGR”	4.1.2019	(a) to (c)

**Approval Conditions:**

- (a) submission of fire service installations and water supplies for firefighting;
- (b) in relation to (a) above, the implementation of fire service installations and water supplies for firefighting; and
- (c) if any of the above planning conditions (a) or (b) is not complied with by the specified dates, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

**Government Departments' General Comments**

**1. Land Administration**

Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- no objection to the application; and
- apart from the application site, portions of Lots No. 426 S.B RP and 426 S.C RP in D.D. 244 not covered by the subject planning application are fenced off for private garden use;
- the application site comprises Old Schedule Agricultural Lot No. 429 S.B in D.D. 244 held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government and Government land;
- the said private lot is not covered by any Short Term Waiver (STW) and the Government land in the application site is not covered by any Short Term Tenancy (STT);
- the following irregularities covered by the subject planning application have been detected by his office:

**Unauthorized structure(s) within the said private lot covered by the planning application**

- (i) there is unauthorized structure (i.e. a portion of a greenhouse) on the said private lot. The lot owner should immediately rectify/regularize the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice.

**Unlawful occupation of Government land adjoining the said private lot with unauthorized structures covered by the planning application**

- (i) the Government land within the application site has been fenced off / illegally occupied with unauthorized structure (i.e. a portion of greenhouse) without any permission. Any occupation of Government land without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the illegal occupation of Government land without further notice.
- The following irregularities not covered by the subject planning application have been detected by his office:

Unauthorized structure(s) within the said private lot not covered by the planning application

- (i) there is unauthorized structure (i.e. a portion of a trellis) within the said private lot not covered by the subject planning application. The lot owner should immediately rectify/regularize the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice.

Unlawful occupation of Government land with unauthorized structures not covered by the planning application

- (i) there are unauthorized structures (i.e. a canopy, a pond and a portion of a trellis) on the Government land within the application site not covered by the subject planning application. Moreover, there is another piece of Government land adjoining the application site has been illegally occupied with unauthorized structure (i.e. a raised flower bed) without permission and is not included in the application. Any occupation of Government land without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the illegal occupation of Government land without further notice.
- the buildings/structures under the applicant's submission do not tally with DLO/SK's records. According to his site inspection, apart from the greenhouse as mentioned in the application form, (a) a canopy and a pond were found on the Government land within the application site; (b) a trellis was found on the said private lot and the Government land within the application site; and (c) a raised flower bed was found on the Government land outside the application site;
- the lot owner/applicant shall either (i) remove the unauthorized structures and cease the illegal occupation of the Government land not covered by the subject planning application immediately; or (ii) include the unauthorized structures and the adjoining Government land being illegally occupied in the subject planning application for the further consideration by the relevant departments and, subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for a STW and STT to permit the structure(s) erected and the occupation of the Government land. The application for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW and STT, if approved, will be subject to such terms and conditions including the payment of waiver fee/rent and administrative fee as considered appropriate to be imposed by LandsD. Besides, given the proposed use is temporary in nature, only erection

of temporary structure(s) will be considered. In addition, LandsD reserves the rights to take enforcement action against the lot owner/applicant for any breach of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of Government land; and

- according to the site inspection, the greenhouse under application is not considered compatible with private garden use and will not be permissible in STT and STW, if eventually granted, for the purpose of private garden.

## **2. Traffic**

(a) Comments of the Commissioner for Transport:

- no objection to the application; and
- the access road leading to the Site is not under the management of Transport Department.

(b) Comments of the Chief Highway Engineer/New Territories East, Highways Department:

- no comment on the application from highway maintenance point of view as the Site is outside the maintenance jurisdiction of the Highways Department.

## **3. Landscape**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department:

- with reference to aerial photo in 2023, the Site is situated in an area of settled valleys landscape predominated by tree groups, scrubland and small houses/low rise residential setting. The applied use is considered not incompatible with the surrounding landscape character; and
- noting the Site is fenced off and already used as a 'private garden', the Site is predominantly occupied by tree and plot plantings and lawn area. As the application 'seeks to regularise the current private garden use' as mentioned, and 'no tree felling' / 'no landscape impact' as stated in the application form, we have no comment on the application from landscape planning perspective.

## **4. Environment**

Comments of the Director of Environmental Protection:

- no objection to the application as no adverse environmental impact from the proposed temporary use is anticipated.

## **5. Water Supply**

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

- no adverse comments in general as it is noted that a simple lawn is within the WGG without the use of pesticide or chemicals such as fertilizers etc.



## 6. **Fire Safety**

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

- no objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of the D of FS, and the proposed private garden would not encroach on any existing emergency vehicular access (EVA) or planned EVA under application in accordance with LandsD's record.

## 7. **District Officer's Comments**

Comments of the District Officer (Sai Kung), Home Affairs Department:

- no comment on the application; and
- no works project or facilities of Sai Kung District Office will be affected by the application.

## 8. **Other Departments**

The following government departments have no objection to or no comment on the application:

- Chief Engineer/Mainland South, Drainage Services Department;
- Chief Engineer (Works), Home Affairs Department;
- Project Manager (East), East Development Office, Civil Engineering and Development Department (CEDD);
- Head of Geotechnical Engineering Office, CEDD; and
- Chief Building Surveyor/New Territories East (2) and Rail, Buildings Department.

**Recommended Advisory Clauses**

- (a) to note the comments of the Director of Environmental Protection that the applicant is advised to observe and comply with the Water Pollution Control Ordinance in handling and discharging the wastewater arising from the proposed temporary use;
- (b) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department that adequate stormwater drainage collection should be provided in connection with the applied use to deal with the surface runoff of the application site (the Site) or the same flowing onto the Site from the adjacent areas without causing any adverse drainage impacts or nuisance to the adjoining areas;
- (c) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant should submit relevant layout plans incorporated with the proposed FSIs to FSD for approval. In addition, the applicant should note that:
  - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
  - (ii) the location of the proposed FSIs to be installed should be clearly marked on the layout plans;  
and
  - (iii) the applicant is reminded that if the proposed structures are required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

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**From:** [REDACTED]  
**Sent:** 2024-05-27 星期一 03:11:54  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** A/SK-HC/354 DD 244 Ho Chung New Village

A/SK-HC/354

Lot 429 S.B (Part) in D.D. 244 and Adjoining Government Land, Ho Chung New Village, Sai Kung

Site area: About 282.33sq.m Includes Government Land of about 216.77sq.m

Zoning: "Agriculture"

Applied use: Private Garden

Dear TPB Members,

Strong Objections. Google Maps indicate that the Government Land has been enclosed for some time without the requisite approval. Has any enforcement action been taken?

Approval of application effectively condones the take over of public land for private use, a wide spread practice that has been tolerated for far too long.

It would also set a precedent and encourage further encroachment onto both Agriculture zoning and Government Land.

Members should question the status of the multiple parking lots close by that also appear to have no approval.

Mary Mulvihill

---

**From:** [REDACTED]  
**Sent:** 2024-09-19 星期四 02:21:20  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Cc:** FS Office/FSPO <fso@fso.gov.hk>  
**Subject:** Re: A/SK-HC/354 DD 244 Ho Chung New Village

Dear TPB Members,

In scenarios like this in which it is obvious that government land has been used without approval for many years does the administration bill for the past use?

In view of the government finances, FS should look into this matter.

Mary Mulvihill

---

**From:** [REDACTED]  
**To:** tpbpd <tpbpd@pland.gov.hk>  
**Date:** Monday, 27 May 2024 3:11 AM HKT  
**Subject:** A/SK-HC/354 DD 244 Ho Chung New Village

A/SK-HC/354

Lot 429 S.B (Part) in D.D. 244 and Adjoining Government Land, Ho Chung New Village, Sai Kung

Site area: About 282.33sq.m Includes Government Land of about 216.77sq.m

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Dear TPB Members,

Strong Objections. Google Maps indicate that the Government Land has been enclosed for some time without the requisite approval. Has any enforcement action been taken?

Approval of application effectively condones the take over of public land for private use, a wide spread practice that has been tolerated for far too long.

It would also set a precedent and encourage further encroachment onto both Agriculture zoning and Government Land.

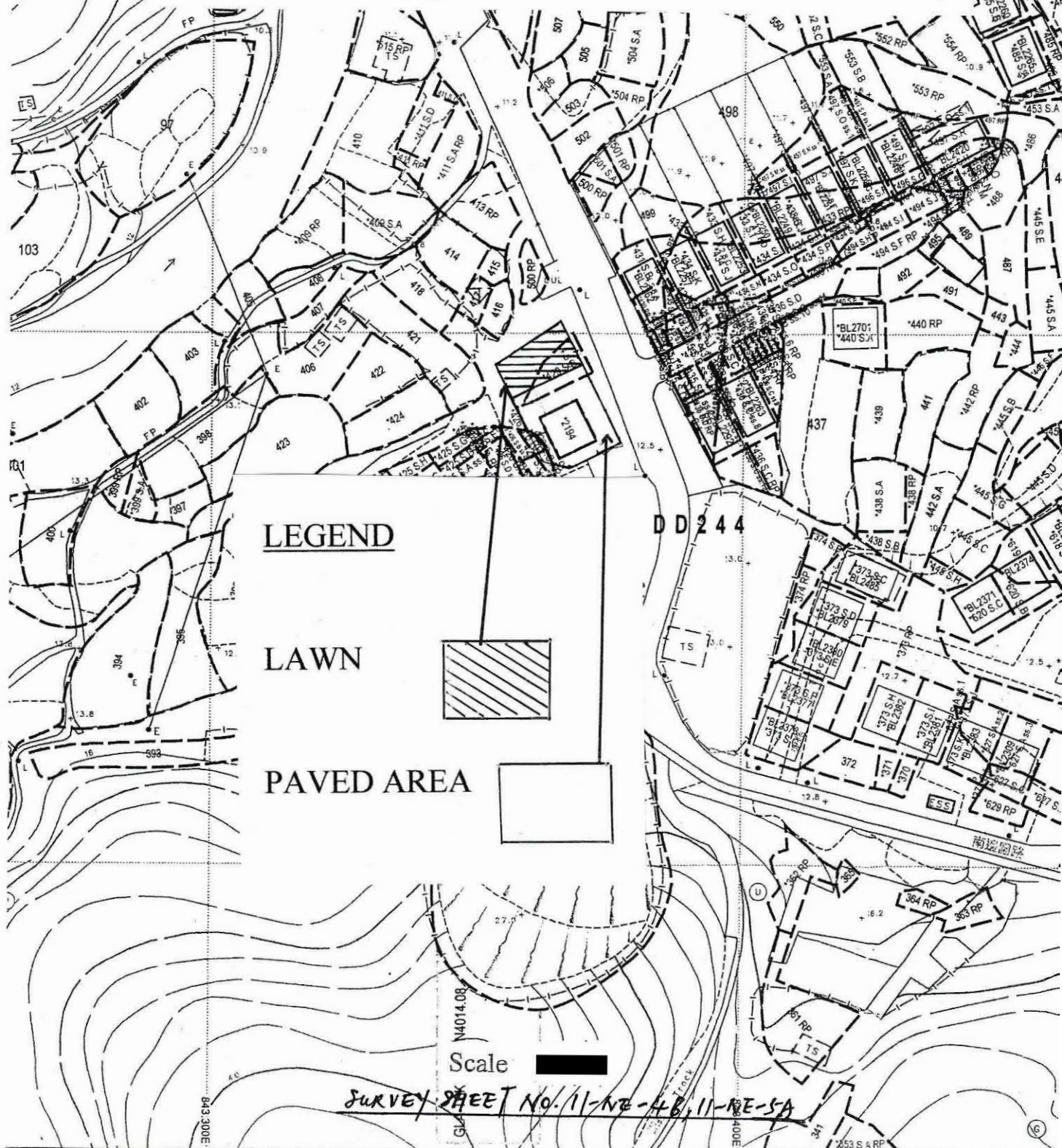
Members should question the status of the multiple parking lots close by that also appear to have no approval.

Mary Mulvihill




# REVISED PLAN SHOWING PROPOSED PRIVATE GARDEN

Lot No.429 S. B (Part) in DD244 & adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung)





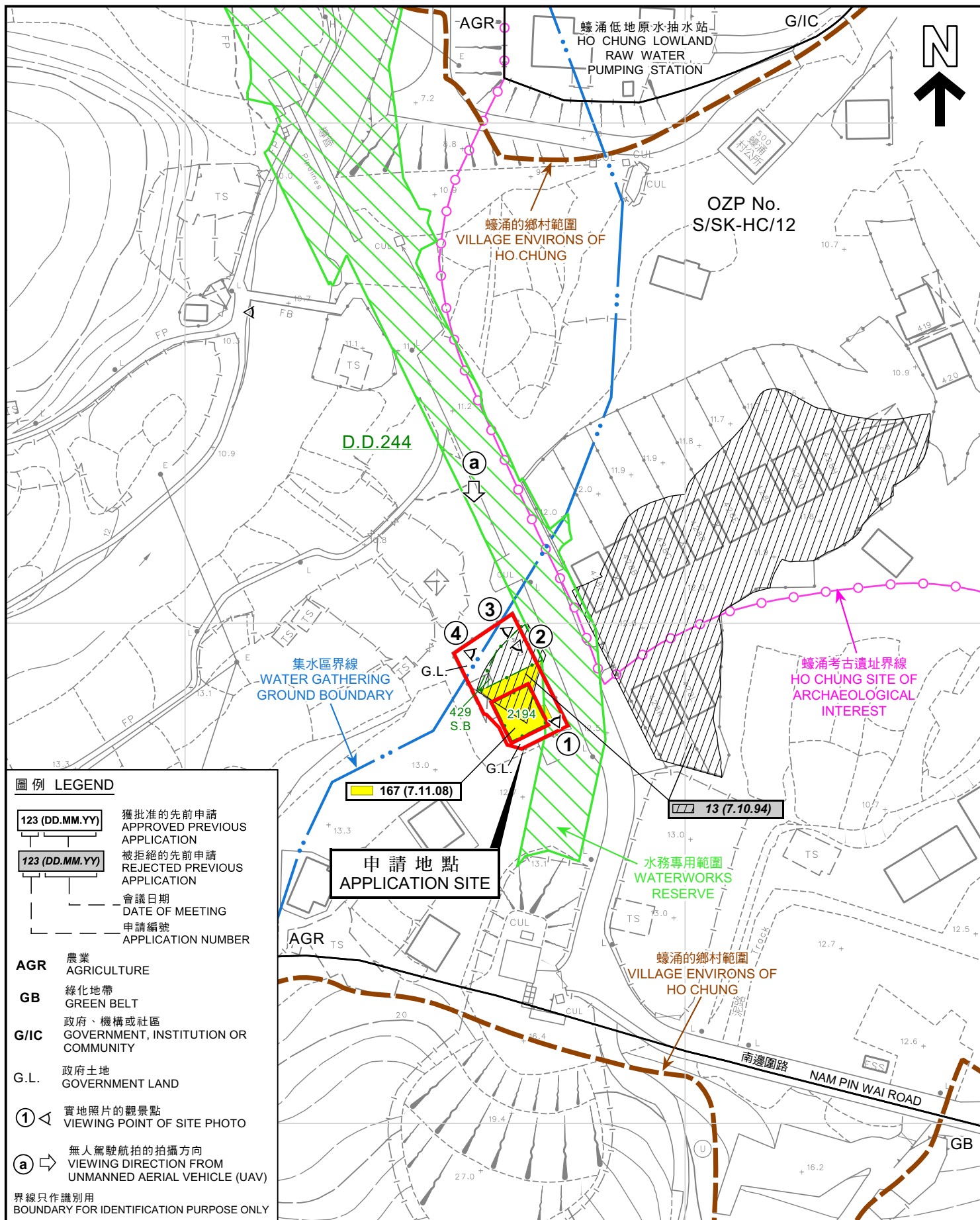


Plan showing proposed sand trap and the septic tank









圖例 LEGEND

- 123 (DD.MM.YY) 獲批准的先前申請  
APPROVED PREVIOUS APPLICATION
- 123 (DD.MM.YY) 被拒絕的先前申請  
REJECTED PREVIOUS APPLICATION
- 會議日期  
DATE OF MEETING
- 申請編號  
APPLICATION NUMBER

- AGR 農業  
AGRICULTURE
- GB 綠化地帶  
GREEN BELT
- G/IC 政府、機構或社區  
GOVERNMENT, INSTITUTION OR COMMUNITY
- G.L. 政府土地  
GOVERNMENT LAND

- ① 實地照片的觀景點  
VIEWING POINT OF SITE PHOTO

- Ⓐ 無人駕駛航拍的拍攝方向  
VIEWING DIRECTION FROM UNMANNED AERIAL VEHICLE (UAV)

界線只作識別用  
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本摘要圖於2024年11月22日擬備，  
所根據的資料為測量圖編號  
11-NE-4B

EXTRACT PLAN PREPARED ON 22.11.2024  
BASED ON SURVEY SHEET No.  
11-NE-4B

平面圖 SITE PLAN

臨時私人花園（為期3年）  
西貢蠔涌新村丈量約份第244約地段第429號B分段（部分）  
和毗連政府土地  
TEMPORARY PRIVATE GARDEN FOR A PERIOD OF 3 YEARS  
LOT 429 S.B (PART) IN D.D. 244 AND ADJOINING GOVERNMENT LAND,  
HO CHUNG NEW VILLAGE, SAI KUNG

SCALE 1:1 000 比例尺  
米 20 0 20 40 米  
METRES

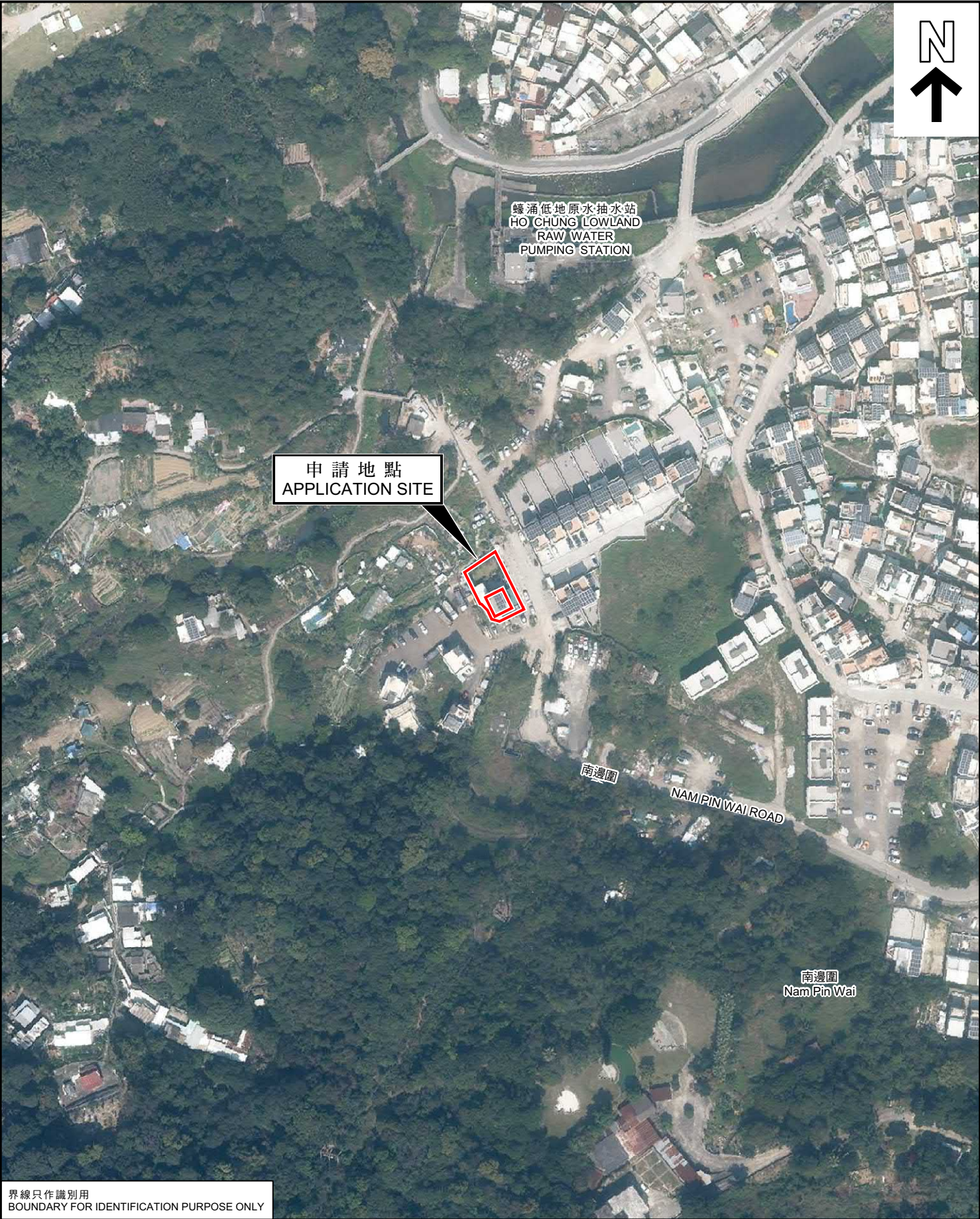
規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/SK-HC/354

圖 PLAN  
A-2





界線只作識別用  
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本摘要圖於2024年9月10日擬備，所根據的資料為地政總署於2023年3月1日拍得的航攝照片編號E195010C  
EXTRACT PLAN PREPARED ON 10.9.2024 BASED ON AERIAL PHOTO No. E195010C TAKEN ON 1.3.2023 BY LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

臨時私人花園（為期3年）  
西貢蠔涌新村丈量約份第244約地段第429號B分段（部分）  
和毗連政府土地  
TEMPORARY PRIVATE GARDEN FOR A PERIOD OF 3 YEARS  
LOT 429 S.B (PART) IN D.D. 244 AND ADJOINING GOVERNMENT LAND,  
HO CHUNG NEW VILLAGE, SAI KUNG

規劃署  
PLANNING  
DEPARTMENT

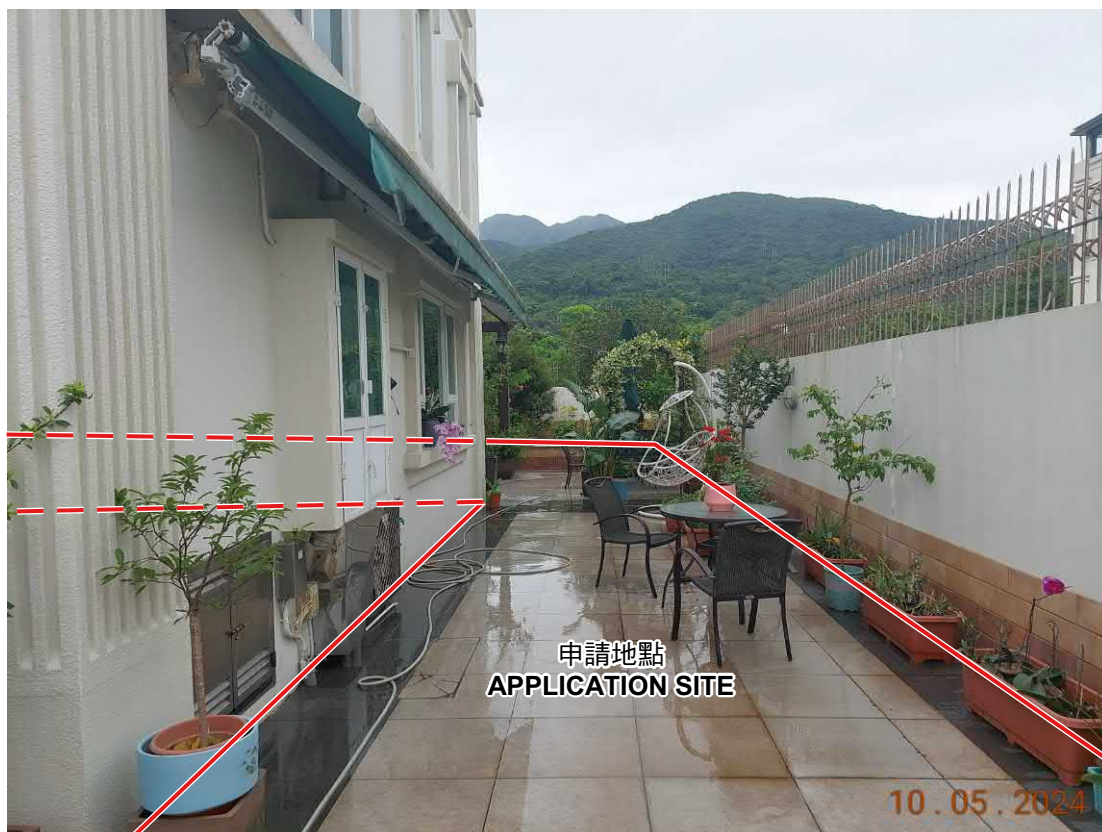


參考編號  
REFERENCE No.  
A/SK-HC/354

圖 PLAN  
A-3



1



2



界線只作識別用  
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

### 實地照片 SITE PHOTO

臨時私人花園（為期3年）  
西貢蠔涌新村丈量約份第244約地段第429號B分段（部分）  
和毗連政府土地  
TEMPORARY PRIVATE GARDEN FOR A PERIOD OF 3 YEARS  
LOT 429 S.B (PART) IN D.D. 244 AND ADJOINING GOVERNMENT LAND,  
HO CHUNG NEW VILLAGE, SAI KUNG

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/SK-HC/354

圖 PLAN  
A-4a

本圖於2024年9月13日擬備，所根據的資料  
為攝於2024年5月10日的實地照片  
PLAN PREPARED ON 13.9.2024  
BASED ON SITE PHOTOS  
TAKEN ON 10.5.2024

3



4



界線只作識別用  
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

### 實地照片 SITE PHOTO

本圖於2024年11月27日擬備，所根據的資料  
為攝於2024年5月10日的實地照片  
PLAN PREPARED ON 27.11.2024  
BASED ON SITE PHOTOS  
TAKEN ON 10.5.2024

臨時私人花園（為期3年）  
西貢蠔涌新村丈量約份第244約地段第429號B分段（部分）  
和毗連政府土地  
TEMPORARY PRIVATE GARDEN FOR A PERIOD OF 3 YEARS  
LOT 429 S.B (PART) IN D.D. 244 AND ADJOINING GOVERNMENT LAND,  
HO CHUNG NEW VILLAGE, SAI KUNG

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/SK-HC/354

圖 PLAN  
A-4b



a

南邊圍路  
NAM PIN WAI ROAD



界線只作識別用  
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

### 實地照片 SITE PHOTO

本圖於2024年9月16日擬備，所根據的資料  
為攝於2024年8月30日的無人駕駛航拍照片  
PLAN PREPARED ON 16.9.2024 BASED ON  
UNMANNED AERIAL VEHICLE (UAV)  
PHOTO TAKEN ON 30.8.2024

臨時私人花園（為期3年）  
西貢蠔涌新村丈量約份第244約地段第429號B分段（部分）  
和毗連政府土地  
TEMPORARY PRIVATE GARDEN FOR A PERIOD OF 3 YEARS  
LOT 429 S.B (PART) IN D.D. 244 AND ADJOINING GOVERNMENT LAND,  
HO CHUNG NEW VILLAGE, SAI KUNG

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/SK-HC/354

圖 PLAN  
A-4c

**Agenda Item 5**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HC/354          Temporary Private Garden for a Period of 3 Years in “Agriculture”  
Zone, Lot 429 S.B (Part) in D.D. 244 and Adjoining Government Land,  
Ho Chung New Village, Sai Kung  
(RNTPC Paper No. A/SK-HC/354B)

---

**Presentation and Question Sessions**

13.            With the aid of some plans, Ms Tammy S.N. Kong, STP/SKIs, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.



14. Two Members raised the following questions:

- (a) whether there was any definition of a private garden;
- (b) whether a covered structure within the garden could be regarded as private garden use; and
- (c) if the crops and plants cultivated in the private garden were solely for personal use and not for sale, whether this could be regarded as agricultural use.

15. In response, Ms Tammy S.N. Kong, STP/SKIs, made the following main points:

- (a) while there was no specific definition of a private garden in planning terms, the general meaning was applicable. In the subject case, the applied private garden referred to the land area fenced off and used exclusively by the residents of the adjoining New Territories Exempted House for personal enjoyment;
- (b) depending on the actual usage, a covered structure (e.g. a house with air-conditioning) generally would not be regarded as private garden use; and
- (c) agricultural use generally referred to any land used for growing crops and plants, and rearing of animals and fish for the purpose of providing food and other products. The cultivation of flowers and potted plants for future planting out or sale would be regarded as plant nursery, which was subsumed under agricultural use. The land use nature of each proposal would be considered on a case-by-case basis, taking into account the size of the site, the types and scale of the plants being grown, and the mode of operation.

16. After deliberation, the Committee decided to reject the application. The reason was:

“the applied use is not in line with the planning intention of “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. There is no strong justification given in the submission for a departure from the planning intention, even on a temporary basis.”



**城市規劃委員會**

香港北角渣華道三百三十三號  
北角政府合署十五樓

**TOWN PLANNING BOARD**

15/F., North Point Government Offices  
333 Java Road, North Point,  
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/SK-HC/354

By Post

20 December 2024

Yeung Siu Fung



Dear Sir/Madam,

**Temporary Private Garden for a Period of 3 Years  
in "Agriculture" Zone, Lot 429 S.B (Part) in D.D. 244 and  
Adjoining Government Land, Ho Chung New Village, Sai Kung**

I refer to my letter to you dated 3.12.2024.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reason is :

- the temporary private garden is not in line with the planning intention of "Agriculture" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. There is no strong justification given in the submission for a departure from the planning intention even on a temporary basis.

A copy of the TPB Paper in respect of the application is available at TPB website at this link ([https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/755\\_rnt\\_agenda.html](https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/755_rnt_agenda.html)). The relevant extract of minutes of the TPB meeting held on 6.12.2024 is enclosed herewith for your reference.

Under section 17(1) and 17(1A) of the Town Planning Ordinance (the Ordinance), an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. The application must be in writing and must set out the grounds for the review. If you wish to seek a review, you should inform me and provide the grounds for review within 21 days from the date of this letter (on or before 10.1.2025). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Ms. Tammy Kong of the Sai Kung & Islands District Planning Office at 2158 6162.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Leticia', written over a horizontal line.

( Leticia LEUNG )  
for Secretary, Town Planning Board



☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

**From:** Alex Yeung <[REDACTED]>  
**Sent:** Friday, January 3, 2025 11:54 AM  
**To:** tpbpd/PLAND <[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)>  
**Subject:** Application for Review: Planning Application No. A/SK-HC/354

Dear Sir/Madam,

Planning Application No. A/SK-HC/354

Temporary Private Garden for 3 Years at Lot 429 S. B (Part) in D.D. 244

And Adjoining Government Land, Ho Chung New Village, Sai Kung, N. T.

Thank you for your letter of 20 December 2024 informing us that the captioned application case has been rejected.

2. Under section 17(1) and 17 (1A) of the Town Planning Ordinance, Ms. LAM Yeuk Yin would like to apply for a review of the decision.

3. Grounds for Review

It is also the intention of the Applicant to use the proposed temporary private garden for growing organic vegetables for consumption.

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

We are of the view that growing of such vegetables is agricultural in nature.

Thank you very much for your kind attention.

Yours faithfully,

YEUNG Siu Fung



Dear Sir/Madam,

Concerning the captioned review application, I attach herewith the following for your necessary action:

1. Appendix I-Response Reply;
2. Attachment 1 of App. I;
3. Attachment 2 of App. I;
4. Appendix II-Risk Assessment Report on Water Quality (Revised); and
5. Attachments 1 to 8 of Appendix II.

Thank you for your kind attention.

1

## Appendix I

### **Planning Application No. A/SK-HC/354 - Review Application**

Our Response to Departmental Comments in respect of the Application for a Temporary Private Garden on Lot 429 S. B (Part) in DD244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung)

#### I. Revised proposal of a simple private garden with a cultivation plot of Organic Vegetables

The Applicant Ms. LAM Yeuk Yin has now decided to grow organic vegetables in the proposed private garden.

Ms LAM remarked that in view of departmental comments given before plus the fact that there is no public sewer at the present location and in the vicinity, she now desires to grow organic vegetables inside the proposed private garden. The green house would be taken away, part of the lawn immediately in front of the house would be paved and the remainder of the area would be used to grow organic vegetables.

The Plan showing this latest proposal is at Attachment 1.

A compiled Report on growing Organic Vegetables is at Attachment 2 for reference.

#### II. Comments from Construction Division, WSD as at 13.2.2025

The concerns of WSD are addressed by Mr PAU Wah Lung - a Registered Architect, Fellow Member of HKIA & an Authorized Person – Architect.

Mr PAU has provided a revised and updated Risk Assessment Report. He is of the view that the revised proposal of a simple garden with the growing of organic vegetables, and with the setting up of the sand trap plus the septic tank immediately beneath land at Lot 429 S. B (Part) in DD244 will not



cause any contamination to the Water Gathering Ground (WGG), and will not pose any threat to water quality in and around the area.

The aforesaid Risk Assessment Report (Revised) is attached at Appendix II.

III. Comments from Environmental Protection Department (EPD) as at 24.2.2025

With reference to Paragraph 2 of the comment and enquiry, please note following clarifications:

- (i) In the s.17 application the Applicant proposes the growing of Organic Vegetables in the private garden. Please note the Report on growing Organic Vegetables at Attachment 2 of this Response Reply for reference.
- (ii) As organic farming is a system of agricultural production based on the use of natural processes and resources, only compost tea will be used as fertilizer and no chemicals or genetically modified organisms are being used whatsoever. Therefore, chemicals such as pesticide, herbicides, toxicants, chemical solvents, etc. will not be stored or used within the applicant site under the latest proposal.
- (iii) Our current plan is to let any surplus water arising from the growing of organic vegetables to pass through a proposed sand trap and dispose to a new septic tank to be constructed at Lot 429 S. B (Part) in DD244.

The Applicant will fully comply with the advice of EPD in observing the Water Pollution Control Ordinance (WPCO) 'in handling and discharging the waste water arising from the proposed temporary use'.

IV. Comments from Director of Agriculture Fisheries and Conservation (DAFC) as at 24.2.2025

We are familiar with the area. There are 3 houses in the southwest of House No. 450 Ho Chung New Village, and a cluster of 11 houses across the track. Between the houses and the stream course in the north there is a mud track and wild bushes are grown on both sides of the track. We are of the opinion that it is more suitable for human habitation in and around the area of the

houses rather than normal farming activities as the latter would bring about unsanitary conditions (such as nasty smell, mosquitoes, flies and insects).

We are of the view that open-field cultivation, greenhouses, and plant nurseries, etc. may require chemical fertilizers in vegetable growing and flower plant culture. Such activities would certainly have harmful effect to the WGG in the vicinity if wastewater is directly run into mud and eventually go to the stream course.

The latest proposal of a simple garden for growing organic vegetables is hygienic and environment-friendly, and the set up of the septic tank plus a sand trap for treating wastewater if any thus created would have very little effect, if not none at all on the WGG.

A compiled Report on growing Organic Vegetables is at Attachment 2 for reference.

We are of the view that the growing of organic vegetables in the proposed private garden should satisfy the 'agricultural perspective' as advocated by DAFC.

V. Comments from DLO/SK as at 24.2.2025

DLO/SK's comments from Items 1 to 10 are noted.

As a result of DLO/SK's comment and advice, Applicant now decides to have a simple private garden for growing Organic Vegetables.

The green house would be taken away. All other unauthorized structures within the garden area would be cleared. Details of the latest proposal are described at Paragraph I of this Response Reply.

Moreover, Applicant is willing to pay any outstanding Short Term Tenancy and Waiver fees as required according to DLO/SK's practice.

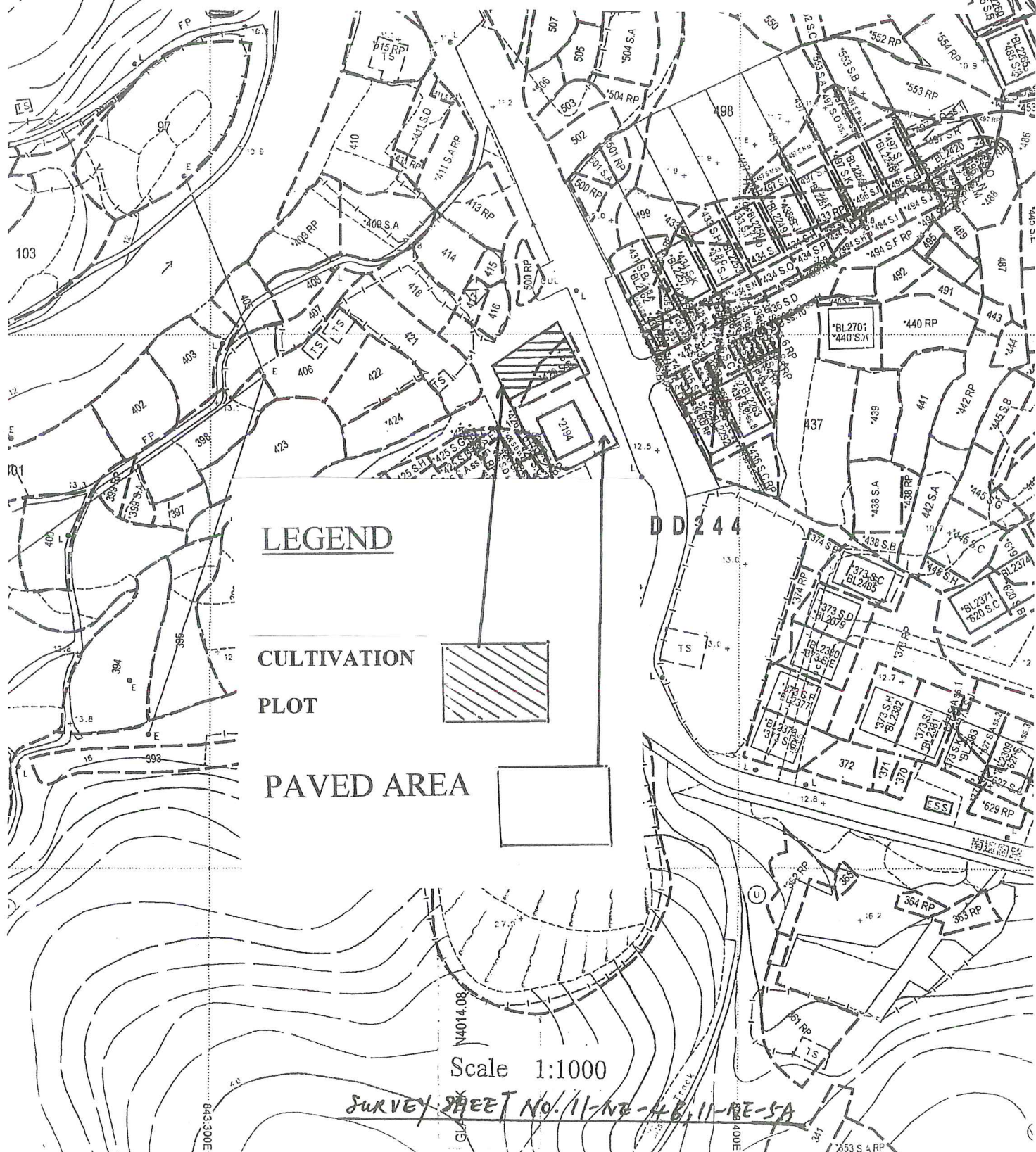
As part of the wall stands on Lots Nos. 426 S. B RP & 426 S. C RP in DD244, owners' consent are sought. The Applicant is confident that consent could be obtained.

---End of Response Reply---



# REVISED PLAN SHOWING PROPOSED PRIVATE GARDEN

Lot No.429 S. B (Part) in DD244 & adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung)



**The growing of Organic Vegetables at the proposed private garden at Lot No. 429 S. B (Part) in DD244 and adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.)**

The following information is advised by those professionals in the trade of growing of Organic Vegetables:-

I. What is Organic Farming?

Organic farming is a system of agricultural production based on the use of natural processes and resources – no chemicals or genetically modified organisms are used – in order to obtain healthier and more nutritious food while protecting soil fertility, preventing the spread of pests and respecting the environment. It is a system that, instead of using agricultural inputs, carries out specific practices depending on the characteristics of each ecosystem.

II. Fertilizer used – Compost tea and Composting

Compost tea works well as a homemade plant fertilizer since it contains a wide array of nutrients and beneficial bacteria which are best for red leave lettuce.

Composting is the act of combining organic materials to encourage healthy decomposition. To make compost, organic materials like food waste grass clippings, newspapers, and coffee grounds are layered together to create the perfect environment for microbes, fungi, and other decomposition bacteria to break them down into an all-natural fertilizer.

The benefits of compost include providing nutrients to crops as fertilizer, acting as a soil conditioner, increasing the humus or humic acid contents of the soil, and introducing beneficial microbes that help to suppress pathogens in the soil and reduces soil-borne diseases.



### III. Organic pesticide used

Use the organic pesticide, BTK (*Bacillus thuringiensis kurstaki*). BTK is a naturally occurring microorganism that sickens and kills caterpillars without harming butterflies, bees, and other beneficial insects.

### IV. Specific steps to be adopted by Applicant, Ms. LAM

#### Step 1. Choose the Right Variety of Lettuce

- Butterhead lettuce is chosen as it is a good source of carotenoid antioxidants which helps to protect our cells from free radical damage that can lead to chronic diseases like cancer.
- It is also High in iron and vitamins A & K.

#### Step 2. Prepare the Soil

- Soil Quality: Lettuce grows best in well-draining, fertile soil rich in organic matter.
- Soil pH: Aim for a slightly acidic to neutral pH (6.0–7.0).
- Amend the Soil: Add compost or well-rotted manure to improve soil fertility and structure. Avoid synthetic fertilizers to maintain organic practices.

#### Step 3. Planting Lettuce

- Sow seeds directly in the garden and transplant seedlings.
- Plant seeds ¼ inch deep and 1 inch apart.
- Thin seedlings to 6–12 inches apart once they have a few leaves.
- Spacing: Allow enough space for air circulation to prevent disease.

#### Step 4. Watering

- Consistent Moisture: Lettuce needs consistent moisture but avoid waterlogging.
- Water deeply 1–2 times per week, depending on weather.
- Mulching: Use organic mulch (straw, grass clippings, or shredded leaves) to retain soil moisture and regulate temperature.

#### Step 5. Organic Pest and Disease Management

- Common Pests: Watch for aphids, slugs, and caterpillars. Use organic solutions like:
  - Organic pesticide to be used as listed at Paragraph III, and also

- Neem oil or insecticidal soap for aphids.
- Beer traps or diatomaceous earth for slugs.
- Hand-pick caterpillars or use row covers.
- Diseases: Prevent fungal diseases by avoiding overhead watering and ensuring good air circulation. Crop rotation may be applied annually to prevent soil-borne diseases.

#### Step 6. Fertilizing

- As mentioned at Paragraph II and also use fish emulsion, or seaweed extract every 3–4 weeks to provide nutrients.

#### Step 7. Harvesting

- Leaf Lettuce: Harvest outer leaves as needed, allowing the plant to continue growing.
- Head Lettuce: Harvest the entire head when it reaches full size.
- Timing: Harvest in the morning for the best flavor and crispness.

#### Step 8. Succession Planting

- To enjoy a continuous harvest, plant new seeds every 2–3 weeks.

### V. Conclusion

By following the advice of the professionals and the steps, Ms. LAM is confident that she can grow healthy, organic lettuce in the proposed private garden.

And with the setting up of the sand trap plus the septic tank immediately beneath part of the proposed private garden area at Lot 429 S. B in DD244 as advised by the architect Mr. PAU Wah Lung, it is believed that the organic vegetable growing will not cause any contamination to the Water Gathering Ground, and will not pose any threat to water quality in and around the area.

Prepared by Mr. YEUNG Siu Fung in collaboration with the Applicant, Ms. LAM Yeuk Yin

1<sup>st</sup> March 2025



## Appendix II

A Risk Assessment Report on water quality likely to be affected by proposed private garden at Lot No. 429 S. B (Part) in DD244 and adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) (Revised version)

### I. Introduction

This Risk Assessment Report is updated and revised according to the comments made by Mr. Terry LAW of the Construction Division, Water Supplies Department (WSD) on Review Application No. A/SK-HC/354 as at 13.2.2025.

As the proposed temporary garden falls within Water Gathering Ground (WGG), Mr. LAW commented that:

"There are risks of contamination to the WGG due to the formation, operation and management of the garden".

As such he advised that a Risk Assessment Report is required to provide the particulars of the proposed organic farming for review, and to prove and demonstrate that there is no material increase in pollution effect within WGG resulting from the proposed development.

### II. Site visit conducted on 19 July 2024

Site was visited in the afternoon of 19 July 2024. After arriving and dropping off at House No. 450 Ho Chung New Village, I walked towards the stream course in the north and a few photographs were taken. The location plan showing the proposed boundary of the private garden is at Attachment 1, photographs taken of the surrounding at Attachment 2, and plan showing alignment of the U-Channel for rain/storm water outside House No. 450 Ho Chung New Village is at Attachment 3.

### III. Revised proposal of a simple private garden with the cultivation plot of organic vegetables

I have further discussed with Applicant Ms. LAM Yeuk Yin regarding her latest proposal of growing organic vegetables in the proposed garden area. Ms LAM remarked that in view of departmental comments, and the fact that there is no public sewer at the present location and in the vicinity, she now desires to grow organic vegetables inside the proposed private garden. The green house would be taken away, part of the lawn immediately in front of the house would be paved and the remainder of the area would be used to grow organic vegetables. The Revised Plan showing Proposed Private Garden is at Attachment 4.

I have read carefully the Report on growing Organic Vegetables compiled by Mr. YEUNG Siu Fung and in collaboration with Ms. LAM which is attached at Attachment 5 for reference. By following the advice of those in the trade of growing organic vegetables, she does not think that there would be any creation of wastewater from the revised proposal.

Other than my recommendations to address the WSD concerns at Paragraph VIII, my other comments on tackling the likely issue of contamination are at Paragraph IX.

#### IV. History of Lot 2194 & Lot 429 S. B in DD244

The Applicant is the owner of Lots Nos. 2194 and 429 S.B in DD244. Lot 2194 is a 3-storey small house lot (New Grant No. 20956 issued on 28/07/2010), and Lot 429 S. B is an old scheduled Block Government Lease agricultural lot.

The applicant bought the two lots on 16/01/2015 as the small house Lot was completed with Certificate of Compliance duly issued on 02/01/2013 after satisfactory construction of the small house, the septic tank and surface drains in and around Lot 2194 as required by the grant conditions.

I have checked the details of the small house conditions of Lot No. 2194 in DD244 which are common to all small house grants in the New Territories. I am not going to attach the said grant conditions here as it has a total of 22 pages. I shall just mention Special Condition Nos. 17 & 23 at Paragraphs V and VI below.

Nevertheless a copy of the Certificate of Compliance is at Attachment 6 for reference.

#### V. Storm or rain water from Lot No. 2194

According to Special Condition No. 17 (listed at Page 16 of New Grant No. 20956):

"All storm or rain water from the lot shall be conveyed into the nearest stream course, catchpit, channel or storm - water drain as required and in a manner to be approved by the District Lands Officer"

In other words, the Applicant's current practice in discharging storm or rain water according to the aforesaid grant condition is acceptable to the District Lands Officer.

#### VI. Drainage of Lot No. 2194

According to Special Condition No. 23 (listed at Page 17 of New Grant No. 20956):

"The drainage of any building erected on the lot shall be effected as may be required by the District Lands Officer, and the Grantee shall make all



arrangements at his own expense and to the satisfaction of the District Lands Officer for the treatment and disposal of sewage, sullage and foul, contaminated or waste water by the construction of suitable works either within the lot or on Government land or otherwise and on such terms as the District Lands Officer shall require, and the Grantee shall be solely liable for any damage or nuisance caused thereby."

As a result septic tank was constructed to the satisfaction of the District Lands Officer and Letter of Compliance was issued on 02/01/2013 as at Attachment 6.

VII. My Views of the septic tank, the small house and the proposed private garden

I have no information as to the reasons leading to the small house grant in this area of current Agriculture zoning and WGG in the year 2010.

Moreover, there were other three small house grants, namely Lot 2196, BL 2527 & BL 2478 to the south-west of Lot 2194, and eleven small houses piled up immediately on the right hand side of Lot 2194 across the track. Plan showing the houses is at Attachment 7.

There was no public sewer then in the vicinity to serve the to-be-built small houses. The Departments in considering issuing small house grants at the time must have thought that the septic tanks (be it individual or communal) would not pose any threat to the WGG and the nearby stream course to the north of the small houses.

In my view, the contamination to the WGG and the stream course to the north as a result of the development of a proposed private garden would have far less pollution effect than the wastewater created by inhabitants of the existing small house or actual farming in the area if a septic tank system is built below the proposed private garden.

If septic tank for a small house can prevent contamination of the WGG and the stream course, I am of the view that a septic tank to hold foul water generates from the simple cultivation plot of organic vegetables (hereafter refers as 'the cultivation plot') can prevent contamination to the surrounding and the stream course in the north as well.

VIII. Concerns of WSD

Let me describe below the concerns of WSD and my recommended proposed measures:

- A. No discharge of effluent or foul water into adjoining land, storm water drain, channel, stream or river course is allowed. Such foul water or effluent shall be collected and disposed of outside WGG.

Proposed measures – A septic tank of similar size as to a septic tank required by a small house would be constructed under Lot 429 S. B in D.D.244. As a result, any foul water or effluent generates from ‘the cultivation plot’ would be collected into the said septic tank just like those foul water or effluent generates from the small house on Lot 2194. It is my view that the foul water or effluent generates from ‘the cultivation plot’ would be far less than that from one small house, and the proposed septic tank could solve the issue of possible contamination.

Moreover an additional sand trap will also be constructed as described at Paragraph IX to filter the foul water and any effluent before entering the septic tank. The plan showing the location of the proposed sand trap and the septic tank is at Attachment 8 for reference.

- B. All solid waste and sludge arising from the development shall be disposed of properly outside WGG.

Proposed measures – the sand trap and the septic tank system as described under A above should serve the propose of preventing pollution in the area. I am of the view that the revised proposal of a garden with ‘the cultivation plot’ would only generate negligible amount of solid waste and sludge, if not none at all. Such a small amount of solid waste and sludge together with wastewater would be first filtered by the sand trap before going to the septic tank. The used sand would be replaced every 6 months and disposed of properly outside WGG according to the rules imposed by the Environmental Protection Department (EPD) as stipulated by their Water Control Pollution Ordinance.

More details of the sand trap and septic tank system are also described at Paragraph IX.

- C. The use and storage of pesticide, herbicides, toxicants, chemical solvents, laticidal oil, rodenticide, tar and petroleum oil are strictly prohibited in WGG.

Proposed measures – Applicant promises not to use and the storage of such materials inside the private garden and the small house Lot 2194.

- D. No chemicals including fertilizers and detergents shall be used/stored without the prior approval from the Water Authority.



Proposed measures – Applicant promises to abide by D; demolish the green house and grow only organic vegetables.

E. Oil leakage and spillage are not allowed within WGG at all time.

Proposed measures – Applicant promises to abide by E.

F. The garden and its associated horticultural activities shall be located away from any water courses as far as possible. All garden structures shall be water tight and properly maintained. Signage for alerting not to pollute WGG should be displayed.

Proposed measures – Applicant promises to abide by F and put up the signage as described.

G. During the formation of the garden, no earth and other construction materials which may cause contamination to WGG are allowed to be stockpiled or stored on site. Furthermore, all excavated or filled surfaces shall be protected from erosion and siltation to any water courses shall be prevented within WGG. All construction spoils shall be contained and protected; and effluent containing spoils shall be disposed of after desiltation.

Proposed measures – Applicant promises to adhere to all situations as described at G.

#### IX. An on-site sewage disposal septic system

In order to tackle the issue of contamination effectively, the Applicant is agreeable to set up an on-site sewage disposal septic system for any wastewater likely to be generated from the 'the cultivation plot'.

The on-site sewage disposal septic system for the private garden will consist of two parts. The first part is a sand trap and the second part is the septic tank for the settlement and treatment of the wastewater and slurries in the same place just in case any wastewater and slurries, which are very unlikely, are being generated.

The first treatment removes materials that will settle with gravity or float. The method is to sprinkle or trickle the water over the bed of sand. As the water filters downward, it is put into contact with oxygen and microorganisms, which work together to break down the organic matter in the water before the decomposed wastewater goes down to the septic tank built below Lot 429 S. B in DD244. In practice the bed of sand will be

replaced every six months with clean and fresh sand whereas the used ones will be disposed of properly outside WGG according to rules required by the EPD.

A drainage engineer will be asked to design the drainage facilities (the sand trap plus the septic tank and the surface running water channels) surrounding the proposed garden area should this proposal is acceptable to WSD.

#### X. Conclusion

It is my view that the revised proposal of 'the cultivation plot' within the private garden and with the setting up of the sand trap plus the septic tank immediately beneath part of the land at Lot 429 S. B in DD244 will not cause any contamination to the WGG, and will not pose any threat to water quality in and around the area.

Basing on the preceding paragraphs, I am confident to say that there would be "no material increase in pollution effect resulting from the proposed development" of a revised private garden with a cultivation plot of organic vegetables.



PAU Wah Lung  
Registered Architect, Fellow Member of HKIA &  
Authorised Person – Architect

Date: 1<sup>st</sup> March 2025

#### Attachments

Attachment 1: Location Plan

Attachment 2: Photographs of House No. 450 and the surrounding (a) to (g)

Attachment 3: Plan showing alignment of the U-Channel for rain/storm water

Attachment 4: Revised Plan showing Proposed Private Garden

Attachment 5: Report on growing Organic Vegetables

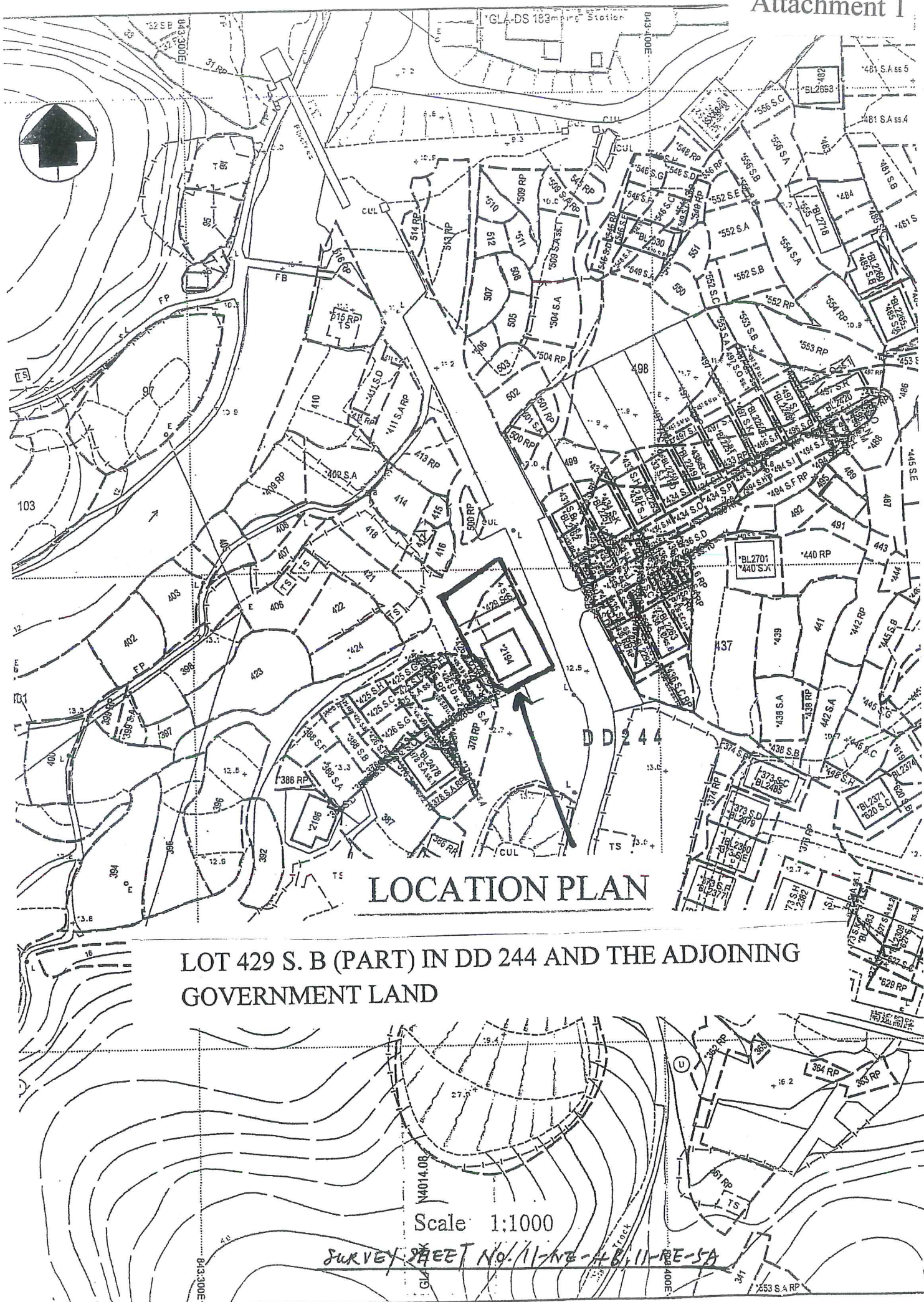
Attachment 6: Copy of the Certificate of Compliance

Attachment 7: Plan showing the houses in the vicinity

Attachment 8: Plan showing proposed sand trap and the septic tank

---End of Report---





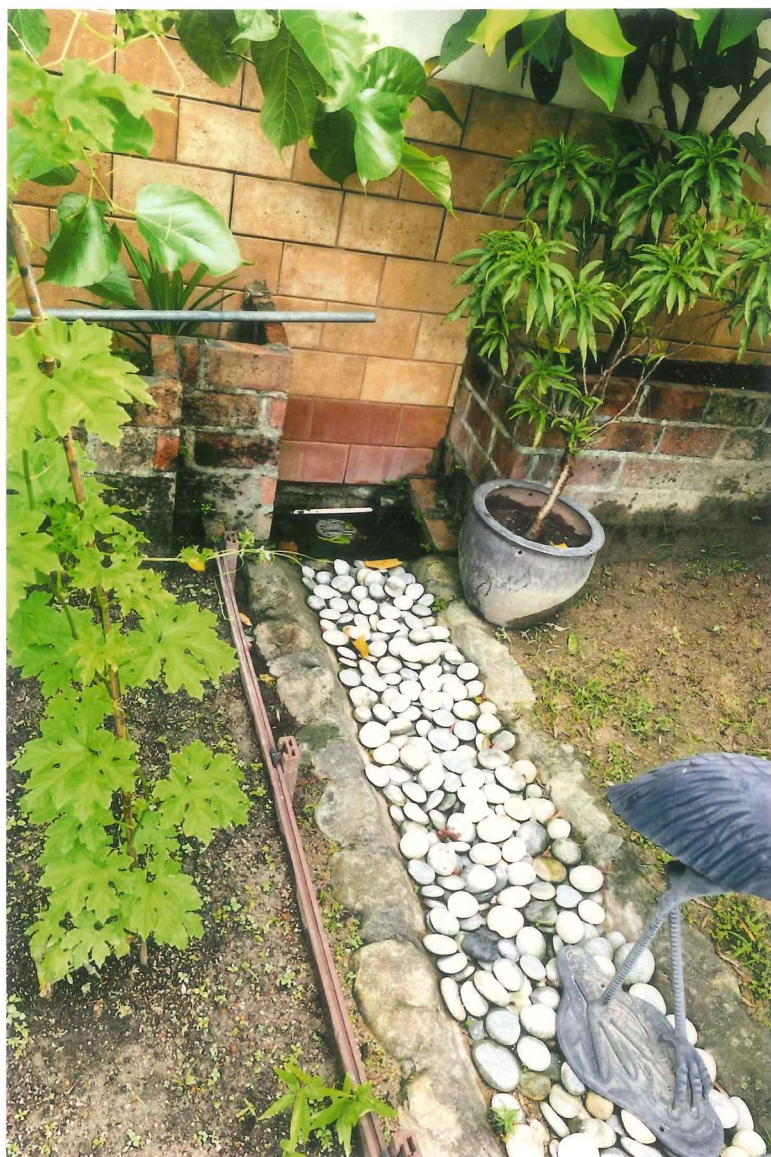


(a)



House No. 450 Ho Chung New Village, Sai Kung, N. T.





Part of the Existing Features inside House No. 450

(c)



Part of the existing drainage for rain/storm water  
inside House No. 450





A nearby culvert

( e )



A U-Channel to the North of House No. 450 Ho  
Chung New Village (Part 1)

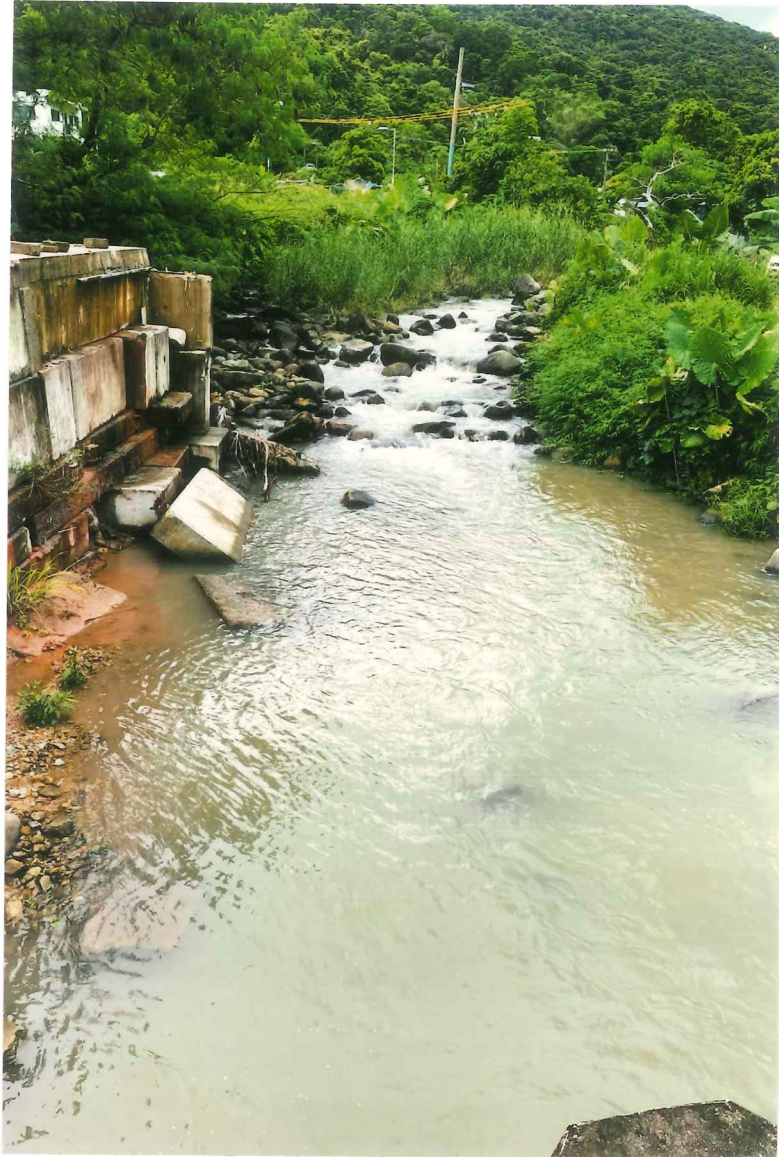


( f )



A U-Channel to the North of House No. 450 Ho  
Chung New Village (Part 2)

( 9 )



The Stream Course to the North



Topographic map showing a hillside area with contour lines. The map includes labels for 'GLA-DS 359', 'Scale 1:1000', and 'SURVEY SHEET NO. 11-NB-4B, 11-RE-5A'. The map also shows a 'Track' and a 'CUL' (culvert). The area is bounded by a dashed line and a solid line. The map is oriented with North at the top.

SURVEY SHEET NO. 11-NE-4B, 11-NE-5A



# REVISED PLAN SHOWING PROPOSED PRIVATE GARDEN

Lot No.429 S. B (Part) in DD244 & adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung)

## LEGEND

CULTIVATION  
PLOT

PAVED AREA

Scale 1:1000

SURVEY SHEET No. 11-NB-48, 11-BE-5A



**The growing of Organic Vegetables at the proposed private garden at Lot No. 429 S. B (Part) in DD244 and adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.)**

The following information is advised by those professionals in the trade of growing of Organic Vegetables:-

I. What is Organic Farming?

Organic farming is a system of agricultural production based on the use of natural processes and resources – no chemicals or genetically modified organisms are used – in order to obtain healthier and more nutritious food while protecting soil fertility, preventing the spread of pests and respecting the environment. It is a system that, instead of using agricultural inputs, carries out specific practices depending on the characteristics of each ecosystem.

II. Fertilizer used – Compost tea and Composting

Compost tea works well as a homemade plant fertilizer since it contains a wide array of nutrients and beneficial bacteria which are best for red leave lettuce.

Composting is the act of combining organic materials to encourage healthy decomposition. To make compost, organic materials like food waste grass clippings, newspapers, and coffee grounds are layered together to create the perfect environment for microbes, fungi, and other decomposition bacteria to break them down into an all-natural fertilizer.

The benefits of compost include providing nutrients to crops as fertilizer, acting as a soil conditioner, increasing the humus or humic acid contents of the soil, and introducing beneficial microbes that help to suppress pathogens in the soil and reduces soil-borne diseases.

### III. Organic pesticide used

Use the organic pesticide, BTK (*Bacillus thuringiensis kurstaki*). BTK is a naturally occurring microorganism that sickens and kills caterpillars without harming butterflies, bees, and other beneficial insects.

### IV. Specific steps to be adopted by Applicant, Ms. LAM

#### Step 1. Choose the Right Variety of Lettuce

- Butterhead lettuce is chosen as it is a good source of carotenoid antioxidants which helps to protect our cells from free radical damage that can lead to chronic diseases like cancer.
- It is also High in iron and vitamins A & K.

#### Step 2. Prepare the Soil

- Soil Quality: Lettuce grows best in well-draining, fertile soil rich in organic matter.
- Soil pH: Aim for a slightly acidic to neutral pH (6.0–7.0).
- Amend the Soil: Add compost or well-rotted manure to improve soil fertility and structure. Avoid synthetic fertilizers to maintain organic practices.

#### Step 3. Planting Lettuce

- Sow seeds directly in the garden and transplant seedlings.
- Plant seeds ¼ inch deep and 1 inch apart.
- Thin seedlings to 6–12 inches apart once they have a few leaves.
- Spacing: Allow enough space for air circulation to prevent disease.

#### Step 4. Watering

- Consistent Moisture: Lettuce needs consistent moisture but avoid waterlogging.
- Water deeply 1–2 times per week, depending on weather.
- Mulching: Use organic mulch (straw, grass clippings, or shredded leaves) to retain soil moisture and regulate temperature.

#### Step 5. Organic Pest and Disease Management

- Common Pests: Watch for aphids, slugs, and caterpillars. Use organic solutions like:
  - Organic pesticide to be used as listed at Paragraph III, and also



- Neem oil or insecticidal soap for aphids.
- Beer traps or diatomaceous earth for slugs.
- Hand-pick caterpillars or use row covers.
- Diseases: Prevent fungal diseases by avoiding overhead watering and ensuring good air circulation. Crop rotation may be applied annually to prevent soil-borne diseases.

#### Step 6. Fertilizing

- As mentioned at Paragraph II and also use fish emulsion, or seaweed extract every 3–4 weeks to provide nutrients.

#### Step 7. Harvesting

- Leaf Lettuce: Harvest outer leaves as needed, allowing the plant to continue growing.
- Head Lettuce: Harvest the entire head when it reaches full size.
- Timing: Harvest in the morning for the best flavor and crispness.

#### Step 8. Succession Planting

- To enjoy a continuous harvest, plant new seeds every 2–3 weeks.

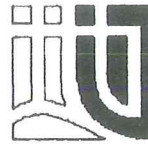
### V. Conclusion

By following the advice of the professionals and the steps, Ms. LAM is confident that she can grow healthy, organic lettuce in the proposed private garden.

And with the setting up of the sand trap plus the septic tank immediately beneath part of the proposed private garden area at Lot 429 S. B in DD244 as advised by the architect Mr. PAU Wah Lung, it is believed that the organic vegetable growing will not cause any contamination to the Water Gathering Ground, and will not pose any threat to water quality in and around the area.

Prepared by Mr. YEUNG Siu Fung in collaboration with the Applicant,  
Ms. LAM Yeuk Yin

1<sup>st</sup> March 2025



地政總署  
西貢地政處  
DISTRICT LANDS OFFICE, SAI KUNG  
LANDS DEPARTMENT

電話 Tel: 2972 5187  
圖文傳真 Fax: 2792 0706  
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本署檔號 Our Ref.: (200) in DLO/SK 32/SHL/05  
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NEW TERRITORIES

網址 Web Site: [www.landsgov.hk](http://www.landsgov.hk)

Mr. WAN Pak Kan  
c/o HAU, LAU, LI & YEUNG Solicitors & Notaries

**By Recorded Delivery**

- 2 JAN 2013

Dear Sir,

Lot No. 2194 in Demarcation District No. 244

The house erected on the lot pursuant to New Grant No. 20956 under which the above lot has been granted has now been inspected and I hereby certify that all the positive obligations imposed on the Grantee of the above lot under the General and Special Conditions of New Grant No. 20956 have been complied with to my satisfaction.

This certification is given without prejudice to all or any rights of the Government whether under the said Conditions or otherwise in respect of any breach or failure to observe any of the said Conditions which may exist on the date hereof or which may hereafter occur.

As the building erected on the lot is exempted from the provisions of the Buildings Ordinance, Cap. 123 under the Buildings Ordinance (Application to the New Territories) Ordinance, Cap. 121 by virtue of Certificates of Exemption dated 16/11/2010 and 12/04/2012, no site formation, building or other plans have been approved by the Building Authority in respect of the above lot and the building erected thereon. Accordingly this certificate is not to be construed as a representation by Government that the building erected on the above lot or any works in connection therewith are structurally safe and Government expressly excludes any liability arising out of such construction or works.

In your own interest, you are advised to register this certificate in the Land Registry by memorial which shall be verified by the certificate of a solicitor in accordance with Regulation 7 of the Land Registration Regulations.

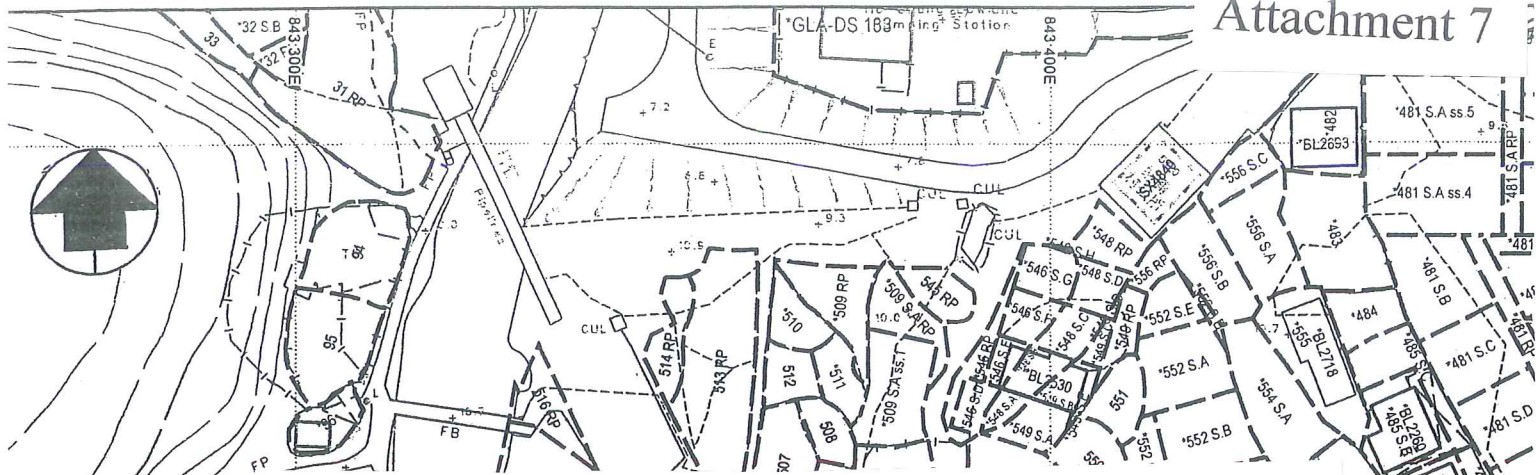
Yours faithfully,

(Ken CHEUNG)  
for District Lands Officer/Sai Kung

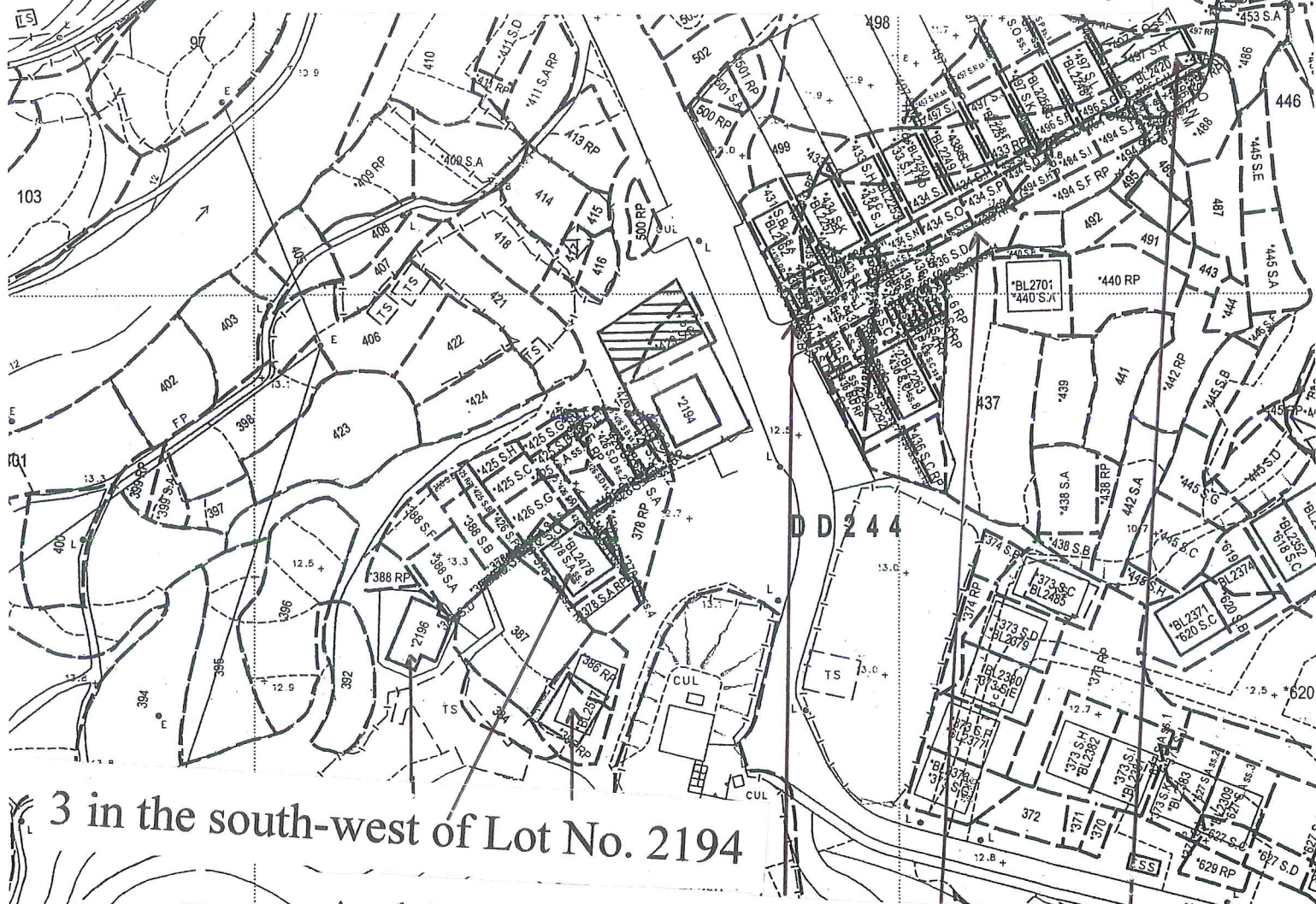
c.c. CR & V (Attn. Tech. Secy. (Information)) – with plan  
DSO/SK – with plan





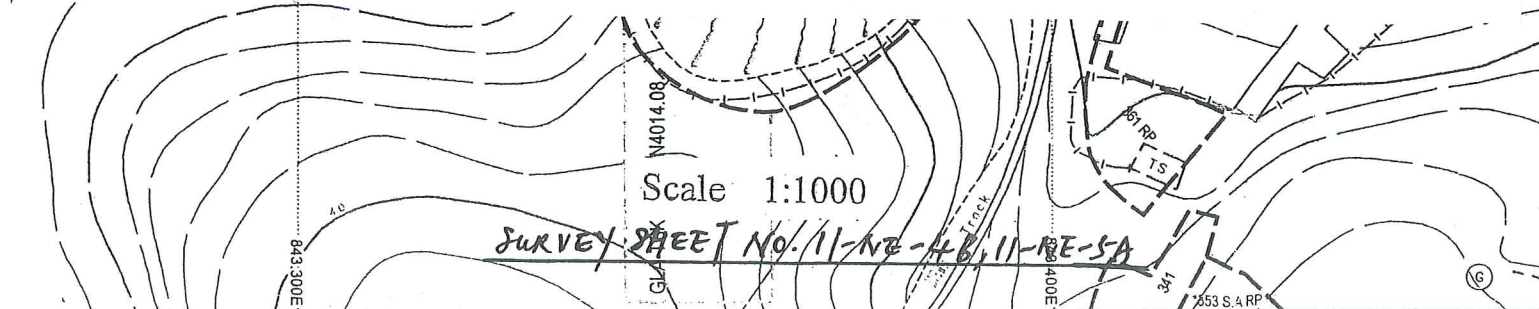


Plan showing the houses in the vicinity



3 in the south-west of Lot No. 2194

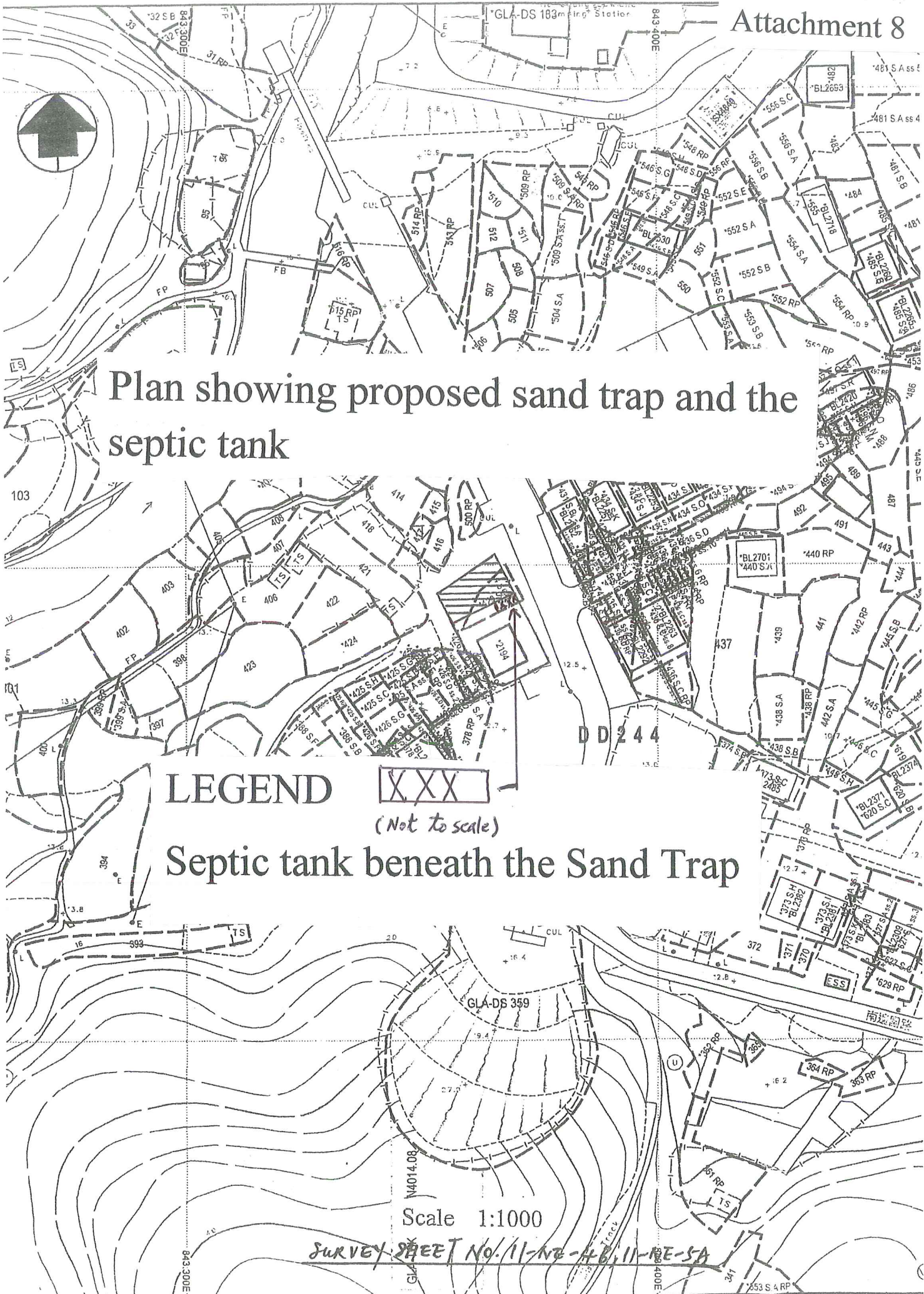
And 11 to the right hand side of Lot 2194 across the track



Scale 1:1000

SURVEY SHEET NO. 11-NE-46, 11-NE-5A







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寄件日期: 2025年06月30日星期一 11:24  
收件者: tpbpd/PLAND; [REDACTED]  
副本: [REDACTED]  
主旨: Response to Comments - Planning Application No. A/SK-HC/354 on Review  
附件: 20250312 Attachment 1.jpg; 20250312 Attachment 2 .jpg; 20250312 Attachment 3 .JPG; 20250312 Attachment 4.JPG; 20250312 Attachment 5.jpg; 20250312 Attachment 6 Response to Comments by AMO.docx  
  
類別: Internet Email

Dear Sir/Madam,

With reference to the letter of 13 June 2025 from TPB stating that the captioned Review case has been deferred, I have further discussed

with Applicant Ms. LAM Yeuk Yin as to the Comments from AMO as referred by Miss CHAN of PlanD on 11/03/2025.

Please note our response and attachments below:

Attachments:

1. Photo 1-Showing area without porch before the transaction of the property;
2. Photo 2-Showing area without greenhouse before the transaction of the property;
3. Photo 3-Showing area of porch during construction after the transaction of the property;
4. Photo 4-Showing area of greenhouse during construction after the transaction of the property;
5. Photo 5-Showing the porch and greenhouse at the present moment; and
6. Response to AMO's Comments referred to us on 11/03/2025.

Thank you for your kind attention.

YEUNG Siu Fung

**Planning Application No. A/SK-HC/354**

Response to Departmental Comments in respect of the Application for a Temporary Private Garden on Lot 429 S. B (Part) in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) on Review.

I have further discussed with Applicant Ms. LAM Yeuk Yin as to the comments and enquiry from the Antiquities and Monument Office sent to us on 11 March 2025. Please note the following:

1. Photos showing Application site before, during and after the construction of the porch and greenhouse are attached for reference.
2. Please be informed that the porch was constructed with wooden frame and fiberglass in between. It was intended for creeping plants to provide shade.
3. As for the greenhouse, it was constructed with light material of transparent fiberglass for passage of sunlight.
4. Both structures are erected on the cement surface which were built after Ms. LAM bought the property on 16.01.2015.
5. The Applicant hereby undertakes not to further disturb the SAI by construction and any other work without prior consultation, comment and approval from AMO and any other relevant authorities.























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寄件日期: 2025年06月30日星期一 11:56  
收件者: tpbpd/PLAND; [REDACTED]  
副本: [REDACTED]  
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附件: 20250630 Appendix I.docx; 20250301 Revised Risk Assessment Report by Mr. PAU Wah Lung.pdf; 20250301 Attachments 1 to 8 of Appendix II.pdf  
  
類別: Internet Email

Dear Sir/Madam,

With reference to the letter of 13 June 2025 from TPB stating that the captioned Review case has been deferred, I have further discussed

with Applicant Ms. LAM Yeuk Yin as to the Comments from the Chief Engineer/Construction Water supplies Department, and the Director of Agriculture, Fisheries and Conservation

as referred by Miss CHAN of PlanD on 05/06/2025.

Please note our attachments below:

Attachment 1 - Appendix I (Our Response to Comments dated 05/06/2025);

Attachment 2 - Appendix II (The Revised Risk Assessment Report of 01/03/2025, prepared by Mr. PAU Wah Lung, an architect and authorized person); and

Attachment 3 - Attachments 1 to 8 attached to the Revised Risk Assessment Report of 01/03/2025.

Thank you for your kind attention.

YEUNG Siu Fung



**Planning Application No. A/SK-HC/354**

**Response to Departmental Comments as at 5.6.2025 in respect of the Application for a Temporary Private Garden on Lot 429 S. B (Part) in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) on Review**

**A. Comments from Chief Engineer/Construction, Water Supplies Department**

We have studied the relevant literature on Compost Tea and attempt below on the application of compost materials on site, including but not limited to the chemical composition, application procedure, quantity as well as frequency for consideration.

**Response to Comments at 1. a.**

Describe below is a comprehensive guide in power point form to use compost tea for organic lettuce production covering composition, application, quantity, and frequency:

- I. Chemical Composition (Highly Variable - Focus on Biology & Nutrition):
- \* Primary Nutrients (Nitrogen, Phosphorus and Potassium): Typically low (e.g., N: 0.05-0.2%, P: 0.01-0.1%, K: 0.05-0.3%). Not a primary fertilizer - supplement with solid compost/amendments.
  - \* Secondary Nutrients & Micronutrients: Calcium, Magnesium, Sulfur, Iron, Manganese, Zinc, Copper, Boron, Molybdenum (levels depend entirely on compost source and water).
  - \* Soluble Organic Compounds: Humic/Fulvic acids, vitamins, enzymes, plant growth hormones (auxins, cytokinins) – enhance nutrient uptake & plant vigor.
  - \* Beneficial Biology (The KEY Component):
    - \* Bacteria: Dominant; nutrient cycling (nitrogen fixation, phosphorus solubilization), pathogen suppression.
    - \* Fungi (Mycorrhizae & Saprophytes): Less dominant in aerated tea; improve soil structure, water/nutrient uptake (especially phosphorus), pathogen defense.
    - \* Protozoa & Nematodes: Predators that release plant-available nitrogen by consuming bacteria/fungi.
    - \* Yeasts & Actinomycetes: Contribute to decomposition and pathogen suppression.

II. Application Procedure:

1. Brewing (Do this 24-48 hours before application):
  - \* Compost: Use 1-2 cups (5-10% volume) of high-quality, fully finished, diverse-source compost (e.g., vermicompost + fungal-rich compost) in a mesh brew bag.
  - \* Water: Dechlorinated! (Let tap water sit 24h, use rainwater, or filter). Non-chlorinated well water is fine. Fill 5-gallon bucket.
  - \* Food Source: 1/4 cup unsulphured blackstrap molasses (simple sugars for bacteria) OR 2 tbsp liquid kelp/fulvic acid (more complex for fungi). Avoid using excessive sugars.
  - \* Aeration: Use an aquarium pump with airstones. Vigorous bubbling (like a rolling boil) is essential for 24-36 hours. Maintain temperature between 15-27°C.

- \* Brew Time: 24-36 hours max. Longer risks pathogen dominance or food source depletion.

## 2. Straining & Dilution (Immediately Before Use):

- \* Strain tea through a fine mesh bag (200-400 microns) into the application tank to remove solids and prevent nozzle clogging.
- \* Dilution is CRITICAL:
- \* Foliar Spray: Dilute 1:5 to 1:10 (Tea:Water). e.g., 1 gallon tea + 4-9 gallons water.
- \* Soil Drench: Dilute 1:1 to 1:5 (Tea:Water). e.g., 1 gallon tea + 1-4 gallons water.
- \* Surfactant (For Foliar): Add 1/8 tsp per gallon of 'final spray solution' of natural, non-toxic surfactant (e.g., yucca extract, organic wetting agent, or a tiny amount of pure Castile soap) to help the tea stick to leaves. Do not use detergent.

## 3. Application Methods:

- \* Foliar Spray (Preferred for direct plant benefit & disease suppression):
- \* Use a backpack sprayer, hose-end sprayer, or boom sprayer with 'fine mist nozzles' (avoid high pressure that kills microbes).
- \* Thoroughly coat 'both sides of leaves' until just before runoff. Target new growth.
- \* Apply early morning (best) or late evening. Avoid hot sun (UV kills microbes, causes leaf burn) and wind.
- \* Soil Drench/Root Application:
- \* Use watering can, hose-end sprayer without nozzle, or irrigation system (drip tape preferred, clean thoroughly after).
- \* Apply directly to the soil around the base of plants.
- \* Can be applied any time of day, but cooler times are still preferred to protect microbes.

## III. Quantity & Coverage (For area about 1,300 sq. ft. Field):

- \* Foliar Spray:
- \* Diluted Solution Needed: 25-50 gallons (to achieve good coverage without excessive runoff - approx. 1/4 to 1/2 gal per 10 sq. ft.).
- \* Concentrated Tea Needed: Based on 1:5 dilution = 5-10 gallons tea; Based on 1:10 dilution = 2.5-5.0 gallons tea. (Recommend starting with 1:10 dilution using 5 gallons tea + 45 gal water = 50 gal total solution).
- \* Soil Drench:
- \* Diluted Solution Needed: 50-100 gallons (to moisten root zone - approx. 1/2 to 1 gal per 10 sq ft).
- \* Concentrated Tea Needed: Based on 1:1 dilution = 50-100 gallons tea (impractical); Based on 1:5 dilution = 10-20 gallons tea. (Recommend 1:5 dilution using 20 gallons tea + 80 gal water = 100 gal total solution).

## IV. Frequency:

- \* Establishment Phase (Seedling/Early Growth): Apply every 7-10 days. Focus on soil drench to boost root development and rhizosphere biology.



- \* Active Growth Phase (Rapid Leaf Expansion): Apply every 7-14 days. Foliar spray is highly beneficial here for nutrient uptake and disease prevention. Can alternate with soil drenches.
- \* Pre-Harvest Phase (Heading Up/Maturity): Reduce frequency to every 14-21 days. Focus on soil drench if needed; minimize foliar within 1-2 weeks of harvest for food safety/drying.
- \* General Guidelines:
  - \* Start Low: Begin with every 14 days and observe plant response.
  - \* Monitor: Lettuce response (vigor, color, pest/disease resistance) and soil health are the best guides.
  - \* Less is Often More: Over-application (especially foliar) can create excessive moisture favoring disease or imbalance microbes. 1-2 times per month is often sufficient for maintenance.
  - \* Weather/Stress: Apply after heavy rain (replenishes microbes), during periods of high disease pressure (foliar), or if plants show signs of stress.
  - \* Cease Foliar: Stop foliar sprays at least 1 week before harvest to allow surfaces to dry.

#### V. Critical Considerations for Lettuce:

1. Food Safety: Avoid compost containing animal manures if concerned about E. coli or Salmonella risk. Vermicompost is generally safer. Never use unfinished compost or compost with carnivore manure.
2. Pathogen Risk (Tea): Proper brewing (aeration, food source, brew time <36h) prevents pathogen growth. Smell test: Should be earthy/sweet. Foul odors = anaerobic = discard.
3. Supplement, Not Replacement: Compost tea does not replace the need for solid compost/fertilizers to build soil organic matter and provide long-term nutrients. It enhances biology and provides soluble nutrients/hormones.
4. Water Quality: Chlorine/Chloramines kill microbes. Always dechlorinate!
5. Record Keeping: Log compost source, recipe, brew time/duration, application date/method/dilution, and observations. Essential for optimizing results.
6. Disease Susceptibility: Lettuce is prone to fungal diseases (downy mildew, powdery mildew). Foliar tea applications can help suppress these via competition and induced resistance, but ensure good airflow and avoid wetting foliage late in the day. Do not rely solely on tea for disease control.
7. Bolt Prevention: While tea supports health, focus on variety selection, planting timing, and consistent moisture/soil temperature management to prevent bolting.

By following these guidelines and carefully observing the lettuce crop, compost tea can be a valuable tool for enhancing the health, yield, and quality of the organic lettuce.

#### **Response to Comments at 1. b.**

As to the method of composting, cold composting will be adopted.

There are two types of composting, hot and cold. Hot composting requires a fairly precise recipe of ingredients and a considerable amount of attention and management to

temperature, moisture level, aeration, particle size and more. Cold composting, on the other hand, is pretty much carefree. Simply mix our yard trimmings into a pile, add fruit and vegetable scraps, and wait.

Decomposition, which is the essence of composting, hot or cold, requires microorganisms, moisture, air, temperatures above freezing — or even a few degrees below- and time. Whereas hot composting may result in finished compost in a matter of weeks, slow cold composting can take three to six months, and sometimes even longer, but with a lot less effort on our part. For the reason of easy handling we shall pick the cold and slow method for our future composting.

In cold composting, keeping the pile moist - a must for hot composting - need not be a worry because over time — there will be more than enough rain in Hong Kong. Prolonged periods of dryness might slow the composting process down, but it will pick up again once with the first downpour.

Nor we need not concern ourselves with the carbon-to-nitrogen (C:N) ratio — the mixture of “brown” and “green” materials that make up the pile. The C:N ratio only affects the speed of composting. If our pile is woody (i.e., has a high C:N) it will decompose, but slowly.

We also do not need to add a commercial inoculant or finished compost to kick-start the process. Sufficient decomposer bacteria and fungi are present naturally in yard trimmings and fruit and vegetable wastes to initiate cold composting and keep it going to its conclusion.

And then there is the matter of turning the pile, another basic requirement for hot composting. With slow, cold composting, one just gather the materials together in a mound and let Mother Nature do the rest and therefore, no turning is required.

There are a few drawbacks to slow composting compared to hot composting. But for the most part, those problems can either be avoided or resolved through fairly easy solutions. For one, slow composting does not produce the heat needed to kill most weed seeds, so it is best to keep troublesome weeds out of the pile.

Likewise, soil-borne plant disease organisms that cause root rot are also not killed in slow composting. To limit the spread of soil-borne disease, it is a good idea to apply the finished product from slow composting to a small part of the garden, rather than spreading it over the entire garden area.

This limited-space application might help to determine if any such pathogens have indeed survived the composting process while helping to contain them if they have.



If we are building a cold compost heap primarily of grass clippings, be aware that layering clumps of wet grass can limit air circulation, giving rise to production of anaerobic bacteria and perhaps a foul order of ammonia.

Composting is still happening, but if we want to dispel the odor — we will need to lift and redistribute some of the material to get more oxygen into the pile.

Better yet, avoid this problem by not putting those grass clippings in the pile at all. Leave them in place on the lawn where you've cut them and they'll decompose (i.e., compost) right there, providing valuable nitrogen and other nutrients to the new growth that will follow.

### **On-Site storage of compost**

A 10 ft. times 10 ft. storage structure will be put up on the private land portion [Lot 429 (Part)] to store the compost and other farming tools in connection with the growing of organic lettuce. As Lot 429 is of agricultural status, District Lands Office/Sai Kung would normally approve the erection of a tool shed for storage of farming tools and the like.

### **Our additional measures in tackling the remains of compost tea**

A bed of cultivated field will be designed for use. Loose sand and mud for growing organic lettuce will be placed on top the closely knitted iron wire mesh to support the sand and mud above. Below the iron wire mesh net, a concrete tank will be constructed below to hold any dripping material-any remains of the compost tea that runs down above. Any material that goes down will be channelled to the sand trap and eventually to the septic tank designed for use for treating any waste water collected from growing lettuce.

The Revised Risk Assessment Report (prepared by Mr. PAU Wah Lung, an architect and authorized person) and in particular Paragraph IX of the Appendix II together with the Attachments as attached to our submission to TPB and the Planning D on 01/03/2025 are submitted again for your reference.

### **B. Comments from Director of Agriculture, Fisheries and Conservation**

The subject site, collectively numbered as House No. 450 at Ho Chung New village, consists of 3 parts: A small house on Lot 2194 in DD244 for dwelling purpose; part of a private agricultural Lot 429 S. B in DD244, and Government land in between. The Applicant will demolish the illegal structures as pointed out by District Lands Office/Sai Kung in the future, and there will be no other structures used for domestic purposes other than the small house on Lot 2194. The part of the private agricultural lot and the Government land will then be used for cultivation of organic lettuce if this application is approved by the Town Planning Board. (End of Appendix I)

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寄件日期: 2025年07月25日星期五 17:00  
收件者: tpbpd/PLAND; [REDACTED]  
副本: [REDACTED]  
主旨: Response to Comments - Planning Application No. A/SK-HC/354 on Review  
附件: 20250725 Response to WSD Comments.docx; 20250301 Revised Risk Assessment Report by Mr. PAU Wah Lung.pdf; 20250301 Attachments 1 to 8 of Appendix II.pdf  
  
類別: Internet Email

Dear Sir/Madam,

I refer to the Comments from the Chief Engineer/Construction Water Supplies Department,  
as referred by Miss CHAN of PlanD on 18/07/2025.

Please note our attachments below:

Attachment 1 - Appendix I (Our Response to Comments dated 18/07/2025);

Attachment 2 - Appendix II (The Revised Risk Assessment Report of 01/03/2025, prepared by Mr. PAU Wah Lung, an architect and authorized person); and

Attachment 3 - Attachments 1 to 8 attached to the Revised Risk Assessment Report of 01/03/2025.

Thank you for your kind attention.

YEUNG Siu Fung



Planning Application No. A/SK-HC/354

Response to Departmental Comments as at 18.7.2025 in respect of the Application for a Temporary Private Garden on Lot 429 S. B (Part) in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) on Review

**I. Comments from Chief Engineer/Construction, Water Supplies Department**

We have noted WSD's comment that our previous proposal on the growing of organic lettuce and the application of compost tea would 'allow the compost components to enter surface runoff and ground water, which is considered posing very high risks of contamination to the WGG'.

2. Thanks to WSD's comment, we have now dropped the idea of growing organic lettuce with the use of the compost tea as fertilizer.

3. After consulting agronomist and searching relevant literature, Applicant has now decided to grow Amaranth (莧菜) and also Purslane (馬齒莧) in rotation without applying any fertilizer/compost tea at all.

4. On growing Amaranth

A). Amaranth can be grown without fertilizer or compost by planting in healthy soil and providing basic care. Directly sowing seeds in the ground, ensuring adequate sunlight, and consistent watering (when the soil is dry) are key to successful growth. Weed control and monitoring for pests are also important.

B). Below are the detailed steps-

(a). Soil and Planting:

- Amaranth thrives in well-drained, loose soil.
- Directly sow seeds 1/4 inch deep and 2-3 inches apart, thinning to 6-8 inches apart once seedlings emerge.
- Amaranth seeds need light to germinate, so do not bury them too deeply.
- Ensure the soil is consistently moist but not waterlogged.

(b). Sunlight and Watering:

- Amaranth needs at least six hours of direct sunlight daily.
- Water deeply when the top 2 inches of soil are dry.

- Avoid getting the leaves wet when watering to prevent fungal diseases.

(c). Weed Control:

- Keep weeds under control, as they compete with Amaranth for nutrients and water.
- Mulching can help suppress weeds and retain moisture.

(d). Pest and Disease Management:

- Monitor plants for pests like aphids.
- Remove pests by hand or use environmentally biodegradable insecticidal soap when required.
- Remove plants after the first frost to prevent disease issues.

C). Besides easy to grow, Amaranth has many benefits:

(i) Rich in nutrients

Leaves are packed with vitamins A, C and K, along with iron, calcium, and magnesium, supporting overall health and immunity.

(ii) Boosts digestion

Their high dietary fiber content aids digestion, prevents constipation and promotes a healthy gut.

(iii) Supports bone health

Loaded with calcium and magnesium, Amaranth leaves help strengthen bones and prevent osteoporosis.

(iv) Enhances vision

The vitamins A and carotenoid in Amaranth leaves improve eye health and reduce the risk of vision-related issues.

(v) Promotes heart health

Rich in potassium and antioxidants, they help regulate blood pressure, reduce cholesterol levels, and improve cardiovascular health.

(vi) Helps in weight management

Low in calories and high in fiber, Amaranth leaves keep one full longer supporting weight loss goals.

D). While Amaranth offers numerous health benefits, it also has some potential disadvantages, particularly regarding overconsumption or individual sensitivities. These include digestive issues, allergic reactions, and potential interactions with medication. People are advised to seek medical treatment should any problems occur after taking Amaranth.

E). No Fertilizer Needed

Amaranth is a hardy plant that can even grow well in poor soil, making fertilizer/compost tea unnecessary.



## 5. On growing Purslane

A). Growing Purslane without fertilizers or compost is straightforward due to its hardy, wild nature.

### B). The steps in growing Purslane

#### (a). Choose the Right Spot

- Sunlight: Full sun (6+ hours daily). Tolerates partial shade but thrives in heat.
- Soil: Poor, well-draining soil is ideal (sandy, gravelly, or rocky). Avoid rich/waterlogged soils.

#### (b). Planting

- Seeds: Scatter seeds on soil surface (they need light to germinate). Press lightly; don't bury.
- Timing: After last frost (soil temp: 21–32°C).
- Spacing: Let plants sprawl or thin to 6–8 inches apart.

#### (c). Watering

- Drought-tolerant: Water sparingly (only when soil is dry). Overwatering causes rot.

#### (d). Maintenance

- Weeding: Remove competitors early.
- Pests/Diseases: Rarely affected (aphids/slugs may appear; remove by hand).

#### (e). Harvesting

- When: Cut stems 2–3 inches above ground when 4–6 inches tall (≈4–6 weeks).
- Regrowth: Harvest continually; it regrows rapidly.

### C). The Benefits of Purslane

#### (i). Nutritional Powerhouse:

- Highest plant-based omega-3 fatty acids (ALA) of any leafy green.
- Rich in vitamins A, C, E, and B-complex.
- Minerals: Iron, magnesium, calcium, potassium.
- Antioxidants (glutathione, betalain) and melatonin.

#### (ii). Medicinal Uses:

- Anti-inflammatory properties (traditional remedy for arthritis, ulcers).
- May support heart health and reduce cholesterol.

#### (iii). Culinary Versatility:

- Raw: Salads, smoothies (lemony, peppery flavor).
- Cooked: Soups, stews, stir-fries (similar to spinach).

#### (iv). Ecological Benefits:

- Drought-resistant: Ideal for xeriscaping.
- Ground cover: Prevents soil erosion.

- Pollinator-friendly: Flowers attract bees.

(v). Survival Plant:

- Thrives in harsh conditions (hot, dry, poor soil).
- Self-seeds prolifically for future harvests.

D). However, we must note following points in growing and taking Purslane:

- Identification: Confirm it is Purslane (not toxic 'spurge', which has milky sap).
- Oxalates: Contains moderate oxalates (avoid if prone to kidney stones).
- People are advised to seek medical treatment should any problems occur after taking Purslane.

E). Purslane grows like a 'superweed' without additives—making it perfect for low-effort, sustainable gardening. Its resilience and nutritional density have earned it the title of a 'survival crop' worldwide.

6. The aim of the Applicant is not to engage on commercial undertaking. The growing of Amaranth and Purslane is for family consumption only. All in all, the growing of the two herb species to the Applicant is a low effort, fertilizer-free home grown venture which provide healthy and nutritional herb for own consumption.

## **II. Our additional measures in tackling the growing of Amaranth and Purslane without using any fertilizer/compost tea**

A bed of cultivated field will be designed for use. Loose sand and mud for growing will be placed on top the closely knitted iron wire mesh to support the sand and mud above.

Below the iron wire mesh net, a concrete tank will be constructed below to hold any dripping material that runs down above. Any material that goes down will be channelled to the sand trap and eventually to the septic tank designed for use for treating any waste water collected from growing Amaranth and Purslane.

The Revised Risk Assessment Report (prepared by Mr. PAU Wah Lung, an architect and authorized person) and in particular Paragraph IX of the Appendix II together with the Attachments as attached to our submission to TPB and the Planning D on 01/03/2025 are submitted again for your reference.



## Appendix II

A Risk Assessment Report on water quality likely to be affected by proposed private garden at Lot No. 429 S. B (Part) in DD244 and adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) (Revised version)

### I. Introduction

This Risk Assessment Report is updated and revised according to the comments made by Mr. Terry LAW of the Construction Division, Water Supplies Department (WSD) on Review Application No. A/SK-HC/354 as at 13.2.2025.

As the proposed temporary garden falls within Water Gathering Ground (WGG), Mr. LAW commented that:

"There are risks of contamination to the WGG due to the formation, operation and management of the garden".

As such he advised that a Risk Assessment Report is required to provide the particulars of the proposed organic farming for review, and to prove and demonstrate that there is no material increase in pollution effect within WGG resulting from the proposed development.

### II. Site visit conducted on 19 July 2024

Site was visited in the afternoon of 19 July 2024. After arriving and dropping off at House No. 450 Ho Chung New Village, I walked towards the stream course in the north and a few photographs were taken. The location plan showing the proposed boundary of the private garden is at Attachment 1, photographs taken of the surrounding at Attachment 2, and plan showing alignment of the U-Channel for rain/storm water outside House No. 450 Ho Chung New Village is at Attachment 3.

### III. Revised proposal of a simple private garden with the cultivation plot of organic vegetables

I have further discussed with Applicant Ms. LAM Yeuk Yin regarding her latest proposal of growing organic vegetables in the proposed garden area. Ms LAM remarked that in view of departmental comments, and the fact that there is no public sewer at the present location and in the vicinity, she now desires to grow organic vegetables inside the proposed private garden. The green house would be taken away, part of the lawn immediately in front of the house would be paved and the remainder of the area would be used to grow organic vegetables. The Revised Plan showing Proposed Private Garden is at Attachment 4.

I have read carefully the Report on growing Organic Vegetables compiled by Mr. YEUNG Siu Fung and in collaboration with Ms. LAM which is attached at Attachment 5 for reference. By following the advice of those in the trade of growing organic vegetables, she does not think that there would be any creation of wastewater from the revised proposal.

Other than my recommendations to address the WSD concerns at Paragraph VIII, my other comments on tackling the likely issue of contamination are at Paragraph IX.

#### IV. History of Lot 2194 & Lot 429 S. B in DD244

The Applicant is the owner of Lots Nos. 2194 and 429 S.B in DD244. Lot 2194 is a 3-storey small house lot (New Grant No. 20956 issued on 28/07/2010), and Lot 429 S. B is an old scheduled Block Government Lease agricultural lot.

The applicant bought the two lots on 16/01/2015 as the small house Lot was completed with Certificate of Compliance duly issued on 02/01/2013 after satisfactory construction of the small house, the septic tank and surface drains in and around Lot 2194 as required by the grant conditions.

I have checked the details of the small house conditions of Lot No. 2194 in DD244 which are common to all small house grants in the New Territories. I am not going to attach the said grant conditions here as it has a total of 22 pages. I shall just mention Special Condition Nos. 17 & 23 at Paragraphs V and VI below.

Nevertheless a copy of the Certificate of Compliance is at Attachment 6 for reference.

#### V. Storm or rain water from Lot No. 2194

According to Special Condition No. 17 (listed at Page 16 of New Grant No. 20956):

"All storm or rain water from the lot shall be conveyed into the nearest stream course, catchpit, channel or storm - water drain as required and in a manner to be approved by the District Lands Officer"

In other words, the Applicant's current practice in discharging storm or rain water according to the aforesaid grant condition is acceptable to the District Lands Officer.

#### VI. Drainage of Lot No. 2194

According to Special Condition No. 23 (listed at Page 17 of New Grant No. 20956):

"The drainage of any building erected on the lot shall be effected as may be required by the District Lands Officer, and the Grantee shall make all



arrangements at his own expense and to the satisfaction of the District Lands Officer for the treatment and disposal of sewage, sullage and foul, contaminated or waste water by the construction of suitable works either within the lot or on Government land or otherwise and on such terms as the District Lands Officer shall require, and the Grantee shall be solely liable for any damage or nuisance caused thereby."

As a result septic tank was constructed to the satisfaction of the District Lands Officer and Letter of Compliance was issued on 02/01/2013 as at Attachment 6.

VII. My Views of the septic tank, the small house and the proposed private garden

I have no information as to the reasons leading to the small house grant in this area of current Agriculture zoning and WGG in the year 2010.

Moreover, there were other three small house grants, namely Lot 2196, BL 2527 & BL 2478 to the south-west of Lot 2194, and eleven small houses piled up immediately on the right hand side of Lot 2194 across the track. Plan showing the houses is at Attachment 7.

There was no public sewer then in the vicinity to serve the to-be-built small houses. The Departments in considering issuing small house grants at the time must have thought that the septic tanks (be it individual or communal) would not pose any threat to the WGG and the nearby stream course to the north of the small houses.

In my view, the contamination to the WGG and the stream course to the north as a result of the development of a proposed private garden would have far less pollution effect than the wastewater created by inhabitants of the existing small house or actual farming in the area if a septic tank system is built below the proposed private garden.

If septic tank for a small house can prevent contamination of the WGG and the stream course, I am of the view that a septic tank to hold foul water generates from the simple cultivation plot of organic vegetables (hereafter refers as 'the cultivation plot') can prevent contamination to the surrounding and the stream course in the north as well.

VIII. Concerns of WSD

Let me describe below the concerns of WSD and my recommended proposed measures:

- A. No discharge of effluent or foul water into adjoining land, storm water drain, channel, stream or river course is allowed. Such foul water or effluent shall be collected and disposed of outside WGG.

Proposed measures – A septic tank of similar size as to a septic tank required by a small house would be constructed under Lot 429 S. B in D.D.244. As a result, any foul water or effluent generates from ‘the cultivation plot’ would be collected into the said septic tank just like those foul water or effluent generates from the small house on Lot 2194. It is my view that the foul water or effluent generates from ‘the cultivation plot’ would be far less than that from one small house, and the proposed septic tank could solve the issue of possible contamination.

Moreover an additional sand trap will also be constructed as described at Paragraph IX to filter the foul water and any effluent before entering the septic tank. The plan showing the location of the proposed sand trap and the septic tank is at Attachment 8 for reference.

- B. All solid waste and sludge arising from the development shall be disposed of properly outside WGG.

Proposed measures – the sand trap and the septic tank system as described under A above should serve the propose of preventing pollution in the area. I am of the view that the revised proposal of a garden with ‘the cultivation plot’ would only generate negligible amount of solid waste and sludge, if not none at all. Such a small amount of solid waste and sludge together with wastewater would be first filtered by the sand trap before going to the septic tank. The used sand would be replaced every 6 months and disposed of properly outside WGG according to the rules imposed by the Environmental Protection Department (EPD) as stipulated by their Water Control Pollution Ordinance.

More details of the sand trap and septic tank system are also described at Paragraph IX.

- C. The use and storage of pesticide, herbicides, toxicants, chemical solvents, laticidal oil, rodenticide, tar and petroleum oil are strictly prohibited in WGG.

Proposed measures – Applicant promises not to use and the storage of such materials inside the private garden and the small house Lot 2194.

- D. No chemicals including fertilizers and detergents shall be used/stored without the prior approval from the Water Authority.



Proposed measures – Applicant promises to abide by D; demolish the green house and grow only organic vegetables.

E. Oil leakage and spillage are not allowed within WGG at all time.

Proposed measures – Applicant promises to abide by E.

F. The garden and its associated horticultural activities shall be located away from any water courses as far as possible. All garden structures shall be water tight and properly maintained. Signage for alerting not to pollute WGG should be displayed.

Proposed measures – Applicant promises to abide by F and put up the signage as described.

G. During the formation of the garden, no earth and other construction materials which may cause contamination to WGG are allowed to be stockpiled or stored on site. Furthermore, all excavated or filled surfaces shall be protected from erosion and siltation to any water courses shall be prevented within WGG. All construction spoils shall be contained and protected; and effluent containing spoils shall be disposed of after desiltation.

Proposed measures – Applicant promises to adhere to all situations as described at G.

#### IX. An on-site sewage disposal septic system

In order to tackle the issue of contamination effectively, the Applicant is agreeable to set up an on-site sewage disposal septic system for any wastewater likely to be generated from the 'the cultivation plot'.

The on-site sewage disposal septic system for the private garden will consist of two parts. The first part is a sand trap and the second part is the septic tank for the settlement and treatment of the wastewater and slurries in the same place just in case any wastewater and slurries, which are very unlikely, are being generated.

The first treatment removes materials that will settle with gravity or float. The method is to sprinkle or trickle the water over the bed of sand. As the water filters downward, it is put into contact with oxygen and microorganisms, which work together to break down the organic matter in the water before the decomposed wastewater goes down to the septic tank built below Lot 429 S. B in DD244. In practice the bed of sand will be

replaced every six months with clean and fresh sand whereas the used ones will be disposed of properly outside WGG according to rules required by the EPD.

A drainage engineer will be asked to design the drainage facilities (the sand trap plus the septic tank and the surface running water channels) surrounding the proposed garden area should this proposal is acceptable to WSD.

#### X. Conclusion

It is my view that the revised proposal of 'the cultivation plot' within the private garden and with the setting up of the sand trap plus the septic tank immediately beneath part of the land at Lot 429 S. B in DD244 will not cause any contamination to the WGG, and will not pose any threat to water quality in and around the area.

Basing on the preceding paragraphs, I am confident to say that there would be "no material increase in pollution effect resulting from the proposed development" of a revised private garden with a cultivation plot of organic vegetables.



PAU Wah Lung  
Registered Architect, Fellow Member of HKIA &  
Authorised Person – Architect

Date: 1<sup>st</sup> March 2025

#### Attachments

Attachment 1: Location Plan

Attachment 2: Photographs of House No. 450 and the surrounding (a) to (g)

Attachment 3: Plan showing alignment of the U-Channel for rain/storm water

Attachment 4: Revised Plan showing Proposed Private Garden

Attachment 5: Report on growing Organic Vegetables

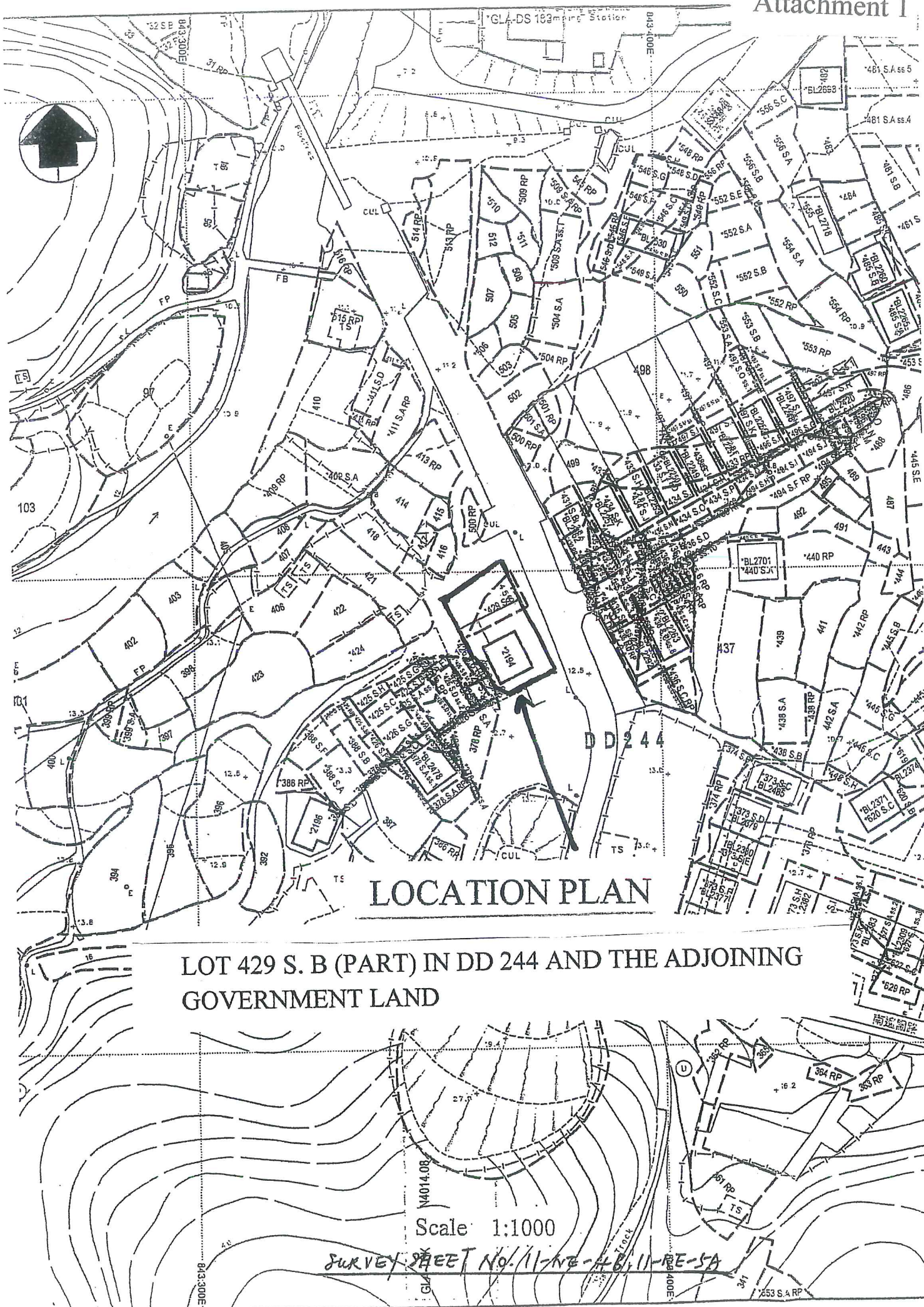
Attachment 6: Copy of the Certificate of Compliance

Attachment 7: Plan showing the houses in the vicinity

Attachment 8: Plan showing proposed sand trap and the septic tank

---End of Report---





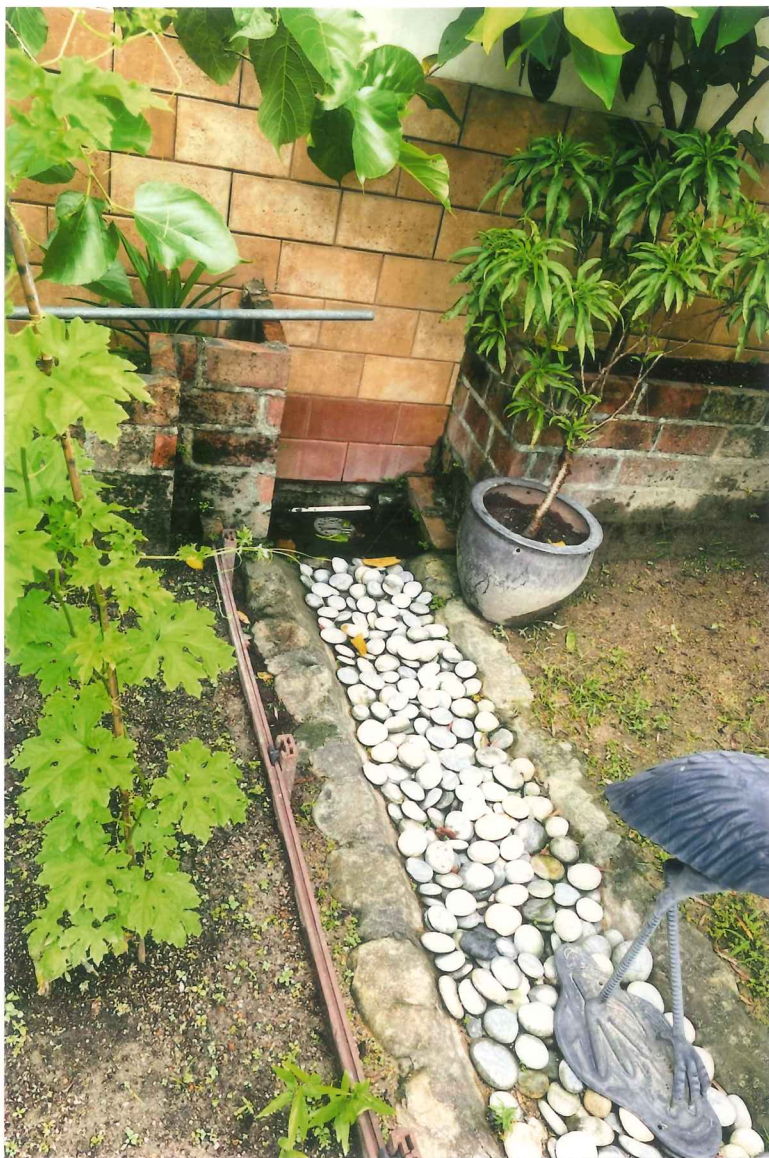


(a)



House No. 450 Ho Chung New Village, Sai Kung, N. T.





Part of the Existing Features inside House No. 450

(c)



Part of the existing drainage for rain/storm water  
inside House No. 450





A nearby culvert

( e )



A U-Channel to the North of House No. 450 Ho  
Chung New Village (Part 1)

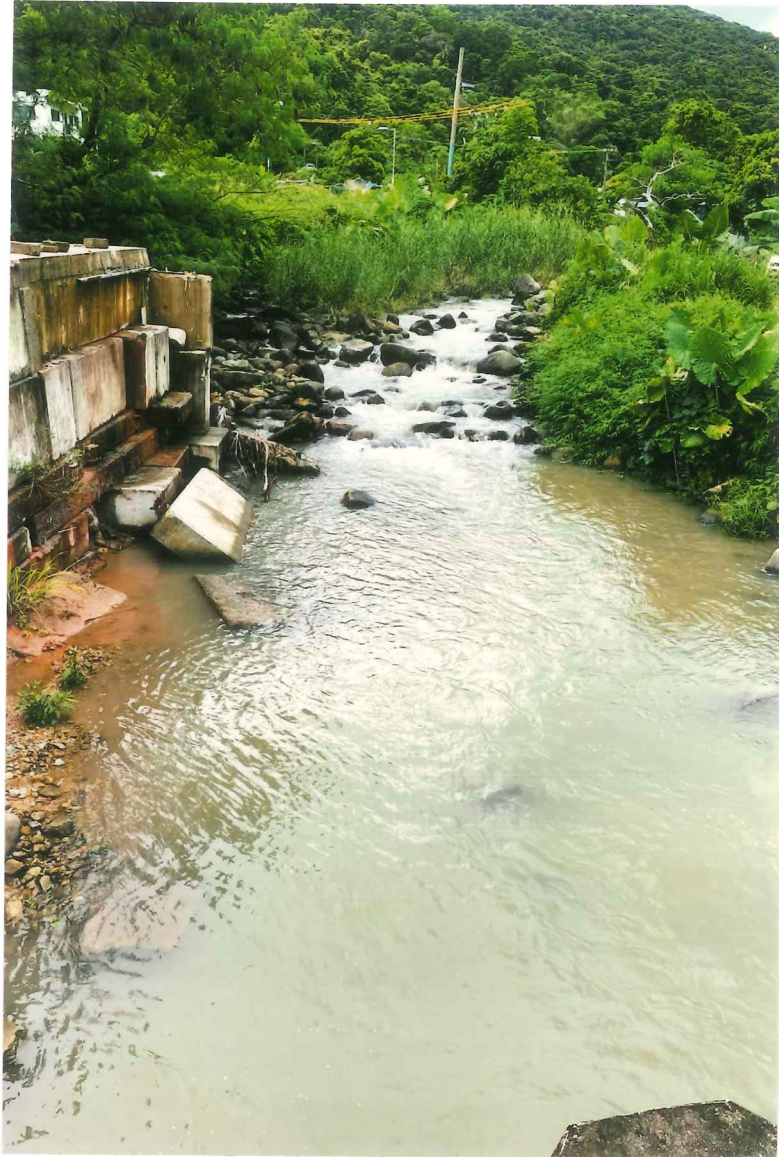


( f )



A U-Channel to the North of House No. 450 Ho  
Chung New Village (Part 2)

( 9 )



The Stream Course to the North



Topographic map showing a hillside with contour lines. The map includes labels for 'GLA-DS 359', 'Scale 1:1000', and 'SURVEY SHEET NO. 11-NB-4B, 11-RE-5A'. The map also shows a road labeled '362 RD' and a building labeled '364 RP'.

SURVEY SHEET NO. 11-NE-4B, 11-NE-5A



# REVISED PLAN SHOWING PROPOSED PRIVATE GARDEN

Lot No.429 S. B (Part) in DD244 & adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung)

## LEGEND

CULTIVATION  
PLOT

PAVED AREA

Scale 1:1000

SURVEY SHEET No. 11-NB-48, 11-BE-5A



**The growing of Organic Vegetables at the proposed private garden at Lot No. 429 S. B (Part) in DD244 and adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.)**

The following information is advised by those professionals in the trade of growing of Organic Vegetables:-

I. What is Organic Farming?

Organic farming is a system of agricultural production based on the use of natural processes and resources – no chemicals or genetically modified organisms are used – in order to obtain healthier and more nutritious food while protecting soil fertility, preventing the spread of pests and respecting the environment. It is a system that, instead of using agricultural inputs, carries out specific practices depending on the characteristics of each ecosystem.

II. Fertilizer used – Compost tea and Composting

Compost tea works well as a homemade plant fertilizer since it contains a wide array of nutrients and beneficial bacteria which are best for red leave lettuce.

Composting is the act of combining organic materials to encourage healthy decomposition. To make compost, organic materials like food waste grass clippings, newspapers, and coffee grounds are layered together to create the perfect environment for microbes, fungi, and other decomposition bacteria to break them down into an all-natural fertilizer.

The benefits of compost include providing nutrients to crops as fertilizer, acting as a soil conditioner, increasing the humus or humic acid contents of the soil, and introducing beneficial microbes that help to suppress pathogens in the soil and reduces soil-borne diseases.

### III. Organic pesticide used

Use the organic pesticide, BTK (*Bacillus thuringiensis kurstaki*). BTK is a naturally occurring microorganism that sickens and kills caterpillars without harming butterflies, bees, and other beneficial insects.

### IV. Specific steps to be adopted by Applicant, Ms. LAM

#### Step 1. Choose the Right Variety of Lettuce

- Butterhead lettuce is chosen as it is a good source of carotenoid antioxidants which helps to protect our cells from free radical damage that can lead to chronic diseases like cancer.
- It is also High in iron and vitamins A & K.

#### Step 2. Prepare the Soil

- Soil Quality: Lettuce grows best in well-draining, fertile soil rich in organic matter.
- Soil pH: Aim for a slightly acidic to neutral pH (6.0–7.0).
- Amend the Soil: Add compost or well-rotted manure to improve soil fertility and structure. Avoid synthetic fertilizers to maintain organic practices.

#### Step 3. Planting Lettuce

- Sow seeds directly in the garden and transplant seedlings.
- Plant seeds ¼ inch deep and 1 inch apart.
- Thin seedlings to 6–12 inches apart once they have a few leaves.
- Spacing: Allow enough space for air circulation to prevent disease.

#### Step 4. Watering

- Consistent Moisture: Lettuce needs consistent moisture but avoid waterlogging.
- Water deeply 1–2 times per week, depending on weather.
- Mulching: Use organic mulch (straw, grass clippings, or shredded leaves) to retain soil moisture and regulate temperature.

#### Step 5. Organic Pest and Disease Management

- Common Pests: Watch for aphids, slugs, and caterpillars. Use organic solutions like:
  - Organic pesticide to be used as listed at Paragraph III, and also



- Neem oil or insecticidal soap for aphids.
- Beer traps or diatomaceous earth for slugs.
- Hand-pick caterpillars or use row covers.
- Diseases: Prevent fungal diseases by avoiding overhead watering and ensuring good air circulation. Crop rotation may be applied annually to prevent soil-borne diseases.

#### Step 6. Fertilizing

- As mentioned at Paragraph II and also use fish emulsion, or seaweed extract every 3–4 weeks to provide nutrients.

#### Step 7. Harvesting

- Leaf Lettuce: Harvest outer leaves as needed, allowing the plant to continue growing.
- Head Lettuce: Harvest the entire head when it reaches full size.
- Timing: Harvest in the morning for the best flavor and crispness.

#### Step 8. Succession Planting

- To enjoy a continuous harvest, plant new seeds every 2–3 weeks.

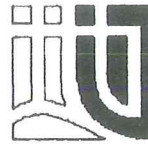
### V. Conclusion

By following the advice of the professionals and the steps, Ms. LAM is confident that she can grow healthy, organic lettuce in the proposed private garden.

And with the setting up of the sand trap plus the septic tank immediately beneath part of the proposed private garden area at Lot 429 S. B in DD244 as advised by the architect Mr. PAU Wah Lung, it is believed that the organic vegetable growing will not cause any contamination to the Water Gathering Ground, and will not pose any threat to water quality in and around the area.

Prepared by Mr. YEUNG Siu Fung in collaboration with the Applicant,  
Ms. LAM Yeuk Yin

1<sup>st</sup> March 2025



地政總署  
西貢地政處  
DISTRICT LANDS OFFICE, SAI KUNG  
LANDS DEPARTMENT

電話 Tel: 2972 5187  
圖文傳真 Fax: 2792 0706  
電郵地址 Email: [gendlask@landsd.gov.hk](mailto:gendlask@landsd.gov.hk)  
本署檔號 Our Ref.: (200) in DLO/SK 32/SHL/05  
來函檔號 Your Ref.:

我們矢志努力不懈，提供盡善盡美的土地行政服務。  
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NEW TERRITORIES

網址 Web Site: [www.landsd.gov.hk](http://www.landsd.gov.hk)

Mr. WAN Pak Kan  
c/o HAU, LAU, LI & YEUNG Solicitors & Notaries

**By Recorded Delivery**

- 2 JAN 2013

Dear Sir,

Lot No. 2194 in Demarcation District No. 244

The house erected on the lot pursuant to New Grant No. 20956 under which the above lot has been granted has now been inspected and I hereby certify that all the positive obligations imposed on the Grantee of the above lot under the General and Special Conditions of New Grant No. 20956 have been complied with to my satisfaction.

This certification is given without prejudice to all or any rights of the Government whether under the said Conditions or otherwise in respect of any breach or failure to observe any of the said Conditions which may exist on the date hereof or which may hereafter occur.

As the building erected on the lot is exempted from the provisions of the Buildings Ordinance, Cap. 123 under the Buildings Ordinance (Application to the New Territories) Ordinance, Cap. 121 by virtue of Certificates of Exemption dated 16/11/2010 and 12/04/2012, no site formation, building or other plans have been approved by the Building Authority in respect of the above lot and the building erected thereon. Accordingly this certificate is not to be construed as a representation by Government that the building erected on the above lot or any works in connection therewith are structurally safe and Government expressly excludes any liability arising out of such construction or works.

In your own interest, you are advised to register this certificate in the Land Registry by memorial which shall be verified by the certificate of a solicitor in accordance with Regulation 7 of the Land Registration Regulations.

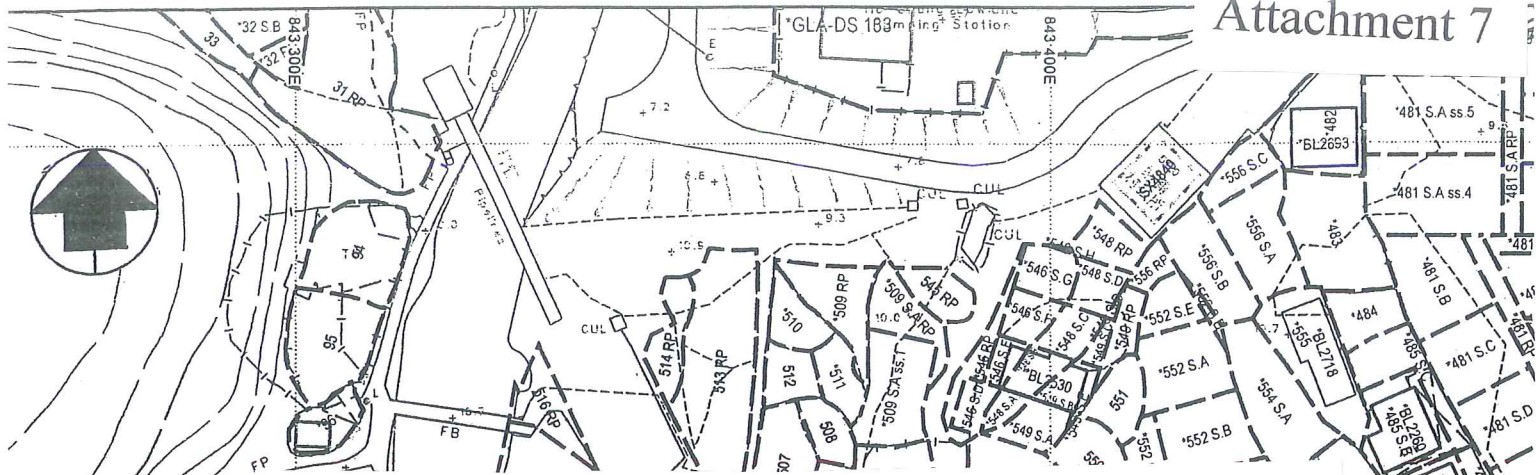
Yours faithfully,

(Ken CHEUNG)  
for District Lands Officer/Sai Kung

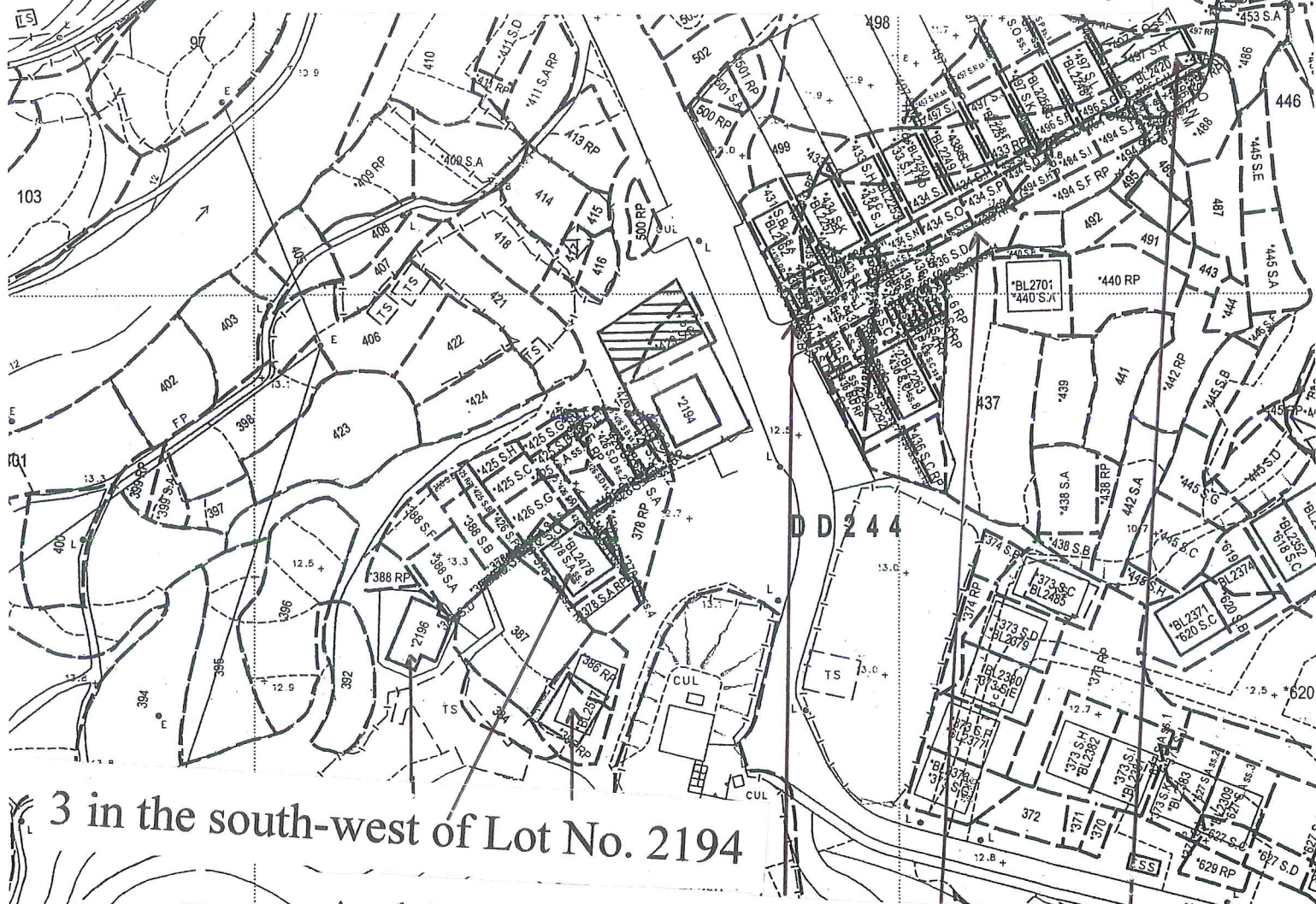
c.c. CR & V (Attn. Tech. Secy. (Information)) – with plan  
DSO/SK – with plan





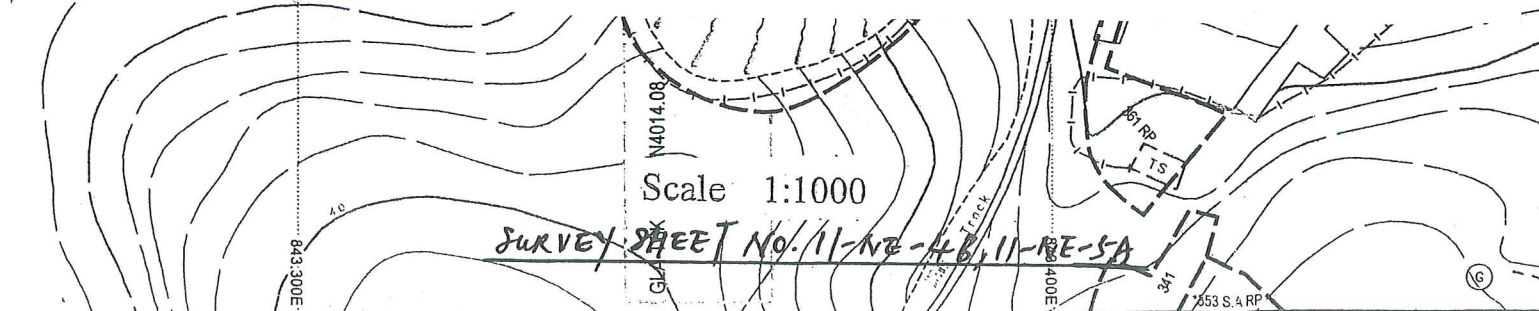


Plan showing the houses in the vicinity



3 in the south-west of Lot No. 2194

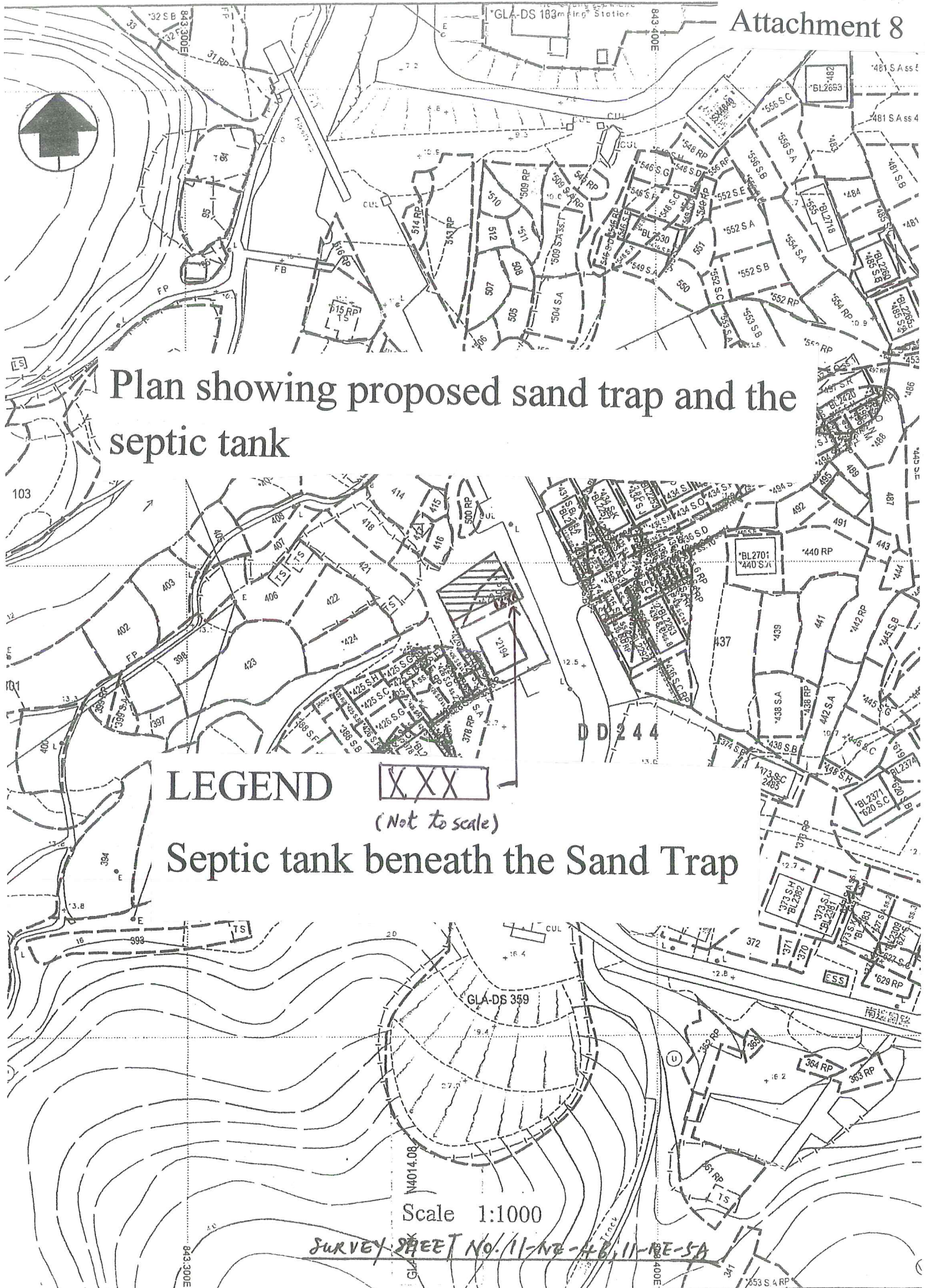
And 11 to the right hand side of Lot 2194 across the track



Scale 1:1000

SURVEY SHEET NO. 11-NE-46, 11-NE-5A







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寄件者: Alex Yeung [REDACTED]  
寄件日期: 2025年09月24日星期三 11:31  
收件者: tpbpd/PLAND  
副本: [REDACTED]  
主旨: Response to Comments - Planning Application No. A/SK-HC/354 on Review  
附件: 20250923 Response to WSD Comments of 8.8.2025.docx; 20250301 Revised Risk Assessment Report by Mr. PAU Wah Lung.pdf; 20250301 Attachments 1 to 8 of Appendix II.pdf

Dear Sir/Madam,

I refer to the email dated 19/09/2025 from Miss CHAN of the Plannd.

In view of Comments from the Chief Engineer/Construction Water Supplies Department,

as referred by Miss CHAN of PlanD on 08/08/2025, I forward our response below:

Grateful for your noting of our response and attachments-

Attachment 1 - Appendix I (Our Response to WSD Comments);

Attachment 2 - Appendix II (The Revised Risk Assessment Report of 01/03/2025, prepared by Mr. PAU Wah Lung, an architect and authorized person); and

Attachment 3 - Attachments 1 to 8 attached to the Revised Risk Assessment Report of 01/03/2025.

Thank you for your kind attention.

YEUNG Siu Fung

**Planning Application No. A/SK-HC/354**

**Response to Departmental Comments as at 8.8.2025 in respect of the Application for a Temporary Private Garden on Lot 429 S. B (Part) in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) on Review**

**Comments from Chief Engineer/Construction, Water Supplies Department**

Thank you for WSD's comment that 'no control/mitigation measures to eliminate the risk of contaminated surface run-off entering the WGG through the proposed garden were provided.'

2. Please take note that we do proposed control/mitigation measures to eliminate possible contaminated surface run-off in the past submissions. Let us illustrate again below.

A bed of cultivated field will be designed for use. Loose sand and mud for growing will be placed on top the closely knitted iron wire mesh to support the sand and mud above.

Below the iron wire mesh net, a concrete tank will be constructed to hold any dripping material that runs down above. Any material that goes down will be channelled to the sand trap and eventually to the septic tank designed for use for treating any waste water collected from growing Amaranth and Purslane.

The Revised Risk Assessment Report (prepared by Mr. PAU Wah Lung, an architect and authorized person) and in particular Paragraph IX of the Appendix II together with the Attachments as attached to our submission to TPB and the Planning D on 01/03/2025 are submitted again for your reference.

3. Besides the installments mentioned at Paragraph 2, we have consulted agronomist and searched relevant literature on the key control and mitigation measures to prevent contaminated surface runoff from entering the water gathering ground through the proposed garden. The steps we intend to implement as well are described below by power point:

a). Source Reduction (Most Effective):

- \* Minimize Impervious Surfaces: Use permeable paving (gravel, permeable pavers), stepping stones, or mulch paths instead of concrete/asphalt. Maximize planted areas.
- \* Chemical-Free Gardening:
  - \* No Fertilizers or Compost tea will be used.
  - \* Pesticides/Herbicides: Implement strict Integrated Pest Management (IPM). Use only approved organic/non-chemical controls as a last resort and never before forecast rain.



- \* Plant Selection: Amaranth and Purslane are chosen as the two are well-adapted plants requiring minimal water. Avoid invasive species. Use dense groundcovers to protect soil.
- \* Waste Management: Securely store cultivation materials away from runoff paths and drains. Never dispose of garden waste (clippings, soil) near watercourses.

b). Pathway Interruption & Runoff Management:

- \* Strategic Grading & Earthworks:
  - \* Contour Planting/Grading: Shape the garden to follow contours, slowing runoff and promoting infiltration.
  - \* Berms & Swales: Construct gentle berms and vegetated swales across slopes to intercept, slow, spread, and infiltrate runoff before it leaves the site.
  - \* Buffer Zones:
    - \* Establish a mandatory, undisturbed vegetated buffer strip between the garden and the water gathering ground boundary. Plant with dense, deep-rooted native grasses, shrubs, and trees to filter sediments, nutrients, and pollutants physically and biologically.
  - \* Diversion Structures: Install ditches, channels, or pipes up-slope of the garden to divert clean runoff from adjacent areas around the garden, reducing the total volume entering it.

c). Containment & Treatment On-Site:

- \* Rain Gardens/Bioswales: Construct these landscaped depressions in strategic low points or along runoff pathways within the garden. They collect runoff, allow it to pond, infiltrate, and be filtered by plants and soil. Size them for the catchment area.
- \* Infiltration Trenches/Basins: Use gravel-filled trenches or shallow basins (where soil permeability allows) to capture and infiltrate runoff volume.
- \* Sediment Control: During construction/establishment, use silt fences, fiber rolls, and sediment traps to prevent soil erosion. Stabilize bare soil immediately with mulch or temporary cover.

d). Operational & Maintenance Controls:

- \* Strict Chemical Management Plan: Document and enforce the zero chemical use policy. Train all gardening staff.
- \* Irrigation Management: Use drip irrigation or soaker hoses to minimize excess water and runoff. Avoid over-watering; use soil moisture sensors. Schedule irrigation to avoid generating runoff.
- \* Regular Maintenance:
  - \* Inspect and clean runoff management structures (swales, rain gardens, drains) regularly.
  - \* Maintain the health and density of filter strips.
  - \* Promptly fix erosion points.
  - \* Keep gutters and drains clear of debris.
- \* Spill Response Plan: Have kits and procedures ready to immediately contain and clean up any accidental spills (e.g., fuel and oils).
- \* Monitoring: Periodically test runoff quality (especially after heavy rain) and soil nutrients to verify effectiveness.

e). Design & Planning Integration:

- \* Detailed Drainage Plan: Integrate all runoff controls into the garden's master plan from the outset. Calculate runoff volumes for design storms.
- \* Phasing: Minimize the area of disturbed soil at any one time during construction.
- \* Local Expertise: Consult hydrologists, soil scientists, or environmental engineers familiar with the nearby water gathering ground regulations and local conditions.
- \* Regulatory Compliance: Ensure all designs and practices exceed the minimum requirements of the WSD managing the water gathering ground.

f). Key Principles to Remember:

- \* Multi-Barrier Approach: Use several layers of protection (source reduction + pathway interruption + treatment).
- \* Manage Water at the Source: Infiltrate or evaporate as much rainwater as possible where it falls.
- \* Slow It Down, Spread It Out, Soak It In: This is the mantra for reducing runoff volume, velocity, and pollutant transport.
- \* Protect the Buffer: The vegetated buffer zone is our last and most critical line of defense. Its integrity is paramount.
- \* Proactive Maintenance: All structures degrade without regular upkeep. Budget and plan for it.

4. By adopting proposed installments described at Paragraph 2, and the measures to be followed as outlined at Paragraph 3 and focusing heavily on source reduction and natural infiltration/treatment, we are confident that the risk of contaminated runoff reaching the sensitive water gathering ground can be effectively eliminated or reduced to an extremely low level.

.....End.....



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寄件者: Alex Yeung [REDACTED]  
寄件日期: 2025年09月24日星期三 14:26  
收件者: tpbpd/PLAND  
副本: [REDACTED]  
主旨: Response to Comments - Planning Application No. A/SK-HC/354 on Review  
附件: 20250923 Response to AMO Comments of 8.8.2025.docx  
  
類別: Internet Email

Dear Sir/Madam,

With reference to the comments by AMO as referred by Miss CHAN of PlanD on 08/08/2025,  
please note our response at Appendix I.

We are not sending the concerned photographs as they have been submitted in response to AMO's  
comments of 11 March 2025 before.

Attachments:  
Appendix I-Response to AMO's Comments of 08/08/2025.

Thank you for your kind attention.

YEUNG Siu Fung

**Planning Application No. A/SK-HC/354**

**Response to Departmental Comments as at 8.8.2025 in respect of the Application for a Temporary Private Garden on Lot 429 S. B (Part) in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) on Review**

**Comments from Chief Heritage Executive (Antiquities and Monuments), Antiquities and Monuments Office (AMO), Development Bureau**

- a. The Applicant expresses apology of her not knowing the existence of the Ho Chung SAI in 2015 and hence failed to consult AMO on the erection of a porch and a green house then.
- b. As to AMO's comments and enquiry sent to us on 11 March 2025. Please note the following:
  1. We have submitted Photos before showing Application site, during and after the construction of the porch and greenhouse.
  2. We have explained before that the porch was constructed with wooden frame and fiberglass in between. It was intended for creeping plants to provide shade.
  3. As for the greenhouse, it was constructed with light material of transparent fiberglass for passage of sunlight.
  4. Both structures are erected on the cement surface which were built after Applicant bought the small house property on 16.01.2015.
  5. Please be informed that no digging of any kind was carried out for the erection of the porch and the greenhouse in January 2015.
  6. The Applicant hereby undertakes not to further disturb the SAI by construction and any other work without prior consultation, comment and approval from AMO and any other relevant authorities.

.....End.....



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**From:** [REDACTED]  
**Sent:** 2025-10-21 星期二 13:01:03  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Cc:** [REDACTED]; LAM GLACIA  
<glacialam@yahoo.com.hk>  
**Subject:** Response to Comments - Planning Application No. A/SK-HC/354  
on Review  
**Attachment:** 20251021 Response to WSD Comments of 16.10.2025 Final.doc

Dear Sir/Madam,

In view of the Comments from the Chief Engineer/Construction Water Supplies Department,  
as referred by Miss CHAN of PlanD on 16/10/2025, I forward our response as attached at  
Appendix I.

Thank you for your kind attention.

YEUNG Siu Fung

**Planning Application No. A/SK-HC/354**

**Response to Departmental Comments as at 16.10.2025 in respect of the Application for a Temporary Private Garden on Lot 429 S. B (Part) in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) on Review**

**Comments from Chief Engineer/Construction, Water Supplies Department**

Thank you for WSD's comments of 16.10.2025.

We shall respond point by point according to the priority listed:

- (a) First of all we are only growing Amaranth and Purslane which do not require fertilizers of any kind including compost. Water is the only nutrient for them and we just simply water the crops daily.  
As such no foul water or effluent will be generated by growing such organic crops.

In any case the following control/mitigation measures to eliminate the risk of contaminated surface run-off entering the WGG would be put in place.

A bed of cultivated field will be designed for growing the 2 crops. Loose sand and mud for growing will be placed on top the closely knitted iron wire mesh to support the sand and mud above.

Below the iron wire mesh net, a concrete tank will be constructed to hold any dripping material that runs down above. Any material that goes down will be channelled to a sand trap for filtering and eventually to a greywater recycling system which uses aerobic microbes to purify water for reuse in cleaning the floors, watering the garden or flushing the toilets inside the nearby small house.

Furthermore, before setting up of the garden of growing crops we plan to engage qualified water quality expert to extract underground water underneath the private Lot 429S.B (Part) for examination. The result would serve as control for future reference. We also promise to conduct water quality examination by water quality expert half-yearly of the water left over by watering the crops both before and after operation of the greywater recycling system, after which all results will be submitted to WSD for reference of water quality before and after the setting up of the proposed garden.



The original design of a septic tank under the sand trap will not be adopted as it is generally not accepted in WGG by WSD.

- (b) Though no solid waste and sludge would be generated from the simple growing of the two crops, we agree any such solid waste and sludge thus come up from the erection, operation and maintenance of the proposed development would be disposed of properly outside WGG.
- (c) We promise and undertake not to use and store items listed at (c).
- (d) We promise and undertake not to use/store chemicals including detergents without prior approval from the Water Authority.
- (e) We promise and adhere to conditions listed at (e).
- (f) We promise and adhere to conditions listed at (f).

.....End.....

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寄件者: [REDACTED]  
寄件日期: 2025年10月23日星期四 18:54  
收件者: tpbpd/PLAND  
副本: [REDACTED]  
主旨: Response to Comments - Planning Application No. A/SK-HC/354 on Review  
附件: 20251023 Response to AMO Comments of 21.10.2025.docx  
類別: Internet Email

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Dear Sir/Madam,

With reference to the comments by AMO as referred by Miss CHAN of PlanD on 21/10/2025,  
please note our response at Appendix I.

Thank you for your kind attention.

YEUNG Siu Fung



Planning Application No. A/SK-HC/354

Response to Departmental Comments as at 21.10.2025 in respect of the Application for a Temporary Private Garden on Lot 429 S. B (Part) in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) on Review

**Comments from Chief Heritage Executive (Antiquities and Monuments),  
Antiquities and Monuments Office (AMO), Development Bureau**

- a. The Applicant expresses again apology of her not knowing the existence of the Ho Chung SAI in 2015 and hence failed to consult AMO on the erection of a porch and a green house then.
- b. Consultation was made with the developer of the small house on Lot 2194 in DD 244 of New Grant No. 20956 which was issued on 28.07.2010. They confirmed that no artifacts were found during construction of the small house foundation in 2011. Certificate of Compliance was subsequently issued on 02.01.2013.

After the Applicant bought the premises in 2015 and without knowing the existence of the Ho Chung SAI in the area, she put up a porch and a green house adjacent to the small house. She points out that the 2 said structures were erected on the cement surface without any digging into the soil below. As such the subsoil was not disturbed and she did not locate any artifacts of any kind during the process too.

- c. The Applicant hereby undertakes not to further disturb the SAI by construction and any other work without prior consultation, comment and approval from AMO and any other relevant authorities.

.....End.....

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**From:** [REDACTED]  
**Sent:** 2025-11-03 星期一 08:57:44  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Cc:** [REDACTED]  
**Subject:** Response to Comments - Planning Application No. A/SK-HC/354 on Review  
**Attachment:** 20251103 Response to WSD Comments of 30.10.2025.doc

Dear Sir/Madam,

With reference to the comments by WSD as referred by Miss CHAN of PlanD on 30/10/2025, please note our response at Appendix I.

Thank you for your kind attention.

YEUNG Siu Fung



**Planning Application No. A/SK-HC/354**

**Response to Departmental Comments as at 30.10.2025 in respect of the Application for a Temporary Private Garden on Lot 429 S. B (Part) in DD 244 and the adjoining Government land (House No. 450 Ho Chung New Village, Sai Kung, N.T.) on Review**

**Comments from Chief Engineer/Construction, Water Supplies Department**

Thank you for WSD's comments of 30.10.2025.

Please note below our response.

1. The operation and management of a greywater recycling system involve several key components and best practices to ensure safe and sustainable reuse of greywater.

(a). Operation:

- Collection from sinks and channels of waste water from cultivation bed through specialized plumbing and sand trap, ensuring separation from blackwater.
- Storage in tanks designed to prevent corrosion, inhibit bacterial growth, and sometimes include aeration and sensors for water quality.
- Treatment involves filtration to remove large particles and disinfection (such as UV or chlorination) to eliminate pathogens and contaminants.
- Control units monitor system performance, alert users of consumable replenishments.

(b). Management:

- Regular maintenance programmes including monthly filter inspection and cleaning, quarterly system checks, and annual professional servicing.
- Use of biodegradable and plant-friendly soaps to minimize harmful chemical buildup.
- Prevention of cross-contamination by keeping potable and non-potable water systems separate with no interconnections.
- Labeling and signage for greywater system components to ensure safety and compliance.
- Continuous monitoring of water quality and system operation, with contingency plans for failure scenarios.

(c). Regarding the treated effluent quality compliance as per the "Technical Memorandum on Effluent Standards" issued under section 21 of the Water Pollution Control Ordinance, treated greywater must meet quality standards set in Table 3 and Para. 8.4. These standards typically include limits for parameters such as biochemical oxygen demand, suspended solids, fecal coliforms, and other pollutants to ensure environmental and public health safety.

Specifically:

- Treated greywater must be safe for designated non-potable uses such as toilet flushing, irrigation, washing, or cooling tower makeup.
- The effluent should not contain harmful agents that cause infectious diseases or endanger public health.
- Sampling and monitoring regimes must be followed to maintain compliance with the standards.
- Storage of raw greywater should be minimal, ideally less than 24 hours, to reduce health risks.

Overall, sustainable operation requires qualified operators, proper treatment, secure distribution, regular performance monitoring, and adherence to Hong Kong's effluent standards as prescribed in the Technical Memorandum. This ensures the recycled greywater quality aligns with regulatory safety and environmental protection guidelines in Hong Kong.

2. A comprehensive water quality monitoring programme proposal for baseline monitoring that accounts for seasonal variations should be designed with clear objectives, selection of appropriate test parameters, well-chosen sampling points, defined sampling frequency, and an adequate sampling period covering both dry and wet seasons.

Proposing a Water Quality Monitoring Programme Set Clear Objectives and Goals: Define specific, measurable, attainable, relevant, and time-bound (SMART) objectives, such as establishing a baseline water quality profile to assess seasonal variations and detect contamination trends. Engage stakeholders to align goals with community and regulatory needs.

Research Existing Data: Gather data from previous studies, regulatory standards, and local environmental conditions to inform programme design.

Design Monitoring Plan: Specify parameters, sampling points, frequency, and duration that reflect the identified objectives and local hydrological context.

Test Parameters Selection Include physicochemical parameters such as pH, temperature, dissolved oxygen, salinity, turbidity, nutrients (nitrate, phosphate), biochemical oxygen demand (BOD), chemical oxygen demand (COD), and contaminants of concern (heavy metals, microbial indicators like E. coli). Determine parameters based on water body type (surface, marine, groundwater) and potential pollution sources.

Sampling Points Select multiple strategic sampling locations comprising: Impact sites near pollution sources. Sensitive receptor points such as downstream or ecologically important sites. Control sites located upstream or unaffected areas to serve as baseline references. For water bodies with depth variation, samples should be collected at multiple depths (surface, mid-depth, bottom) depending on water depth to capture vertical variability.



### Sampling Frequency and Period-

Frequency should capture temporal variability including both dry and wet seasons. For baseline monitoring: Conduct sampling at least monthly, with increased frequency (e.g., bi-weekly or weekly) during transitional periods between dry and wet seasons to capture rapid changes. Include sampling during specific hydrological events (e.g., rains, floods) if runoff impacts are of concern. Sampling should span multiple years (preferably 3 or more) to enable detection of trends and average out inter-annual variability.

Sampling Duration and Seasonal Coverage Plan for a minimum of one full year of monitoring covering all seasons initially to establish the baseline.

Ensure sampling includes: Dry season (low-flow, low precipitation). Wet season (high-flow, precipitation-driven events). Adjust and continue long-term maintenance monitoring for data consistency and adaptive management.

This programme design ensures the collection of representative, high-quality data to characterize water quality fluctuations influenced by seasonal changes, supports regulatory compliance, and informs management actions.

### 3. Conclusion

Due to the time constraint, we have only consulted a local qualified water quality expert who opines that the description at Paragraph 2 is a general guideline to be followed. A systematic report can only be prepared after actual field study.

The Applicant promises to seek assistance from qualified water quality professionals to provide full control report and measures to be put up for scrutiny by WSD should this Application for a private garden is approved by the TPB.

.....End.....

**Similar Applications within/straddle the same “Agriculture” Zone  
on the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/13**

**Approved Applications**

<b>Application No.</b>	<b>Location</b>	<b>Zoning</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/SK-HC/300 Temporary Private Swimming Pool and Garden for a Period of 3 Years	Lot 479 in D.D.244, Ho Chung, Sai Kung, New Territories	“V” & “AGR”	4.1.2019	(a) to (c)
A/SK-HC/365 Temporary Private Swimming Pool and Garden for a Period of 3 Years	Lot 479 in D.D.244, Ho Chung, Sai Kung, New Territories	“V” & “AGR”	15.8.2025	-

**Approval Conditions:**

- (a) submission of fire service installations and water supplies for firefighting;
- (b) in relation to (a) above, the implementation of fire service installations and water supplies for firefighting; and
- (c) if any of the above planning conditions (a) or (b) is not complied with by the specified dates, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.



**Recommended Advisory Clauses**

- (a) prior planning permission should have been obtained before commencing the development at the application site (the Site);
- (b) the permission is given to the use and/or structures under application. It does not condone any other use(s) and/or structure(s) which currently occur on the Site but not covered by the application. Immediate action should be taken to discontinue such use(s) and/or remove such structure(s) not covered by the permission;
- (c) failure to reinstate the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (d) to note the comments of the Director of Environmental Protection that the applicant is advised to observe and comply with the Water Pollution Control Ordinance in handling and discharging the wastewater, if any, arising from the applied temporary use;
- (e) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department that adequate stormwater drainage collection should be provided in connection with the applied use to deal with the surface runoff of the Site or the same flowing onto the Site from the adjacent areas without causing any adverse drainage impacts or nuisance to the adjoining areas;
- (f) to note the comments of the Executive Secretary (Antiquities and Monuments)<sup>2</sup>, Antiquities and Monuments Office, Development Bureau (ES(AM)<sup>2</sup>, AMO, DEVB) that no further disturbance on the Site of Archaeological Interest by construction and any other work without approval from AMO and any other relevant authorities should be carried out; and
- (g) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
  - (i) regarding the operation and management of the greywater recycling system including the design of the system, the material and structure involved, the efficiency and effectiveness of treatment and the potential overflow/leakage of the system due to extreme weather condition, improper handling or mismanagement should be provided.;
  - (ii) the applicant proposes the use of biodegradable and plant-friendly soaps. Information on

the soaps, including but not limited to the reason of application, chemical composition, toxicological data, application procedure, quantity and frequency should be provided. No chemicals including fertilizers and detergents shall be used or stored without the prior approval from the Water Authority;

- (iii) the treated effluent quality should comply with standards as set out in Table 3 and para. 8.4 of the "Technical Memorandum on Effluent Standards" issued under section 21 of the Water Pollution Control Ordinance;
- (iv) the applicant should review, clarify and determine whether the ammoniacal nitrogen should be included and the phosphate to be tested in the Water Quality Monitoring Programme, with a view to verifying no material increase in pollution effect resulting from the application of greywater recycling system and crop-growing activities;
- (v) the applicant should review and elaborate how action levels will be derived for water pollution monitoring and control in regard to the above condition;
- (vi) the applicant should review and indicate the sampling point locations on the applied garden which are suitable for collecting representative water samples for water quality monitoring before and after the setup of greywater recycling system; and
- (vii) the treated effluent quality should comply with the standards as set out in Table 3 and para. 8.4 of the "Technical Memorandum on Effluent Standards" issued under section 21 of the Water Pollution Control Ordinance.



2-1

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**From:** [REDACTED]  
**Sent:** 2025-03-29 星期六 02:19:23  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Cc:** FS Office/FSPO <fso@fso.gov.hk>  
**Subject:** Re: A/SK-HC/354 DD 244 Ho Chung New Village

Dear TPB Members,

Rejected 6 Dec.

Justification for review "growing organic vegetables"

Ha ha ha. Nice try but certainly no justification to reward unapproved use of Government Land.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** tpbpd <[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)>  
**Cc:** fso <[fso@fso.gov.hk](mailto:fso@fso.gov.hk)>  
**Date:** Thursday, 19 September 2024 2:21 AM HKT  
**Subject:** Re: A/SK-HC/354 DD 244 Ho Chung New Village

Dear TPB Members,

In scenarios like this in which it is obvious that government land has been used without approval for many years does the administration bill for the past use?

In view of the government finances, FS should look into this matter.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** tpbpd <[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)>  
**Date:** Monday, 27 May 2024 3:11 AM HKT  
**Subject:** A/SK-HC/354 DD 244 Ho Chung New Village

A/SK-HC/354

Lot 429 S.B (Part) in D.D. 244 and Adjoining Government Land, Ho Chung New Village, Sai Kung

Site area: About 282.33sq.m Includes Government Land of about 216.77sq.m

Zoning: "Agriculture"

Applied use: Private Garden

Dear TPB Members,

Strong Objections. Google Maps indicate that the Government Land has been enclosed for some time without the requisite approval. Has any enforcement action been taken?

Approval of application effectively condones the take over of public land for private use, a wide spread practice that has been tolerated for far too long.

It would also set a precedent and encourage further encroachment onto both Agriculture zoning and Government Land.

Members should question the status of the multiple parking lots close by that also appear to have no approval.

Mary Mulvihill