

2024年 8月 19日

此文件在 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。

This document is received on 19 AUG 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.

Appendix I of RNTPC  
Paper No. A/SK-CWBS/50A

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:  
[https://www.tpb.gov.hk/en/plan\\_application/apply.html](https://www.tpb.gov.hk/en/plan_application/apply.html)

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：  
[https://www.tpb.gov.hk/tc/plan\\_application/apply.html](https://www.tpb.gov.hk/tc/plan_application/apply.html)

## **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



2402003 15/8 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-cwbs / 50
	Date Received 收到日期	19 AUG 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)

Wai Cheung Wai Kwan

### 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)

Vision Planning Consultants Limited

### 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)	Government Land adjoining Lot No. 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung
(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 ..... 150 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Gross floor area 總樓面面積 ..... 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)	..... 150 ..... sq.m 平方米 <input checked="" 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	Approved Clear Water Bay Peninsula South Outline Zoning Plan No. S/SK-CWBS/2
(e) Land use zone(s) involved 涉及的土地用途地帶	"Conservation Area" zone
(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" (please proceed to Part 6 and attach documentary proof of ownership).  
是唯一的「現行土地擁有人」(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" (please attach documentary proof of ownership).  
是其中一名「現行土地擁有人」(請夾附業權證明文件)。
- ☐ is not a "current land owner".  
並不是「現行土地擁有人」。

- ☒ 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)".  
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」。

(b) The applicant 申請人 –

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

Details of consent of "current land owner(s)" obtained 取得「現行土地擁有人」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)"#  
已通知 ..... 名「現行土地擁有人」#。

Details of the "current land owner(s)"# notified 已獲通知「現行土地擁有人」#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)#&  
於\_\_\_\_\_ (日/月/年)向每一名「現行土地擁有人」#郵遞要求同意書&

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)&  
於\_\_\_\_\_ (日/月/年)在指定報章就申請刊登一次通知&
- ☐ posted notice in a prominent position on or near application site/premises on \_\_\_\_\_ (DD/MM/YYYY)&  
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&
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on \_\_\_\_\_ (DD/MM/YYYY)&  
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&

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

Proposed Temporary Private Garden for a Period of 3 Years and Proposed Excavation and Filling of Land Associated with On-site Maintenance and Barrier Fence Erection/Replacement Works

(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 ..... 150 .....sq.m ☒ About 約

Proposed covered land area 擬議有上蓋土地面積 .....sq.m ☐ About 約

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

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 .....sq.m ☐ About 約

Proposed gross floor area 擬議總樓面面積 .....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)

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 .....

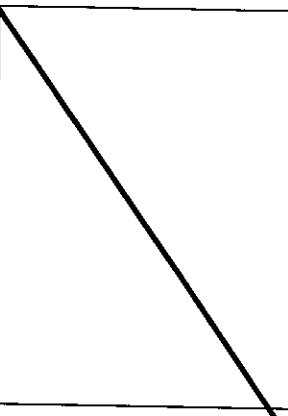
Heavy Goods Vehicle Spaces 重型貨車車位 .....

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      No 否	<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))  Tai Au Mun Road via an Access Road  <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)			
(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      No 否	<input type="checkbox"/> Please provide details 請提供詳情      <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      No 否	<input checked="" 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／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 checked="" type="checkbox"/> Filling of land 填土 Area of filling 填土面積 ..... 150 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 Depth of filling 填土厚度 ..... 1.5 ..... m 米 <input checked="" type="checkbox"/> About 約  <input checked="" type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積..... 150 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 Depth of excavation 挖土深度 ..... 1.5 .....m 米 <input checked="" type="checkbox"/> About 約			
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?			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"/>   		



	<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>

(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	<input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件  <input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件  <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： _____ _____ _____ Reason(s) for non-compliance: 仍未履行的原因： _____ _____ _____ (Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)
(f) Renewal period sought 要求的續期期間	<input type="checkbox"/> year(s) 年 ..... <input type="checkbox"/> month(s) 個月 .....



## 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。

Please refer to the attached Planning Statement.



**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

CHAN KIM ON

Managing Director

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 RPP No. 29

Others 其他

on behalf of  
代表

Vision Planning Consultants Limited

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

Date 日期

15 AUG 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	Government Land adjoining Lot No. 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung
Site area 地盤面積	150 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 150 sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	Approved Clear Water Bay Peninsula South Outline Zoning Plan No. S/SK-CWBS/2
Zoning 地帶	"Conservation Area" zone
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 <u>3</u> <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	Proposed Temporary Private Garden for a Period of 3 Years and Proposed Excavation and Filling of Land Associated with On-site Maintenance and Barrier Fence Erection/Replacement Works



(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input 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		
(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	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	% <input 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 checked="" type="checkbox"/>
Location Plan, Lot Index Plan and Aerial Photo		
<b>Reports 報告書</b>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" 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。



**Application for Proposed Temporary Private Garden  
for a Period of Three Years and Proposed Excavation  
and Filling of Land Associated with On-site  
Maintenance and Barrier Fence Erection/Replacement  
Works, in “Conservation Area” Zone at  
Government Land Adjoining Lot No. 210 RP  
in D.D. 241, Tai Wong Kung,  
Po Toi O, Sai Kung, New Territories**

Applicant : Ms. Wai Cheung Wai Kwan  
Planning Consultants : Vision Planning Consultants Ltd.  
Date of Submission : 15 August 2024



## **CONTENTS**

### **EXECUTIVE SUMMARY**

### **MAIN TEXT**

- 1. THE APPLICATION**
- 2. SUBJECT SITE AND ITS SURROUNDINGS**
- 3. INTENTION OF THE APPLICATION**
- 4. PLANNING JUSTIFICATIONS**
- 5. CONCLUSION**

### **LIST OF FIGURES**

Figure 1	Site Location Plan
Figure 2	Lot Index Plan of the Subject Site
Figure 3	Aerial Photo of the Subject Site
Figure 4	The Site and Its Surroundings (Photo Index Plan)
Figure 5	Photo Plate No. 1
Figure 6	Photo Plate No. 2
Figure 7	Photo Plate No. 3
Figure 8	Photo Plate No. 4
Figure 9	Photo Plate No. 5
Figure 10	Indicative Excavation and Filling of Land Plan

### **LIST OF APPENDIX**

Appendix I	Extract of the Notes of OZP
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## **EXECUTIVE SUMMARY**

This planning application aims to seek a permission of the Town Planning Board (“**TPB**”) for a proposed temporary private garden for a period of three years and proposed excavation and filling of land associated with the subsequent maintenance and erection/replacement of fence barrier works, at an irregular elongated piece of Government Land (“**GL**”) (the “**Subject Site**”) adjoining Lot No. 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung, New Territories. The Subject Site falls within an area zoned “Conservation Area” (“**CA**”) on the Approved Clear Water Bay Peninsula South Outline Zoning Plan No. S/SK-CWBS/2 (the “**OZP**”).

The Subject Site has been separated physically from the rest of the “CA” area by an unattended local access road, which was not built by the Government with no vehicle fence barrier nor street lamp. Parking activities are commonly found at the end of this unattended local access road. The levels of this unattended local access are about 2m (in the south) to 3m (in the north) higher than that of the Applicant’s house lot (i.e. only 30mPD at site formation level of Lot No. 210 RP in D.D. 241).

It is the intention of the Applicant to regularise the existing garden function of the Subject Site solely for attempting to tackle public security and public safety threatening problems at this secluded, but helpless, part of the Po Toi O residential area until such situations have been improved by the Government. All existing on-site vegetation and trees will retain in-situ. The Applicant has committed to undertake proper monitoring, management and maintenance of all existing on-site vegetation and trees at her own expenses throughout the subsequent Short Term Tenancy (“**STT**”) period. If TPB and/or relevant Government department(s) considers appropriate, the Applicant is also willing to submit a bi-annual maintenance report for monitoring purposes throughout the STT period.

The approval of this planning application will not affect the local natural setting nor the planning intention to conserve the “CA” zone in the area. Yet, it is very essential and necessary to the Applicant as a possible interim measure to tackle the local public security and public safety problems confronting her and all users of her house lot. It is also a “win-win” public-private collaboration planning project to the community.



## 內容摘要

本規劃申請旨懇請城市規劃委員會（下稱為「城規會」）批准位於毗連丈量約份第 241 約地段第 210 段餘段一片長窄不一的政府土地（下稱為「申請地點」）擬議用作為期三年的臨時私人花園用途，及擬議與後續保養該花園和設置/維修圍欄工程相關的挖土及填土的規劃申請。申請地點屬於「清水灣半島南分區計劃大綱核准圖編號 S/SK-CWBS/2」（下稱為「大綱核准圖」）的「自然保育區」地帶。

申請地點現時被一條無監管的小區道路完全分離於其餘的「自然保育區」。該路不是政府單位建造的，沒有設置防撞欄及街燈。該路盡頭常有泊車活動。相對申請人住宅地段(即丈量約份第 241 約地段第 210 段餘段)地盤平整的基準水平 30 米，該路的水平標高超出 2 米(由南段)至 3 米(北段)之高。

申請人希望能夠在未得到實質政府來改善就這片地點隔離但無助的公共治安及公眾安全威脅狀況前，可以繼續保留申請地點的花園功能，加強自保能力作用。申請人承諾，申請地點內的所有植物和樹都會得到原地保留，並在及後的短期租約期內，自資監視、管理及保養好這些植物和樹。如果「城規會」及/或相關政府部門認為適合的話，申請人也願意在短期租約期內，每半年提供一次場地保養報告。

批准是決申請是不會對區內現有自然環境或「自然保育區」的保育意圖造任何影響。相反，對申請人而言，這是她唯一能做到減輕就本區現有存在的公共保安和公眾安全威脅問題的臨時措施。這也代表「公營-私營合作」的社區「多贏」規劃項目。



## **1 THE APPLICATION**

- 1.1 Vision Planning Consultants Limited has been commissioned by Ms. Wai Cheung Wai Kwan (**“the Applicant”**), the owner of Lot No. 210 RP in D.D. 241, to prepare and submit this planning application on her behalf.
- 1.2 This planning application aims to seek a permission of the Town Planning Board (**“TPB”**) to include an irregular elongated piece of Government Land (**“GL”**) (hereinafter called the **“Subject Site”**) adjoining to Lot No. 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung, New Territories, for a proposed temporary private garden for a period of three years and proposed excavation and filling of land associated with the on-site maintenance and erection/replacement of fence barrier works, if so required. The site location and lot index plans of the Subject Site are shown in **Figures 1 and 2**.
- 1.3 The Subject Site falls within an area zoned “Conservation Area” (**“CA”**) on the Approved Clear Water Bay Peninsula South Outline Zoning Plan No. S/SK-CWBS/2 (the **“OZP”**) (**Figure 1**). In the Notes of the OZP for the “CA” zone, temporary private garden use is neither a Column 1 nor Column 2 use within the “CA” zone. According to the covering Notes of the OZP (**Appendix I**), *“Temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (**“TPB”**), notwithstanding that the use or development is not provided for in terms of the OZP.”* (**Appendix I**).
- 1.4 In the Remarks (b) and (c) of the same Notes, it also states: *“[....] Any .... excavation of land [and] any filling of land...., shall not be undertaken.....without the permission of the Town Planning Board under section 16 of the Town Planning Ordinance.”* (**Appendix I**). As the proposed private garden will inevitably involve some kind of on-site excavation and filling of land associated with future maintenance and/or erection/replacement of fence barrier works at different operation stages, a planning permission is thus required.
- 1.5 To facilitate Members of the TPB to consider the present application, a brief description of the Subject Site and its surroundings, the key reasons for this



planning application and commitments from the Applicant to monitor, manage and maintain the Subject Site at her own expenses, and planning justifications are included in this planning statement.

## **2 SUBJECT SITE AND ITS SURROUNDINGS**

- 2.1 As shown in **Figure 2**, the Subject Site is a strip of irregular elongated sloping GL. The Subject Site covers a total land area of about 150m<sup>2</sup>. It is located between a designated "Village Type Development" ("V") zone and an unattended local access road with frequent car parking activities at its end (**Figure 3**). The width of this unattended local access road ranges from about 5.3m to 10.7m. **Figure 4** shows the local road system in association with the village catchment, known as Cala D'or.
- 2.2 When compared to the existing site formation level of the Applicant's house lot (i.e. about 30mPD at BL 1444, Lot No. 210 RP) (as shown in **Figure 2**), the levels of the existing unattended local access road section abutting the Subject Site are 32mPD in the south and 33.8mPD in the north (**Figure 2**). It is an up-slope access road raising from about 2m in the south to 3m in the north. It is understood that this unattended local access road was not built by the Government. No provision of any vehicle fence barrier or street lamp is found.
- 2.3 The Subject Site, together with its adjoining piece of GL located next to the Applicant's house lot within the "V" zone, as shown in **Figure 2**, has been used as a private garden at the present moment. This private garden also serves as a functional buffer against the public security and public safety problems from the existing unattended local access road at its east.
- 2.4 **Figure 3** shows the aerial view of the Subject Site. **Figures 5 to 9** show the existing site profile and conditions of the Subject Site. **Figure 5** shows the down-slope profile of the Subject Site from the northern end of the unattended local access road. Existing fence barrier (about 1.8m tall) and short gardening fencing are being erected. **Figure 6** shows the conditions of the existing trees group north of Subject Site. Unattended dead tree and unmanaged situations are found immediately north of the Subject Site. **Figure 7** shows the external fence barrier treatments of the existing Subject Site.



2.5 **Figures 8 and 9** are the internal views looking towards the Subject Site. The conservation of the overall greenery of the Subject Site remains unaffected. A small simple on-site wooded trellis connecting a flight of man-made stairs to the ground level of the house lot is added for gardeners' regular maintenance purpose.

2.6 The erection of an on-site roadside fence barrier abutting the local access road in the east are mainly due to the following reasons:

- i. to avoid unauthorised human trespassing activities from this unattended upslope local access road in this secluded part of the Po Toi O area (**a security problem**);
- ii. to prevent wild animals (particularly wild boars) entering the house lot and/or its adjoining garden area (**a security problem**);
- iii. to prevent vehicles losing control and running down from this unattended local access road as no roadside vehicle barrier facility is provided (**a public safety problem**);
- iv. to prevent further road widening works that may trigger land slide problems (**a public safety problem**);
- v. to retain existing trees and vegetations from unnecessary human disturbance causing subsequent tree falling problems endangering the users of the lot (**a public safety problem**);
- vi. to provide greater degree of protection against heavy rainfall pouring from the upper hillslope or even a minor landslide situation via the unattended local access road during rainy season (**a public safety problem**);
- vii. to prevent illegal dumping activities onto the Subject Site (**a public hygiene and environmental health problem**);
- viii. to avoid light pollution from this unattended local access road during night time period as no street lamp facility is provided (i.e. completely dark at night) (**a basic living quality problem**); and
- ix. to enable provision of better and greater privacy for house as there are two hiking trails connecting to this local access road and car parking activities are very frequent at the dead end of this road (**a basic living quality problem**).



### **3. INTENTION OF THE APPLICATION**

- 3.1 The Applicant intends to continue to make positive efforts to maintain the existing on-site vegetation and trees within the Subject Site via this planning application procedure. The approval of this application is essential and necessary to the Applicant as an only possible interim measure to tackle the threatening problems outlined in paragraph 2.6 above.
- 3.2 Upon approval of this planning application, the Applicant is planning to include other irregular-shaped piece of GL which is being sandwiched between the Subject Site and her house lot within "V" zone, as shown in **Figure 2**, to form one integrated private garden for an application to the Lands Department a Short Term Tenancy ("STT") under a proper control and monitor by the Government.
- 3.3 The Applicant is committed that she will retain all existing vegetation and trees in-situ within the Subject Site. She is willing to continue to look after all these on-site landscape features and trees with proper management and maintenance throughout the STT period at her own expenses. If the TPB and/or relevant Government department(s) considers appropriate, the Applicant is also willing to submit to the satisfaction of all body concerned a regular bi-annual maintenance report under a proper monitoring mechanism throughout the STT period.
- 3.4 In the event that minor on-site excavation and filling of land associated with the maintenance works, including planting of new trees/removal of dead trees, or erection/replacement of roadside fence barriers, are required, the Applicant will inform timely the relevant Government department(s) for site inspections before the commencement of such works and after such works have been completed.
- 3.5 If the TPB or relevant Government department(s) considers appropriate, the Applicant is willing to accept relevant planning condition(s) as a mean to monitor the subsequent management and maintenance of the Subject Site.

### **4 PLANNING JUSTIFICATIONS**

- 4.1 The Subject Site is an isolated piece of "CA" site being separated physically from the rest of the "CA" zone in the area by an unattended local access road. It is located



with close proximity to residential houses to its west. It is an up-slope site with raising levels ranged from 2m in the south to 3.3m in the north when compared to that on the Applicant's house lot (**Figure 2**). Abutting the Subject Site to its west is an unattended local access road, which was not built by the Government with no vehicle fence barrier nor street lamp facilities.

- 4.2 The present proposed temporary private garden at the Subject Site serves two main genuine functional purposes both to the Applicant and the local community: one functional purpose is for the Applicant as it will continue to act as the only interim measure against all potential public security and public safety threatening problems that may be generated from the unattended local access road; another functional propose is to the community as a whole as it can serve as a pragmatic measure not only to protect and to conserve all on-site vegetations and trees, but to also prevent the Subject Site from becoming a local dumping area at least throughout the STT period.
- 4.3 The approval of this planning application represents a positive public-private collaboration to protect and to conserve this isolated piece of "CA" site. As promised, all existing on-site vegetations or trees will be retained in-situ, the nature and the character of this part of "CA" site would remain unchanged, yet they will be monitored and maintained properly by the Applicant throughout the STT period, at her own expenses. No impact on the existing local nature setting or character due to the approval of the present application is anticipated. It represents a "win-win" project both to the Applicant and to the community as a whole.

## **5 CONCLUSION**

- 5.1 The present application aims to seek a permission of the TPB for a proposed temporary private garden at the Subject Site for a period of three years, and proposed excavation and filling of land associated with future on-site maintenance and/or erection/replacement of fence barrier works.
- 5.2 Upon approval of this application, the Applicant will include another piece of GL closely abutting her house lot (i.e. BL 1444 at Lot No. 210 RP in D.D. 241, Cala D'or, Tai Wong Kung, Po Toi O, Sai Kung) within "V" zone as one STT application



site to be submitted to the Lands Department for a temporary private garden with a view to ensure all users of her house lot without suffering any risk of public security and public safety problems. This is particularly important to the Applicant as the Subject Site is just abutting an unattended local access road.

- 5.3 The Subject Site, together with its adjoining GL abutting the Applicant's house lot, will become an interim integrated temporary private garden under a STT. The Applicant is willing to provide proper management and maintenance to take care the Subject Site throughout the STT period at her own expenses. If the TPB or relevant Government department(s) considers fit, the Applicant is also willing to provide bi-annual photographic report to reflect the situations.
- 5.4 The approval of this application will not anticipate any significant adverse changes in local greenery setting or the character of the existing "CA" zoning in the area. It helps to prevent creation of planning blight in the area by forming a local dumping area or hygiene/security/safety black spot. The present application represents a "win-win" project to the community.
- 5.5 In view of the above, we respectfully request Members of the TPB to give favourable consideration to and approve the present application so as to allow the Applicant to continue to manage and maintain the Subject Site throughout the STT period.

**VISION PLANNING CONSULTANTS LTD.**

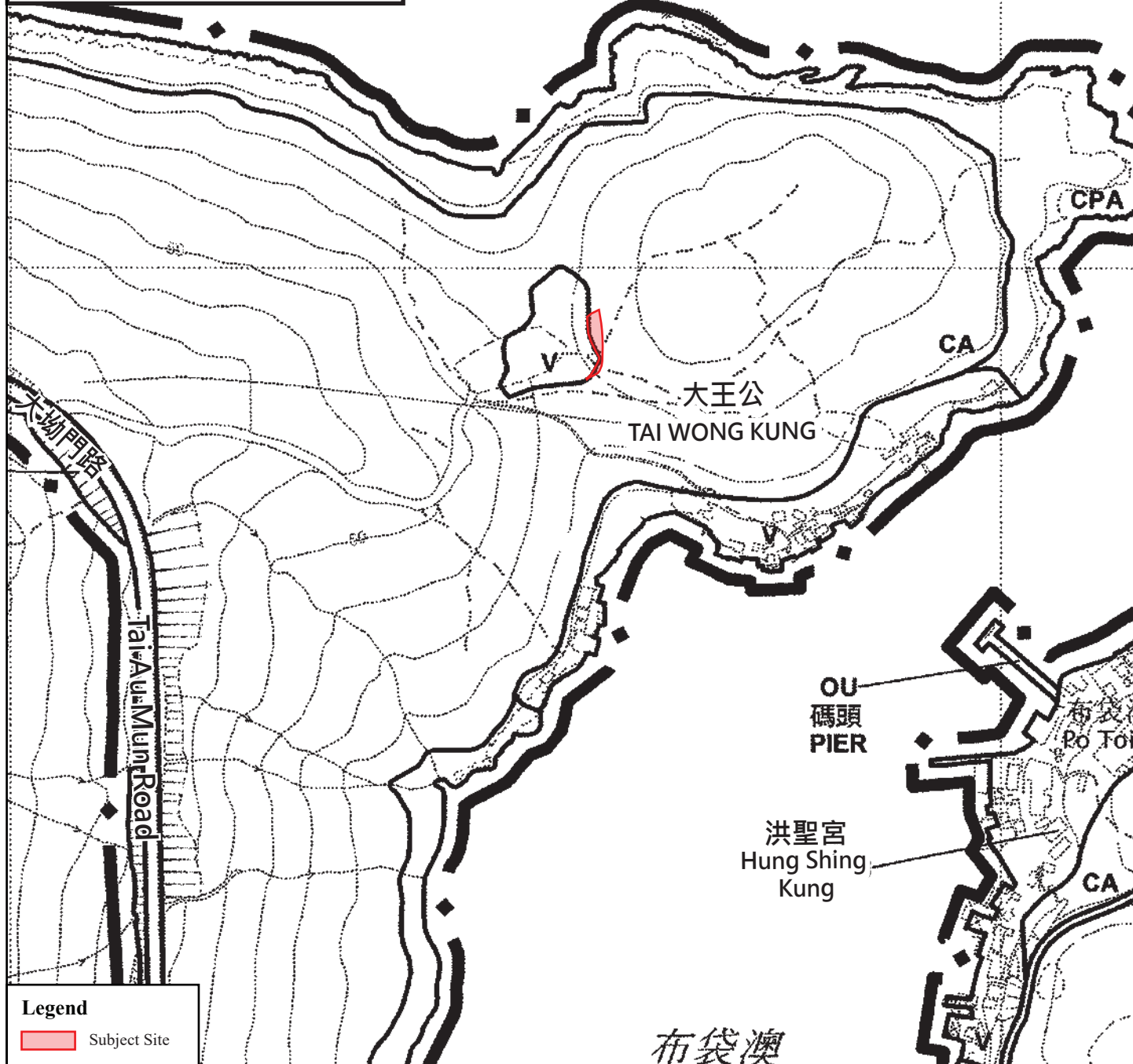
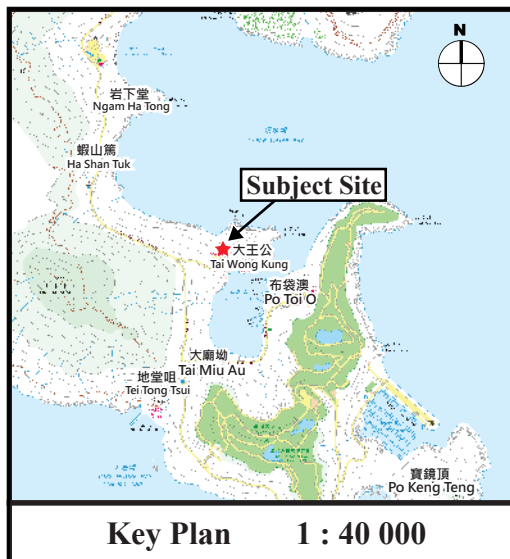
**15 August 2024**



## Figures

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### Site Location Plan

(Extract from the Approved Clear Water Bay Peninsula South Outline Zoning Plan No. S/SK-CWBS/2)

Figure 1

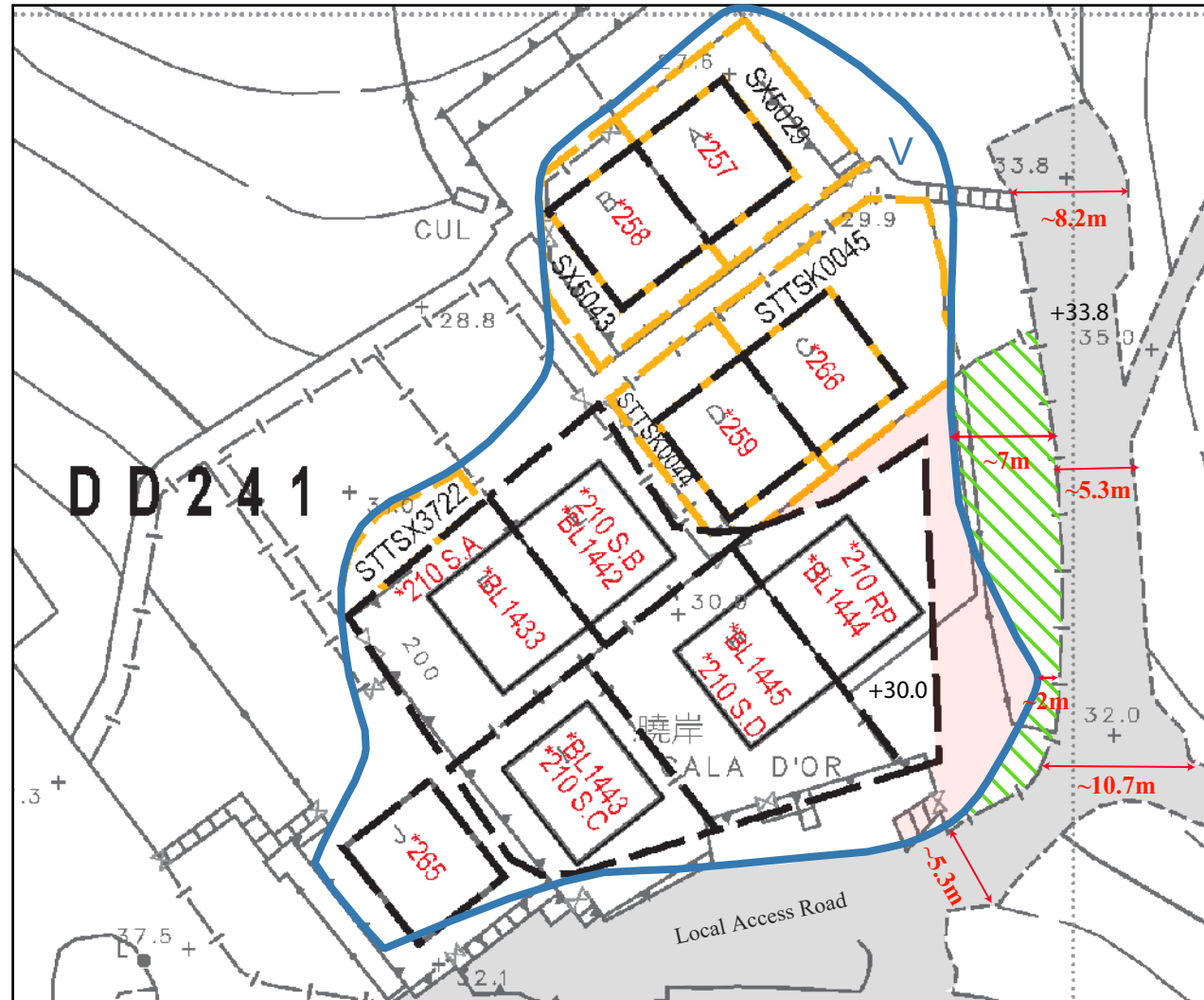
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#### Legend

-  Subject Site (within "CA" zone) (~150m²)
-  Extension of GL for STT Application
-  "V" Zone

#### Lot Index Plan of the Subject Site

(Base Plan Extracted from the Lot Index Plan

No. ags\_S00000130075\_0001)

Figure 2

1 : 500

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### Aerial Photo of the Subject Site

(Base Plan Extracted from Aerial Photo No. E198906C taken by Lands Department on 6 Mar 2023)

Figure 3

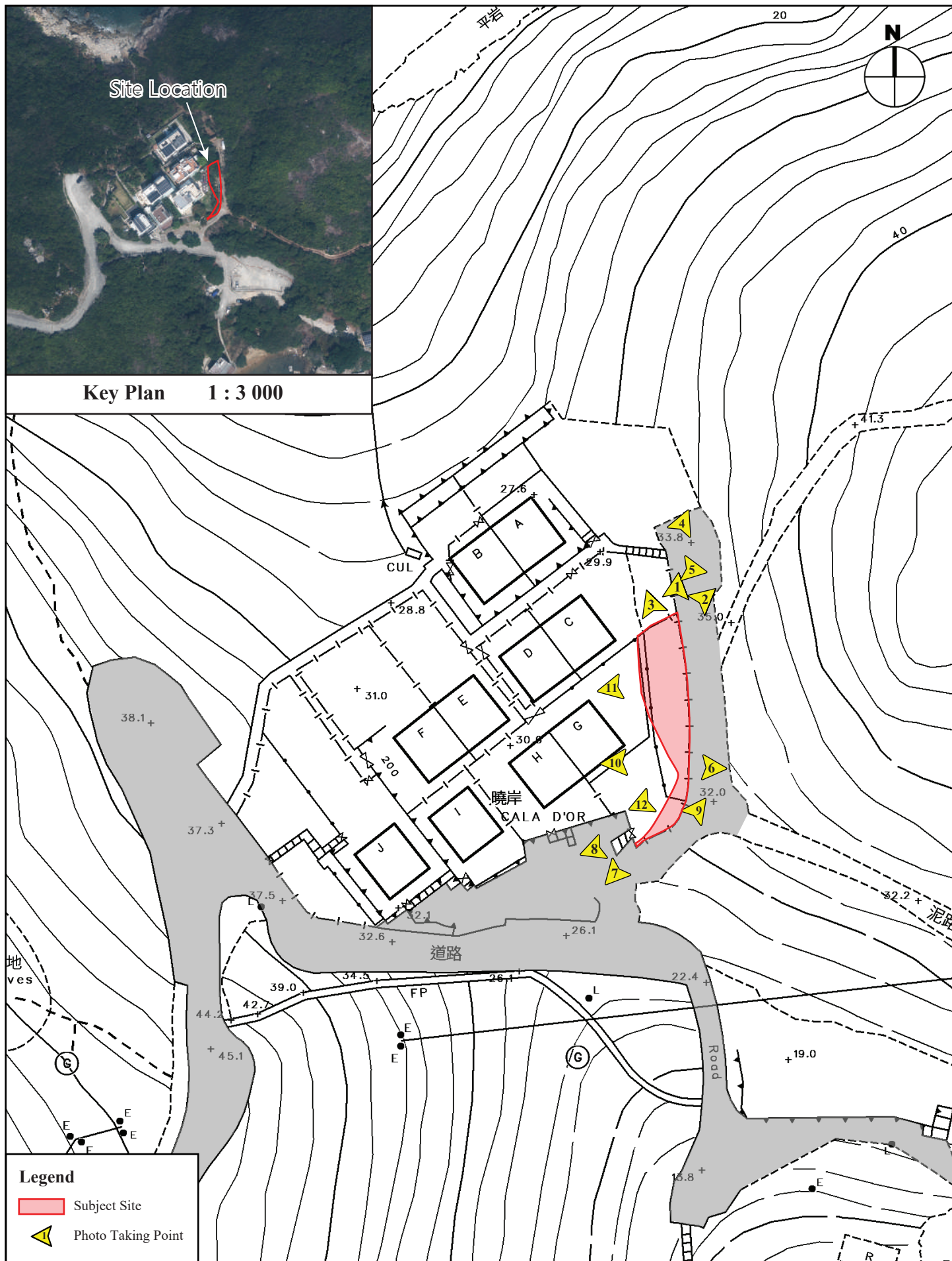
1 : 300

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# **The Site and Its Surroundings (Photo Index Plan)**

(Extracted from Government Survey Sheet No.: 12-SW-13A and Aerial Photo No. 2023\_E198906C taken by Lands Department on 6 Mar 2023)

## **Figure 4**

**1 : 750**



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Photo Plate No. 1

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Figure 5

For indicative purpose only





Photo Plate No. 2

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Figure 6

For indicative purpose only





Pedestrian Entrance of the Applicant's House

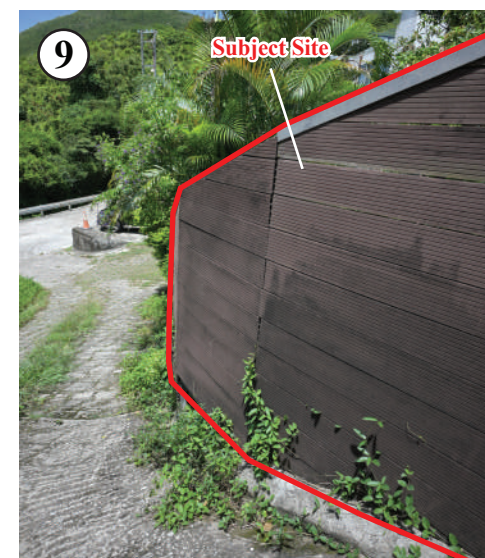


Photo Plate No. 3

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Figure 7

For indicative purpose only



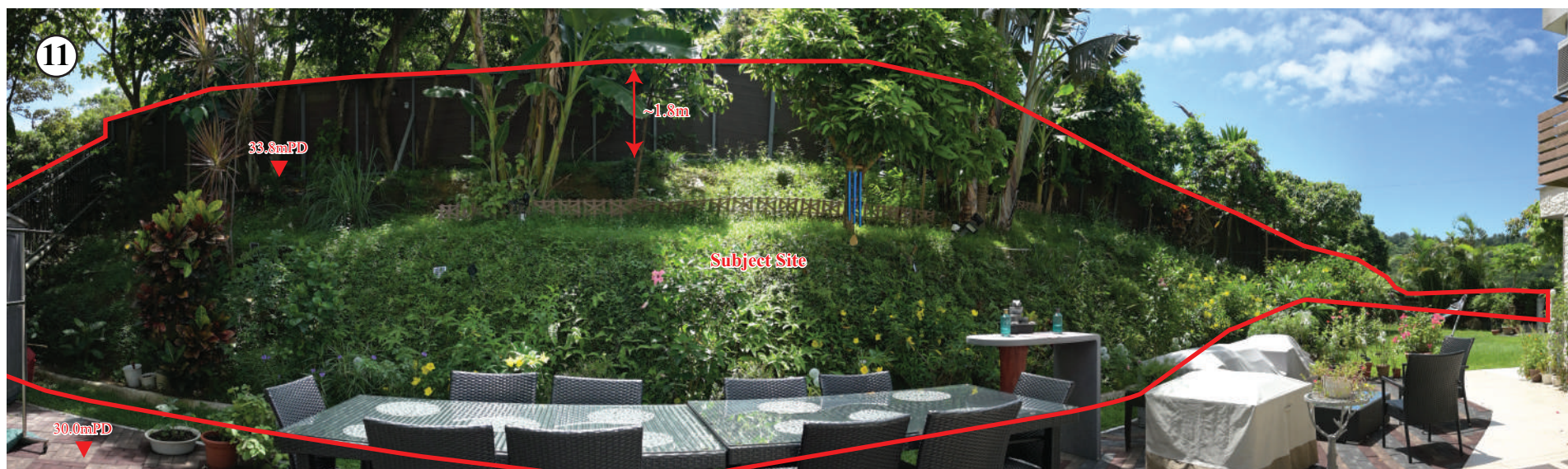
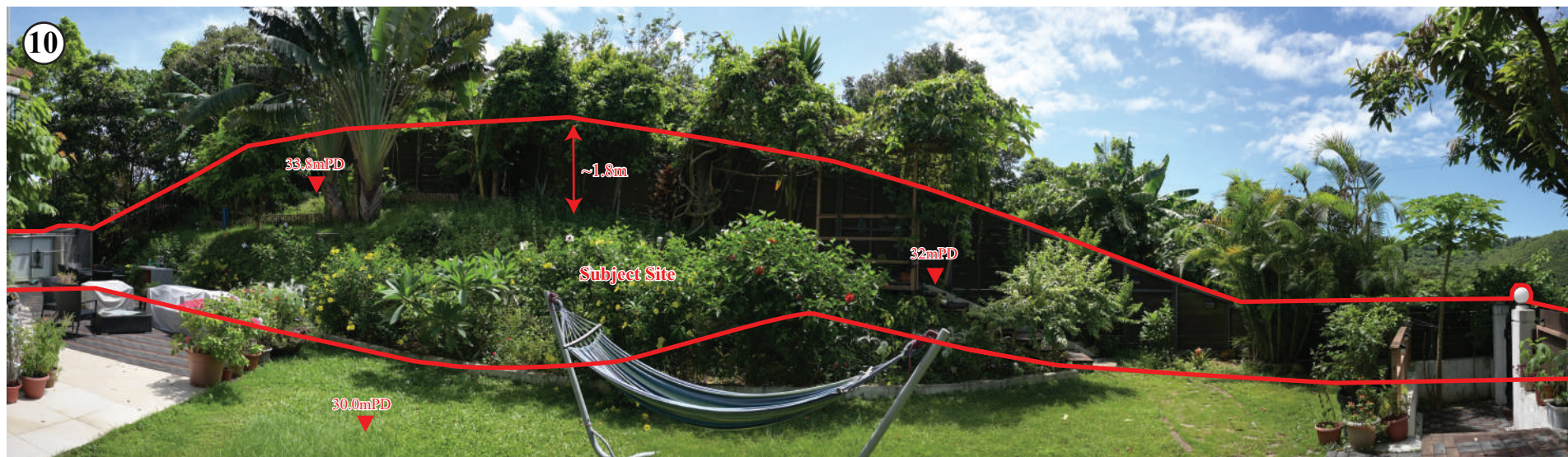


Photo Plate No. 4

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Figure 8

For indicative purpose only





Photo Plate No. 5



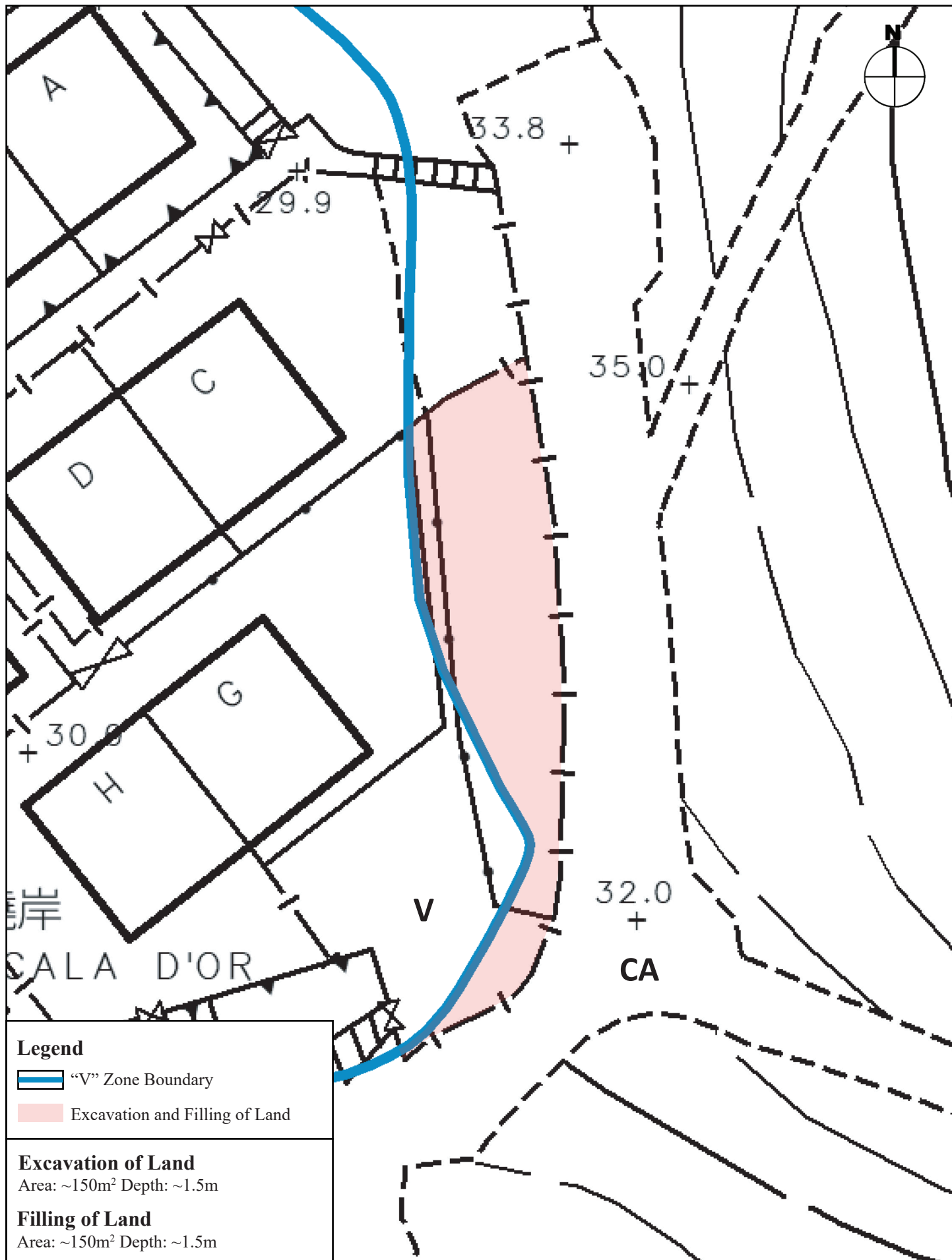
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Figure 9

For indicative purpose only





### Legend

 "V" Zone Boundary

 Excavation and Filling of Land

### Excavation of Land

Area: ~150m<sup>2</sup> Depth: ~1.5m

### Filling of Land

Area: ~150m<sup>2</sup> Depth: ~1.5m

### Indicative Excavation and Filling of Land Plan

(Extracted from Government Survey Sheet No.: 12-SW-13A)

Figure 10

1: 250

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## **Appendix I**

---

*Extract of the Notes of OZP*



lamp pole, telephone booth and shrine.

- (10) In any area shown as 'Road', all uses or developments except those specified in paragraphs (8)(a) to (8)(d) and (8)(g) above and those specified below require permission from the Town Planning Board:

road and on-street vehicle park.

- (11) (a) Except in areas zoned "Conservation Area" or "Coastal Protection Area", temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (filling or excavation) is carried out and that the use or development is a use or development specified below:

structures for carnivals, fairs, film shooting on locations, festival celebrations, religious functions or sports events.

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area" or "Coastal Protection Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.

- (12) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.

- (13) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

"Existing building" means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

"New Territories Exempted House" means a domestic building other than a guesthouse or a hotel; or a building primarily used for habitation, other than a guesthouse or a hotel, the ground floor of which may be used as 'Shop and Services' or 'Eating Place', the building works in respect of which are exempted by a certificate of exemption under Part III of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121).



**VILLAGE TYPE DEVELOPMENT**

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Burial Ground
Government Use (Police Reporting Centre, Post Office only)	Eating Place
House (New Territories Exempted House only)	Government Refuse Collection Point
On-Farm Domestic Structure	Government Use (not elsewhere specified)#
Religious Institution	House (not elsewhere specified)
(Ancestral Hall only)	Institutional Use (not elsewhere specified)#
Rural Committee/Village Office	Market
	Place of Recreation, Sports or Culture
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation#
	Public Vehicle Park
	(excluding container vehicle)
	Religious Institution (not elsewhere specified)#
	Residential Institution#
	School#
	Shop and Services
	Social Welfare Facility#
	Utility Installation for Private Project

In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House:

Eating Place  
Library  
School  
Shop and Services

**Planning Intention**

The planning intention of this zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

**Remarks**

(Please see next page)



**VILLAGE TYPE DEVELOPMENT** (cont'd)Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.



**CONSERVATION AREA**

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery)	Field Study /Education/Visitor Centre
Country Park*	Government Refuse Collection Point
Nature Reserve	Government Use (not elsewhere specified)
Nature Trail	Holiday Camp
On-Farm Domestic Structure	House (Redevelopment only)
Picnic Area	Public Convenience
Wild Animals Protection Area	Public Utility Installation
	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
	Tent Camping Ground
	Utility Installation for Private Project

- \* Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.

**Planning Intention**

This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

**Remarks**  
(Please see next page)



**CONSERVATION AREA** (cont'd)Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of stream or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except maintenance or repair works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- (c) Any filling of land/pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except maintenance or repair works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Clear Water Bay Peninsula South Outline Zoning Plan No. S/SK-CWBS/1 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.



VISION PLANNING CONSULTANTS LTD.  
弘域城市規劃顧問有限公司

Your Ref: TPB/A/SK-CWBS/50  
Our Ref: SK-TWK/PA/KRL/24-07  
Date: 8 November 2024

**By Hand and Email**  
(tpbpd@pland.gov.hk)

The Secretary,  
Town Planning Board,  
c/o Town Planning Board Section,  
Planning Department,  
15/F, North Point Government Offices,  
333 Java Road,  
North Point,  
Hong Kong.

Dear Sirs,

**Proposed Temporary Private Garden for a Period of 3 Years and Associated Excavation and Filling of Land, in “Conservation Area” Zone at Government Land Adjoining Lot No. 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung, New Territories (Application No.: A/SK-CWBS/50)**  
*– Submission of Further Information No. 1*

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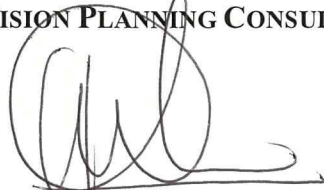
On behalf of the Applicant, we submit herewith a total of 4 copies of the following materials to respond to/clarify comments raised by relevant government departments with respect to the captioned:-

- i. Responses-to-Comments Table (“**R-to-C Table**”) (**Table A**);
- ii. Geotechnical Planning Review Report (“**GPRR**”) (**Annex A**); and
- iii. Figures F1 to F6 (**Annex B**).

Should you have any queries with regard to the above, please do not hesitate to contact our Miss Sylvia LO, Miss Nora WONG or the undersigned at [REDACTED]

Thank you very much for your kind attention.

Yours faithfully,  
for and on behalf of  
**VISION PLANNING CONSULTANTS LTD.**



Kim On CHAN  
Managing Director

c.c. Client  
SKIs DPO (Attn.: Ms. Sylvia LAM)

By email and WhatsApp  
By email

Encl. FI 1  
[SK-TWK/PA/KRL/24-07] [KC/SL/NW]



---

**Table A**

*Responses-to-Comments Table*



**Table A – Applicant’s Responses to Departmental Comments****(Application No. A/SK-CWBS/50)**

<b>Departmental Comments</b>		<b>Applicant’s Responses</b>
<b>A.</b>	<b>Comments of Head of Geotechnical Engineering Office, Civil Engineering and Development Department (Contact Officer: Ms. Y H LAM, Tel: 2762 5389)</b>	
1.	With reference to “GEO Advice Note for Planning Applications” (Appendix I), the site meets criterion (iii) for the requirement of Geotechnical Planning Review Report (GPRR) submission. Therefore, a GPRR should be submitted with the planning application.	A Report of GPR is now attached in <b>Annex A</b> for consideration.
<b>B.</b>	<b>Comments of Sai Kung and Islands District Planning Office, Planning Department (Contact Officer: Ms. Sylvia LAM, Tel: 2158 6165 / Mr. Benjamin LEE, Tel: 2158 6144)</b>	
1.	<p>Noting from Para. 1.4 of Planning Statement (PS) that “...<i>on-site excavation and filling of land associated with future maintenance and/or erection/replacement of fence barrier works at different operation stages</i>...” and Application Form that the proposed filling and excavation are of 1.5m in depth, please clarify the followings:</p> <p>(a) the extent of the proposed excavation and filling of land within the application site supplemented with a detailed plan indicating each of the location, scale and site formation levels of the proposed works;</p> <p>(b) whether the proposed excavation and filling of land would only be limited to maintenance / erection / replacement of fence barrier, and whether there will be further excavation and filling of land in other parts of the application site for private garden purposes (e.g. concrete steps and paving etc.).</p>	<p>(a) The anticipated excavation and filling of land within the Application Site will likely be triggered by the three following situations:</p> <p>(i) to replace/re-provide/maintain the existing barrier fence wall running alongside the south, east and north of the Application Site (“<b>the Site</b>”). Subject to the detailed design of the new barrier fence wall, if required, the total extent in this situation will be around 2.16m<sup>2</sup> [i.e. 0.3m (l) x 0.3m (w) x 24 existing structural post concrete bases] with a maximum depth of 0.6m below ground (<b>Figure F1 of Annex B</b>); and/or</p> <p>(ii) to re-plant/remove those damaged (e.g. by typhoons)/dead plants within the Site during the operational phase after obtaining approval of this planning application. The extent of the excavation/filling of land will cover the entire site; and/or</p> <p>(iii) to undertake the necessary slope stability/slope repair/maintenance works of the Site to comply with relevant required standards. Subject to detailed design requirements, it may cover the entire site under this particular situation, if necessary.</p> <p>(b) Apart from the above-mentioned three situations, no other additional item related to excavation and filling of land is anticipated.</p>



Departmental Comments		Applicant's Responses
2.	Please clarify and indicate the existing structures/features within the application site on plan.	<b>Figure F1 of Annex B</b> shows the existing barrier fence wall at the Site.
3.	Noting from Para. 5.2 of PS that “ <i>Upon approval of this application, the Applicant will include another piece of GL closely abutting her house lot D’or, Tai Wong Kung, Po Toi O, Sai Kung</i> ) within “V” zone as one STT application”, please clarify the extent of the whole existing private garden for the subject house and the proposed use(s) for each portion.	<b>Figure F6 of Annex B</b> shows the indicative extent of the existing private garden associated with House G (erected on Lot No. 210 RP in D.D. 241).
<b>C.</b>	<b>Comments of Chief Town Planner/Urban Design and Landscape, Planning Department (Contact Officer: Ms. Isabella TSUI, Tel: 3565 3951)</b>	
1.	According to Planning Statement paras. 3.3, 4.2 & 4.3, the Applicant repeatedly claimed to “ <i>retain all existing vegetation and trees in-situ within the Subject Site</i> ”. However, the proposed excavation and fill of land of 150 sqm (i.e. the entire site area) up to 1.5m would actually damage any tree/vegetation cover in-situ which is opposite to the Applicant’s intention to protect and conserve the existing vegetation/tree. Please review and clarify the intention of proposed excavation/filling.	Please refer to the Response to Item B1 above for details.
2.	Planning Statement para. 3.4 mentioned “ <i>planting of new trees/removal of dead trees, or erection/replacement of roadside fence barriers</i> ”. Please provide a plan showing i) the locations of the existing trees (including dead trees) within the Site, ii) the proposed locations of new trees and iii) the alignment and height of the roadside fence barrier.	<b>Figures F1 to F5 of Annex B</b> show the approximate location of existing plants within the Site, and the alignment of the existing barrier fence wall with heights indicated.
3.	Please provide a conceptual landscape plan for the proposed temporary private garden for Town Planning Board’s consideration.	<b>Figures F1 to F5 of Annex B</b> show the indicative existing landscape arrangements within the proposed temporary private garden.
<b>D.</b>	<b>Comments of Director of Environmental Protection (Contact Officer: Mr. Henry LEUNG, Tel: 2835 2512)</b>	
1.	Having regard to the scale and nature of the proposed	Noted.



Departmental Comments		Applicant's Responses
	development, it will unlikely cause major pollution under EPD's ambit. Therefore, EPD has <u>no in-principle objection</u> to the application from environmental planning perspective.	
2.	Notwithstanding the above, the proposed excavation and filling of land as well as erection/replacement of roadside fence barriers would involve earthworks and/or building works falling within a "CA" zone. In this regard, please remind the applicant that all projects involving earthworks, dredging works and other building works partly or wholly in a conservation area are designated projects which require an environmental permit for their construction and operation unless the works belong to exception (a) - (o) under Item Q.1 of the Environmental Impact Assessment Ordinance (EIAO).	Noted. Upon approval of this planning application, the Applicant will actively liaise with EPD on all required worked related to excavation/filling of land, if necessary.
	In this regard, as the subject site has been used as a private garden at the present moment that may involve earthworks and / or building works within CA zone. EPD has referred the case to the Environmental Compliance Division of EPD to investigate whether any enforcement action would be required.	Noted.
<b>E.</b>	<b>Comments of District Lands Officer/Sai Kung (Contact Officer: Mr. WONG Hing Yan, Tel: 2792 5187)</b>	
1.	No objection to the application;	Noted.
2.	The application site (the Site) comprises government land (GL) and is not covered by any Short Term Tenancy (STT). An application for STT for the purpose of private garden to regularise the illegal occupation of the Site and the GL adjoining Lot No. 210 RP in D.D. had been submitted by the present owner of Lot No. 210 RP in D.D. 241. The said STT application was rejected by his office on 24.6.2024 as the proposed use did not fall within Column 1 or 2 uses of the "Conservation Area" zone under the Outline Zoning Plan;	Noted.



Departmental Comments	Applicant's Responses
<p>3. Land enforcement action is being taken against illegal occupation of both the GL within the Site and the GL adjoining Lot No. 210 RP in D.D. 241. No land enforcement action has been taken against the local access road adjoining the Site;</p>	<p>Noted.</p>
<p>4. The following irregularities covered by the planning application have been detected by his office:  <u>Unlawful occupation of GL with unauthorised structures covered by the planning application</u>  The GL within the Site has been fenced off/illegally occupied with unauthorized structures without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the right to take necessary land control action against the illegal occupation of GL without further notice;</p>	<p>Noted.</p>
<p>5. The following irregularities <u>not</u> covered by the planning application have been detected by his office:  <u>Unlawful occupation of GL with unauthorised structures not covered by the planning application (i.e. the GL adjoining Lot No. 210RP in D.D. 241)</u>  the GL adjoining Lot No. 210 RP in D.D. 241 has been fenced off/illegally occupied with unauthorized structures without permission and is not included in the application. The applicant should clarify the extent of the Site. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the right to take necessary land control action against the illegal occupation of GL without further notice;</p> <p>If the planning application is approved, the applicant shall apply to his office for a STT to permit the occupation of GL. The application for STT will be considered by the Government in its capacity as landlord and there is no guarantee that it will be approved. The STT,</p>	<p>Noted. Upon approval of this Planning Application, the Applicant will liaise with the LandsD on all land administrative procedures in connection with the STT application and other land control matters related to the Site.</p>



Departmental Comments		Applicant's Responses
	if approved, will be subject to such terms and conditions including the payment of rent and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered.	
<b>F.</b>	<b>Comments of the Director of Food and Environmental Hygiene (Contact Officer: Mr. Raymond CHAN, Tel: 3141 1231)</b>	
1.	<p>There was no record related to illegal dumping activities and/or relevant environmental complaints on the subject site. While FEHD has no adverse comment on the subject planning application, our advisory comments are provided as follows:</p> <p>(i) No Food and Environmental Hygiene Department's (FEHD) facilities will be affected;</p> <p>(ii) Proper licence / permit issued by FEHD is required if there is any activities regulated by the Director of Food and Environmental Hygiene under the Public Health and Municipal Services Ordinance (Cap. 132), Places of Public Entertainment Ordinance (Cap.172) and other relevant legislation for the public;</p> <p>(iii) For any waste generated from the such activity / operation, the applicant should arrange disposal properly at their own expenses. The work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding.</p>	Noted.



## **Annex A**

---

### *Geotechnical Planning Review Report*



**Section 16 Application for  
Proposed Temporary Private Garden for a Period of Three Years and  
Proposed Excavation and Filling of Land Associated with  
On-site Maintenance and Barrier Fence Erection/Replacement Works in  
“Conservation Area” Zone at  
Government Land Adjoining Lot No. 210 RP in D.D. 241,  
Tai Wong Kung, Po Toi O, Sai Kung, New Territories**

**GEOTECHNICAL PLANNING REVIEW REPORT**

**October 2024**

**Project No.: J2409/01**

**HUNG CHI CONSULTANTS LIMITED**

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## **CONTENTS**

- 1. INTRODUCTION**
- 2. SITE RECONNAISSANCE**
- 3. DESKTOP STUDY AND BACKGROUND INFORMATION SEARCH**
- 4. GEOLOGY OF THE SUBJECT SITE**
- 5. GEOTECHNICAL ASSESSMENT OF SUBJECT SITE**
- 6. CONCLUSION AND RECOMMENDATIONS**
- 7. REFERENCES**

## **FIGURES**

- |                 |  |
|-----------------|--|
| <b>FIGURE 1</b> | <b>SITE LOCATION PLAN</b>                                |
| <b>FIGURE 2</b> | <b>LOT INDEX PLAN OF THE SUBJECT SITE</b>                |
| <b>FIGURE 3</b> | <b>AERIAL VIEW OF THE SUBJECT SITE</b>                   |
| <b>FIGURE 4</b> | <b>PHOTO INDEX PLAN OF THE SITE AND ITS SURROUNDINGS</b> |
| <b>FIGURE 5</b> | <b>PHOTO NOS. 1 TO 3</b>                                 |
| <b>FIGURE 6</b> | <b>PHOTO NOS. 4 TO 5</b>                                 |
| <b>FIGURE 7</b> | <b>PHOTO NOS. 6 TO 9</b>                                 |
| <b>FIGURE 8</b> | <b>PHOTO NOS. 10 TO 11</b>                               |
| <b>FIGURE 9</b> | <b>PHOTO NO. 12</b>                                      |

## **APPENDICES**

- |                   |   |
|-------------------|---|
| <b>APPENDIX A</b> | <b>SLOPE REGISTRATION RECORD PLAN RETRIEVED FROM GINFO</b>            |
| <b>APPENDIX B</b> | <b>RETRIEVED SLOPE MAINTENANCE RESPONSIBILITY REPORTS</b>             |
| <b>APPENDIX C</b> | <b>PAST LANDSLIDES RECORD PLAN RETRIEVED FROM GINFO</b>               |
| <b>APPENDIX D</b> | <b>GEOLOGICAL SURVEY MAP OF THE SUBJECT SITE</b>                      |
| <b>APPENDIX E</b> | <b>EXISTING GROUND INVESTIGATION RECORD PLAN RETRIEVED FROM GINFO</b> |
| <b>APPENDIX F</b> | <b>SITE LAYOUT PLAN AND SECTIONS</b>                                  |



## 1. INTRODUCTION

- 1.1 The subject site is an irregular elongated piece of Government Land (“**GL**”) (hereinafter called the “**Subject Site**”) adjoining to Lot No. 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung, New Territories, for a proposed temporary private garden for a period of three years and proposed excavation and filling of land associated with the on-site maintenance and erection/replacement of fence barrier works, if so required. The site location and lot index plans of the Subject Site are shown in **Figure 1** and **Figure 2** respectively.
- 1.2 The Subject Site falls within an area zoned “Conservation Area” (“**CA**”) on the Approved Clear Water Bay Peninsula South Outline Zoning Plan No. S/SKCWBS/2 (the “**OZP**”) as shown in **Figure 1**. A planning application to the Town Planning Board for purpose uses is hence required.
- 1.3 A set of the photo records of the Subject Site and its surrounding is presented in **Figures 4 to 9**. The existing vegetation, landscaping treatments and slope profile within the Subject Site are intended to retain in-situ.
- 1.4 This Geotechnical Planning Review Report (“**GPRR**”) for the Subject Site under Section 16 Application is prepared to address the potential geotechnical concerns of the existing slope (“Subject Site”) adjoining to Lot No. 210 RP in D.D. 241.



## 2. SITE RECONNAISSANCE

- 2.1 The Subject Site is an existing cut slope facing to the west. **Figure 3** shows the aerial view of the Subject Site and its surrounding.
- 2.2 Its slope crest at the east is an unattended local access road in width of about 5.3m to 10.7m, and it raises from +32mPD in the south to +33.8mPD in the north. The general views at the crest refer to Photo Nos. 1, 2, 3, 4, 5, 6 and 9 as attached in **Figures 5, 6 and 7**.
- 2.3 Its slope toe at the west is adjoining to Lot No. 210 RP in D.D. 241. The general views at this slope toe refer to Photo Nos. 7, 8, 10, 11 and 12 as attached in **Figures 5, 6 and 7**.
- 2.4 The Subject Site (i.e. the unregistered slope) has been formed from +30mPD at the slope toe to maximum +33.8mPD at the slope crest.
- 2.5 During the site inspections, rock outcrops are found locally at the lower portion of slope.
- 2.6 No sign of seepage or distress has been identified during the site inspections.

## 3. DESKTOP STUDY AND BACKGROUND INFORMATION SEARCH

- 3.1 In accordance with the information from the Geotechnical Information Infrastructure (GINFO) maintained by the Geotechnical Engineering Office (GEO) of the Civil Engineering & Development Department (CEDD) and Slope Maintenance Responsibility Information System maintained by Lands Department (SMRIS), no registered slope or wall feature is within or adjacent to the Subject Site.
- 3.2 The retrieved slope and wall records and slope maintenance responsibility report from both departments are annexed in **Appendices A and B**, respectively.
- 3.3 Having searched the past landslide records from GINFO, no past landslide incident occurred on and nearby the Subject Site. The part-plan of the past landslide incidents retrieved from GINFO is shown in **Appendix C**.



#### 4. GEOLOGY OF THE SUBJECT SITE

- 4.1 According to Sheet No. 12 (Clear Water Bay) of 1:20000 scale HGM 20 series Hong Kong Geological Survey Map, the solid geology of the Subject Site consists of sedimentary and volcanic rocks of Mesozoic Upper Jurassic period of the Repulse Bay Volcanic Group of Silverstrand Formation, undivided mainly eutaxite. Part print of the geological map for the Subject Site is enclosed in **Appendix D**.
- 4.2 Having reviewed the previous ground investigation records from GINFO, no existing borehole and trial pit record were found nearby the Subject Site. The part-pan of the past GI records is shown in **Appendix E**.

#### 5. GEOTECHNICAL ASSESSMENT OF SUBJECT SITE

- 5.1 The Subject Site covering a total land area of about 150m<sup>2</sup> is proposed to be retained as a temporary private garden on the sloping ground in gradient varying from 20° to 35° approximately. Apart from erection of a new fence barrier wall will along the slope crest, if required, no other structures or features will be carried out on the slope face. All existing vegetation, landscaping treatments and slope profile will be retained in-situ.
- 5.2 According to the Site Layout Plan (i.e. Drawing No. LP-01 annexed in **Appendix F**), there is average 35° slope (the Subject Site) in height of about 3.8m with vegetation and mature trees. Having considered the existing residential house is situated at least 4.3m from the slope toe, it categorized as Consequence-to-Life (CTL) of 1. According to WBTC No. 13/99 Geotechnical Manual for Slopes Guidance on Interpretation and Updating, the Factors of Safety (FOS) for Existing Slopes is adopted of 1.2 for a Ten-year Return Period Rainfall.
- 5.3 According to GEO TGN15, a critical section at Section B (i.e. Drawing No. LP-02 annexed in **Appendix F**) shows that the shadow angle about 21° from the slope crest to the existing residential house, which is less than the expected travel distance of the debris of 35° for Cut Slope with Debris Volume  $\leq 300\text{m}^3$ . Therefore, the CTL category of this slope feature should be downgraded to 2 and the FOS for New Slope is adopted of greater than 1.2 for a Ten-year Return Period Rainfall.
- 5.4 The stability of the existing slope with the reprovision of a new fence barrier wall to be situated along the slope crest should be assessed in the later stage; and their stabilities should be complying with the above and latest geotechnical safety standards.
- 5.5 If it cannot achieve the required FOS, the remedial works for the existing slope must carry out one of the following options: (i) trimming down the slope gradient, (ii) construction of mass concrete wall at the slope toe, or any other practically feasible options, subject to the later design stage as far as a public safety is being concerned.



- 5.6 Upon approval of this planning application, a detailed slope stability assessment or proposed site formation / remedial works, if any, for the Subject Site should be submitted to the relevant Government departments for approval.
- 5.7 The proposed works including erection of a new fence barrier wall along the slope crest for the private garden in the Subject Site should not affect or be affected by the stability of existing slope within and adjacent to the Subject Site, any structures/features, etc. and vice versa.
- 5.8 Subject to the detailed slope stability assessment, the proposed site formation / remedial works if any for the entire slope within the Subject Site may be required.

## **6. CONCLUSION AND RECOMMENDATIONS**

- 6.1 No major geotechnical problems are identified during walkover site inspections.
- 6.2 Having considered that the proposed temporary private garden at the Subject Site aims to retain in-situ entire existing slope. No significant site formation works would be required.
- 6.3 It is envisaged that minor cut and fill works on the entire slope within the Subject Site may be required if any to meet the current geotechnical safety standard (i.e. Factor of Safety to be greater than 1.2) subject to the detailed slope stability assessment soon after the approval of this planning application.
- 6.4 The proposed fence barrier work and its associated foundation at the crest of Subject Site should not affect or be affected by the stability of existing slope within and adjacent to the Subject Site, any structures/features, etc. or vice versa.
- 6.5 It is recommended that a more detailed investigation of geological profile, the groundwater table, geotechnical engineering properties, the engineering details of existing slopes, and the detailed stability assessment for the slope within and adjacent to the Subject Site including provision of fence wall at the slope crest should be considered at the later detailed design stage soon after the approval of this planning application.
- 6.6 Based on the above considerations and preliminary geotechnical assessment, the proposed development at the Subject Site is considered feasible from geotechnical engineering standpoint.



## 7. REFERENCES

- 7.1 Geotechnical Control Office (1986). Hong Kong Geological Survey Sheet 12 – Clear Water Bay. Scale 1:20,000. First Edition.
- 7.2 Geotechnical Engineering Office (1993). Geoguide 1: Guide to Retaining Wall Design, Second Edition.
- 7.3 Geotechnical Engineering Office (1994). Geotechnical Manual for Slopes, Second edition.
- 7.4 Works Bureau (April 1999). WBTC. 13/99 Geotechnical Manual for Slopes – Guidance on Interpretation and Updating.
- 7.5 Geotechnical Engineering Office (2007). GEO Technical Guidance Note No. 15 (TGN 15) Guidelines for Classification of Consequence-to-Life Category for Slope Features.

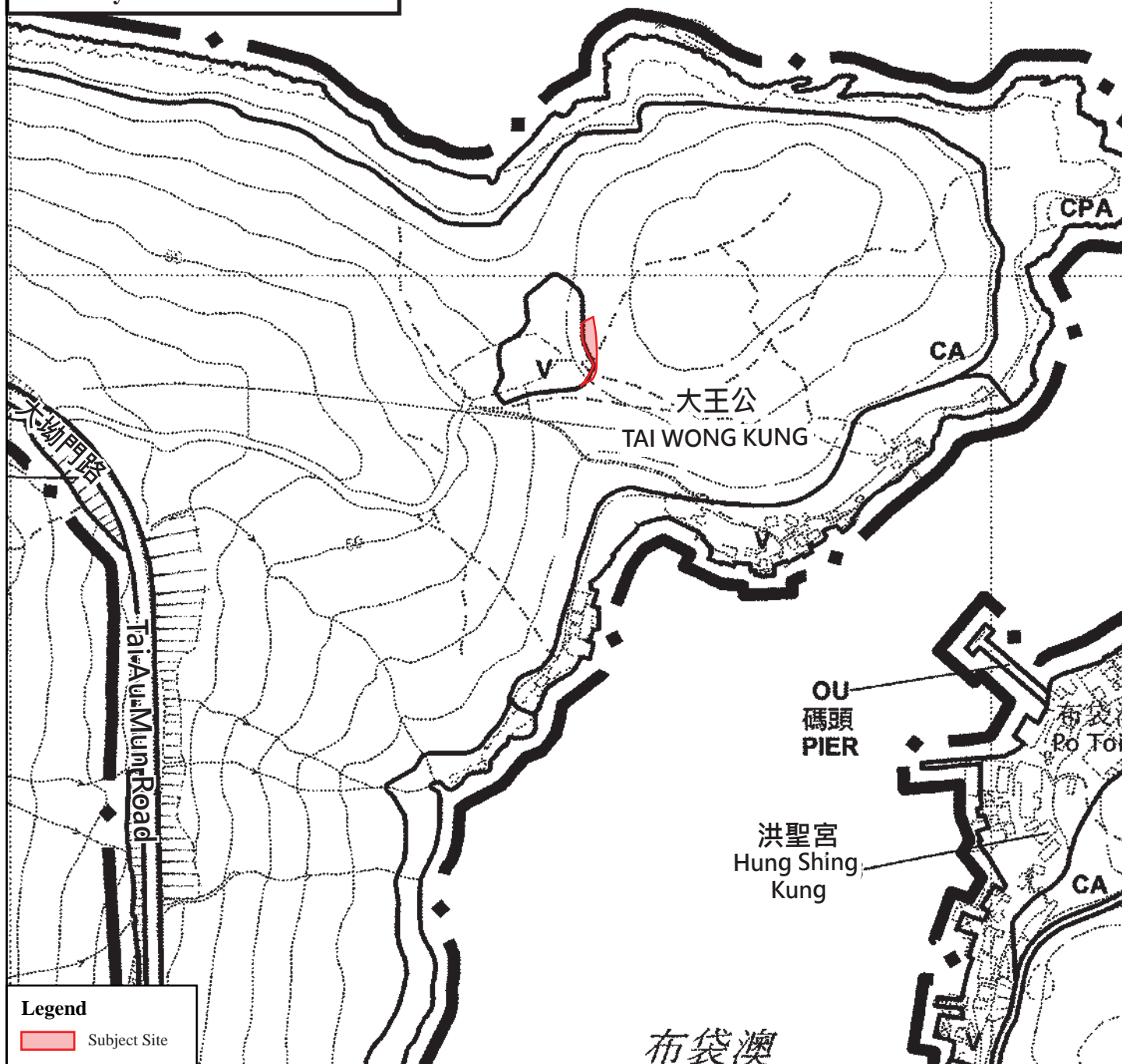


## FIGURES





**Key Plan** 1 : 40 000



**Legend**

Subject Site

**Site Location Plan**

(Extract from the Approved Clear Water Bay Peninsula South Outline Zoning Plan No. S/SK-CWBS/2)

**Figure 1**

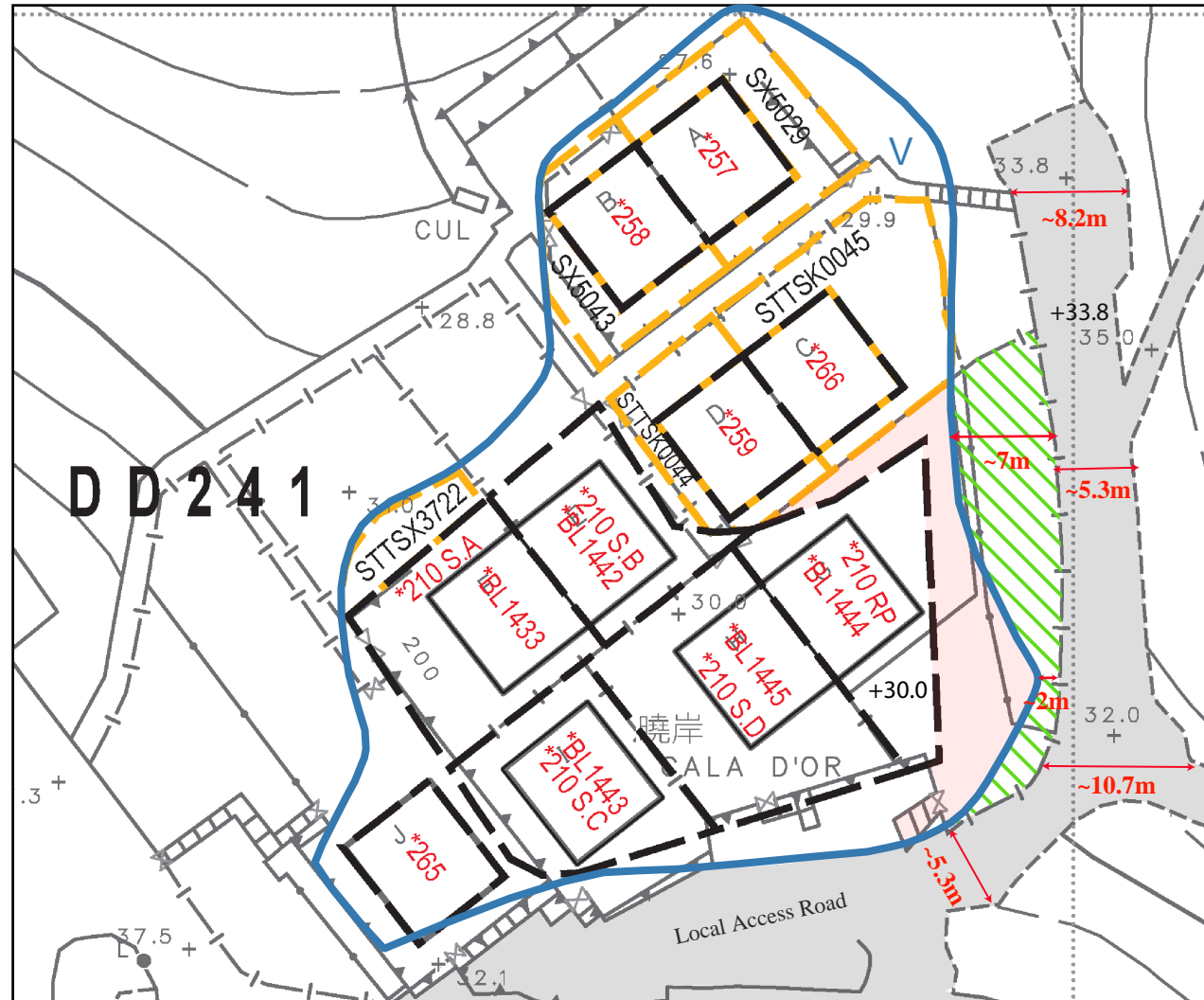
**1 : 3 000**



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### Aerial Photo of the Subject Site

(Base Plan Extracted from Aerial Photo No. E198906C taken by Lands Department on 6 Mar 2023)

Figure 3

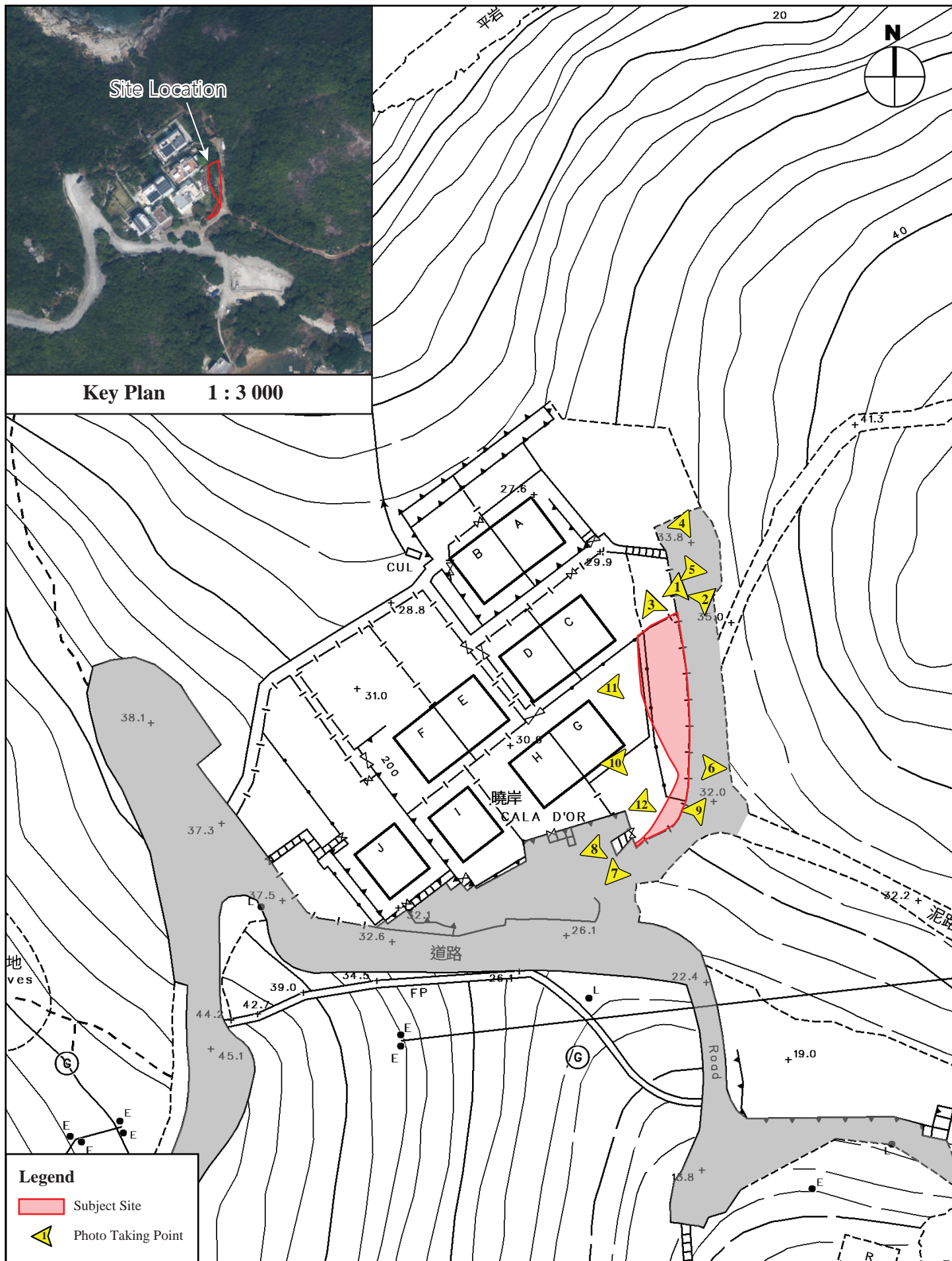
1 : 300

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# The Site and Its Surroundings (Photo Index Plan)

(Extracted from Government Survey Sheet No.: 12-SW-13A and Aerial Photo No. 2023\_E198906C taken by Lands Department on 6 Mar 2023)

## Figure 4

1 : 750



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Photo Plate No. 1

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Figure 5

For indicative purpose only





Photo Plate No. 2

**VISION**

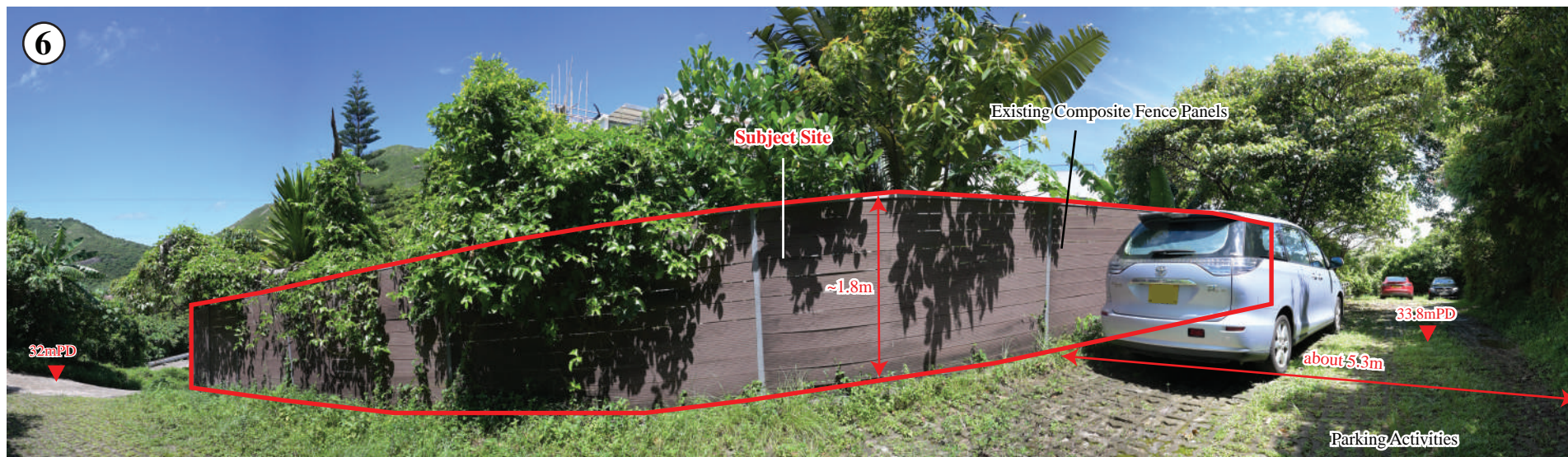
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Figure 6

For indicative purpose only





Pedestrian Entrance of the Applicant's House

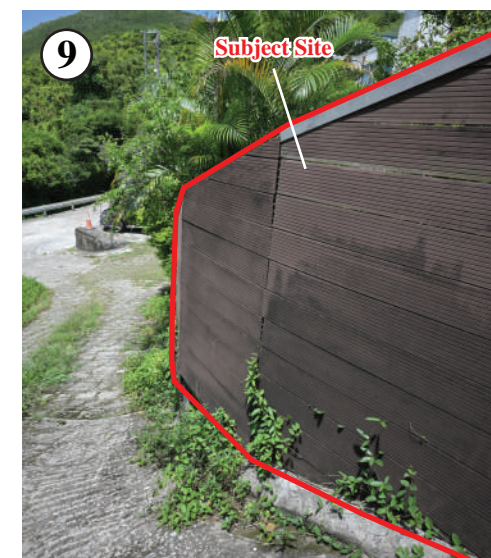


Photo Plate No. 3

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Figure 7

For indicative purpose only



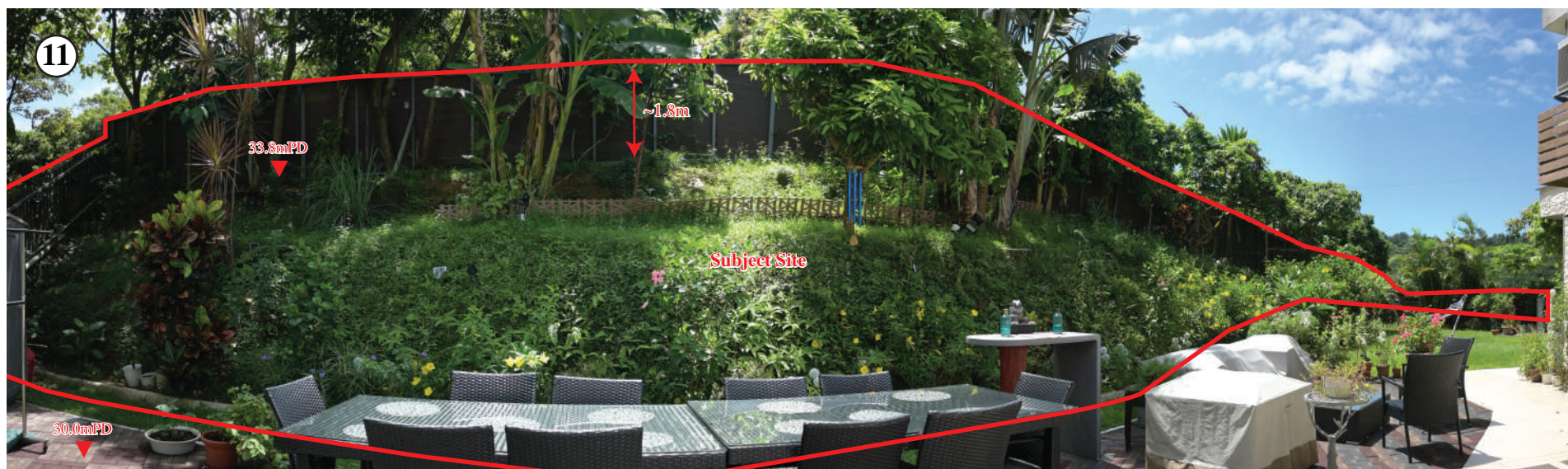
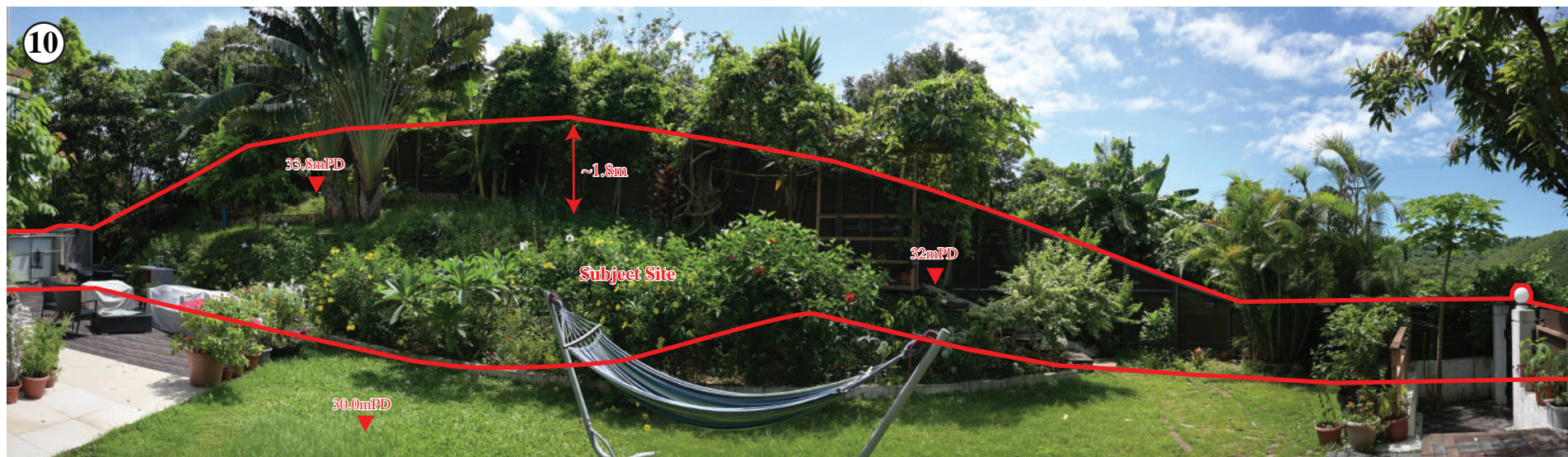


Photo Plate No. 4

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Figure 8

For indicative purpose only





Photo Plate No. 5



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Figure 9

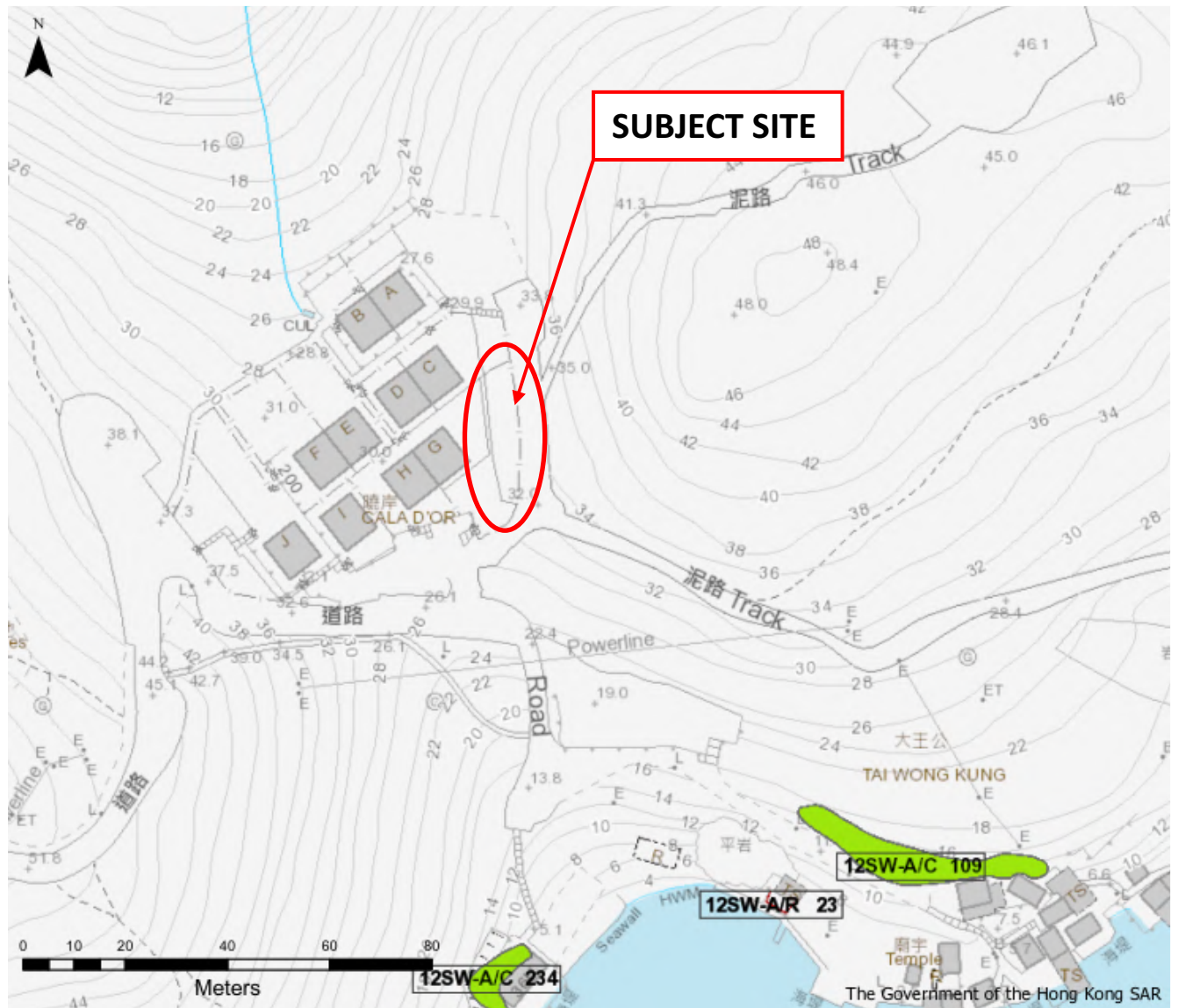
For indicative purpose only



## **APPENDIX A**

### **SLOPE REGISTRATION RECORD PLAN RETRIEVED FROM GINFO**





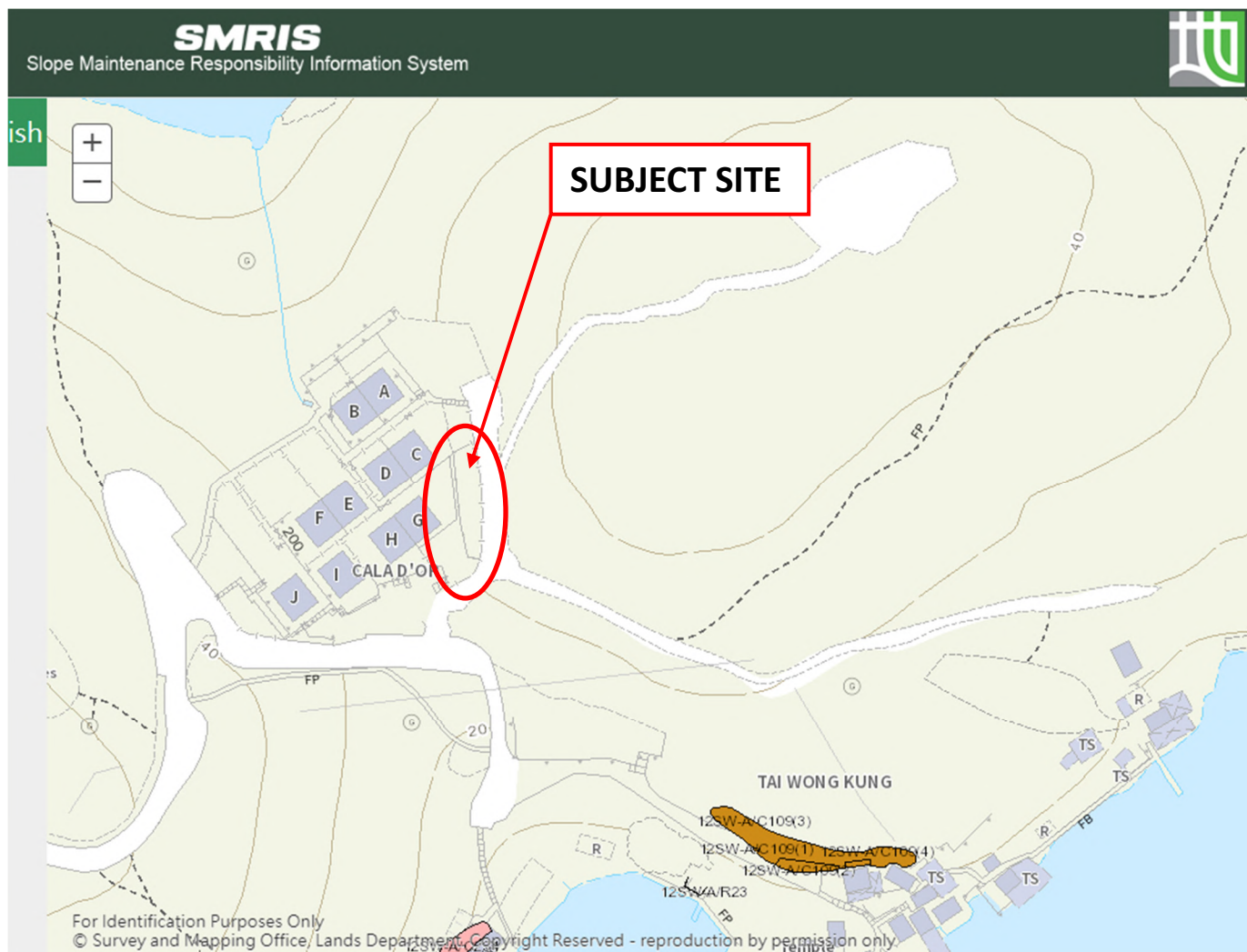
**SLOPE REGISTRATION RECORD PLAN RETRIEVED FROM GINFO**



## **APPENDIX B**

### **RETRIEVED SLOPE MAINTENANCE RESPONSIBILITY REPORTS FROM LANDS DEPARTMENT**





**SLOPE MAINTENANCE RESPONSIBILITY RECORD PLAN**  
**RETRIEVED FROM LANDS DEPARTMENT**

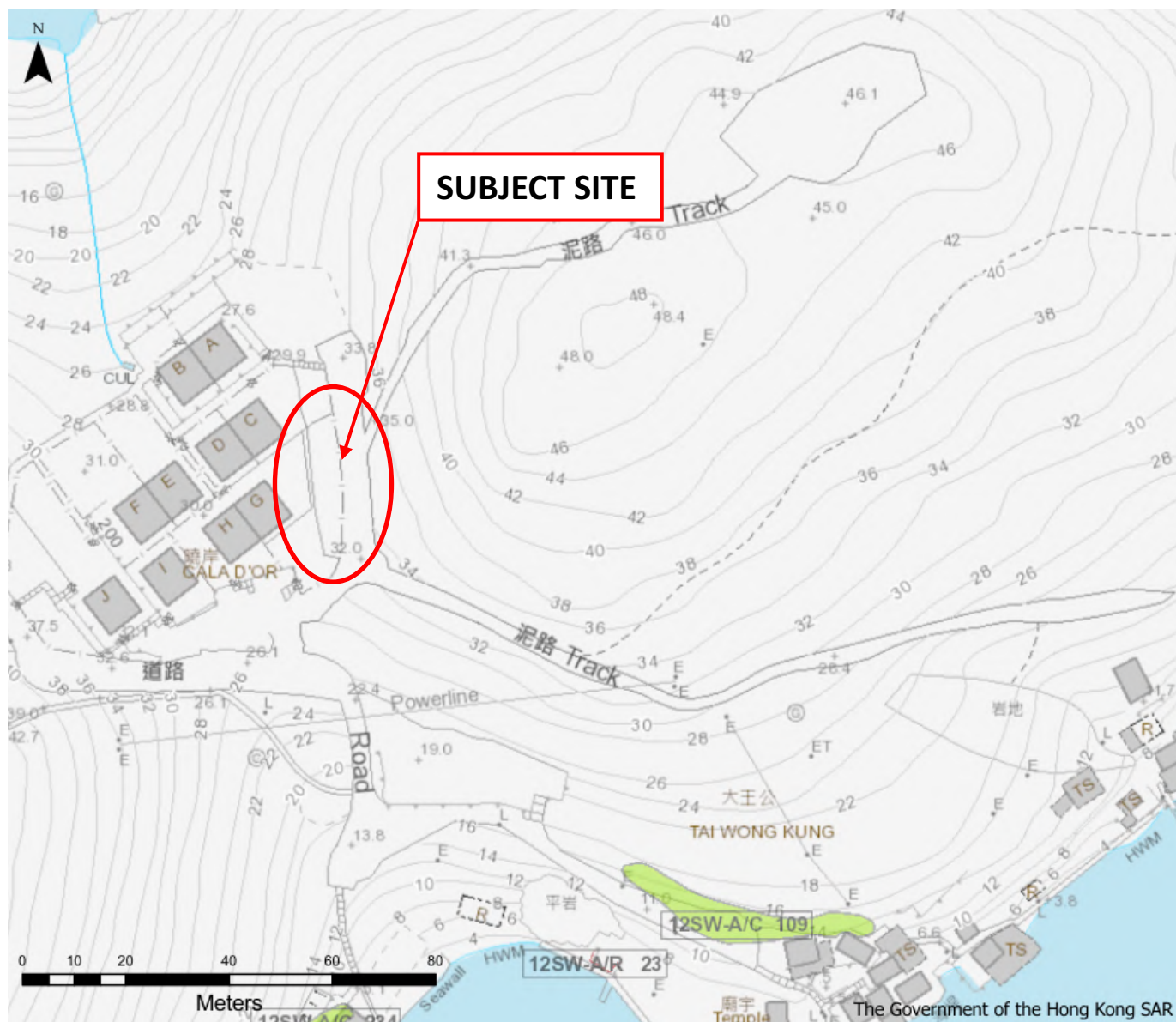


## **APPENDIX C**

### **PAST LANDSLIDES RECORD PLAN**

**RETRIEVED FROM GINFO**





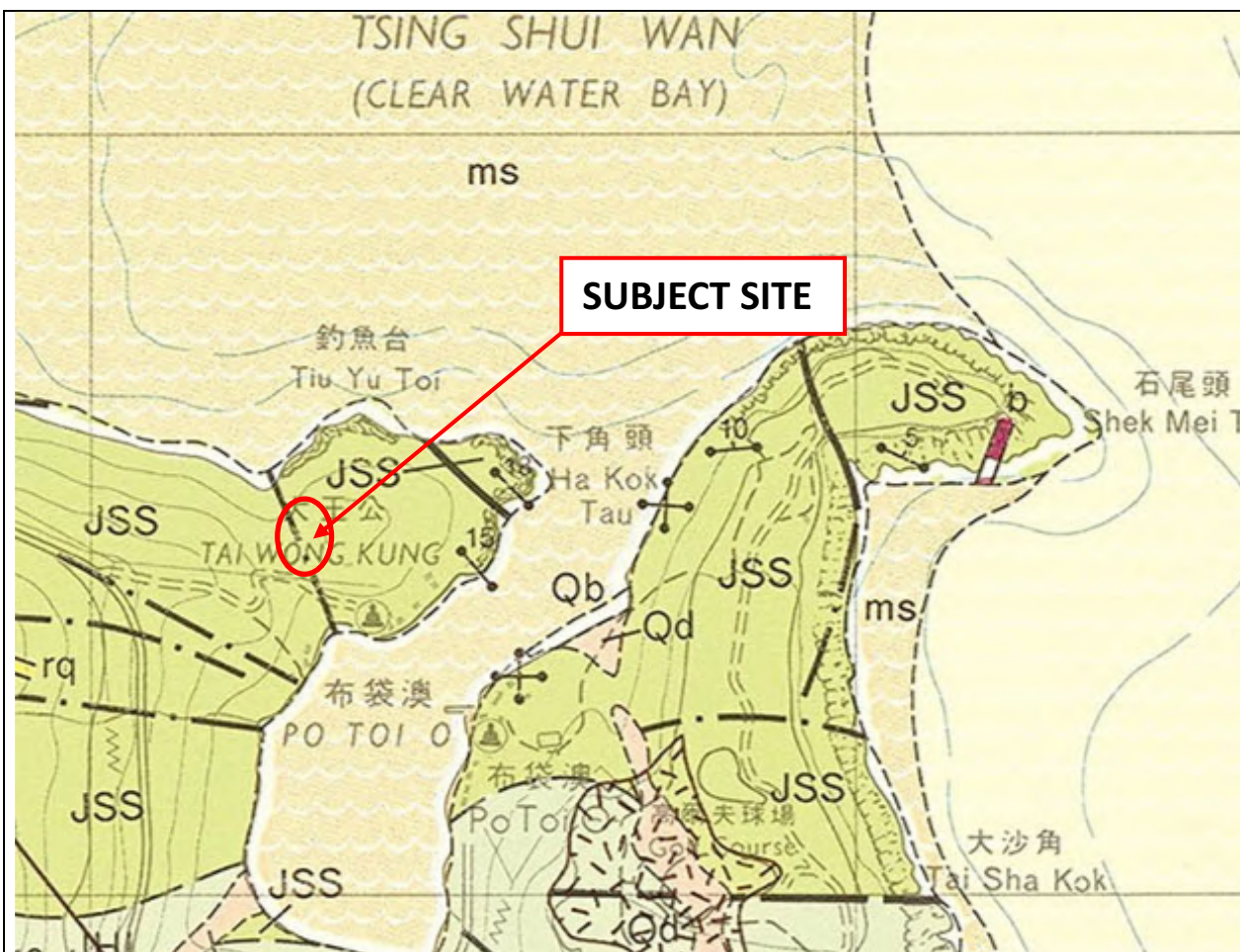
**PAST LANDSLIDES RECORD PLAN RETRIEVED FROM GINFO**



## **APPENDIX D**

### **GEOLOGICAL SURVEY MAP OF SUBJECT SITE**





## LEGEND:

SEDIMENTARY AND VOLCANIC ROCKS 沉積岩和火山岩																																					
		NAMED ROCK DIVISIONS 地層單位名稱	主要岩石類型/特徵 PRINCIPAL ROCK TYPES/CHARACTERS																																		
中生界 MESOZOIC	上侏羅統 UPPER JURASSIC	淺水灣群 REPULSE BAY VOLCANIC GROUP	<table> <tr> <td>鐘船灣組 High Island Formation</td> <td rowspan="4">大廟灣段 Tai Miu Wan Member</td> <td>JHI</td> <td>主要為細火山灰凝灰岩 (未分) ..... Undivided, mainly fine ash tuff</td> </tr> <tr> <td rowspan="4">清水灣組 Clear Water Bay Formation</td> <td>JCB</td> <td>主要為粗安質和流紋質熔岩 (未分) ..... Undivided, mainly trachydacite and rhyolite lava</td> </tr> <tr> <td>Jmw</td> <td>粗安質熔岩 ..... Trachydacite lava</td> </tr> <tr> <td>fa</td> <td>細火山灰凝灰岩 ..... Fine ash tuff</td> </tr> <tr> <td>t</td> <td>層凝灰岩 ..... tuffite</td> </tr> <tr> <td rowspan="3">孟公屋組 Mang Kung Uk Formation</td> <td>JMK</td> <td>主要為凝灰質泥岩、粉砂岩和角礫岩 (未分) ..... Undivided, mainly tuffaceous mudstone, siltstone and breccia</td> </tr> <tr> <td>r</td> <td>流紋質熔岩 ..... Rhyolite lava</td> </tr> <tr> <td>s</td> <td>砂岩 ..... Sandstone</td> </tr> <tr> <td rowspan="3">銀線灣組 Silverstrand Formation</td> <td>JSS</td> <td>主要為條紋斑雜熔結凝灰岩 (未分) ..... Undivided, mainly eutaxite</td> </tr> <tr> <td>tt</td> <td>層凝灰岩 ..... Tuffite</td> </tr> <tr> <td>tb</td> <td>凝灰角礫岩 ..... Tuff-breccia</td> </tr> <tr> <td rowspan="3">鴨洲洲組 Ap Lei Chau Formation</td> <td>JAC</td> <td>主要為細火山灰凝灰岩 (未分) ..... Undivided, mainly fine ash tuff</td> </tr> <tr> <td>e</td> <td>條紋斑雜熔結凝灰岩 ..... Eutaxite</td> </tr> <tr> <td>tbp</td> <td>凝灰角礫岩和火山岩塊角礫岩 ..... Tuff-breccia and pyroclastic breccia</td> </tr> </table>	鐘船灣組 High Island Formation	大廟灣段 Tai Miu Wan Member	JHI	主要為細火山灰凝灰岩 (未分) ..... Undivided, mainly fine ash tuff	清水灣組 Clear Water Bay Formation	JCB	主要為粗安質和流紋質熔岩 (未分) ..... Undivided, mainly trachydacite and rhyolite lava	Jmw	粗安質熔岩 ..... Trachydacite lava	fa	細火山灰凝灰岩 ..... Fine ash tuff	t	層凝灰岩 ..... tuffite	孟公屋組 Mang Kung Uk Formation	JMK	主要為凝灰質泥岩、粉砂岩和角礫岩 (未分) ..... Undivided, mainly tuffaceous mudstone, siltstone and breccia	r	流紋質熔岩 ..... Rhyolite lava	s	砂岩 ..... Sandstone	銀線灣組 Silverstrand Formation	JSS	主要為條紋斑雜熔結凝灰岩 (未分) ..... Undivided, mainly eutaxite	tt	層凝灰岩 ..... Tuffite	tb	凝灰角礫岩 ..... Tuff-breccia	鴨洲洲組 Ap Lei Chau Formation	JAC	主要為細火山灰凝灰岩 (未分) ..... Undivided, mainly fine ash tuff	e	條紋斑雜熔結凝灰岩 ..... Eutaxite	tbp	凝灰角礫岩和火山岩塊角礫岩 ..... Tuff-breccia and pyroclastic breccia
			鐘船灣組 High Island Formation	大廟灣段 Tai Miu Wan Member		JHI	主要為細火山灰凝灰岩 (未分) ..... Undivided, mainly fine ash tuff																														
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				tbp	凝灰角礫岩和火山岩塊角礫岩 ..... Tuff-breccia and pyroclastic breccia																																

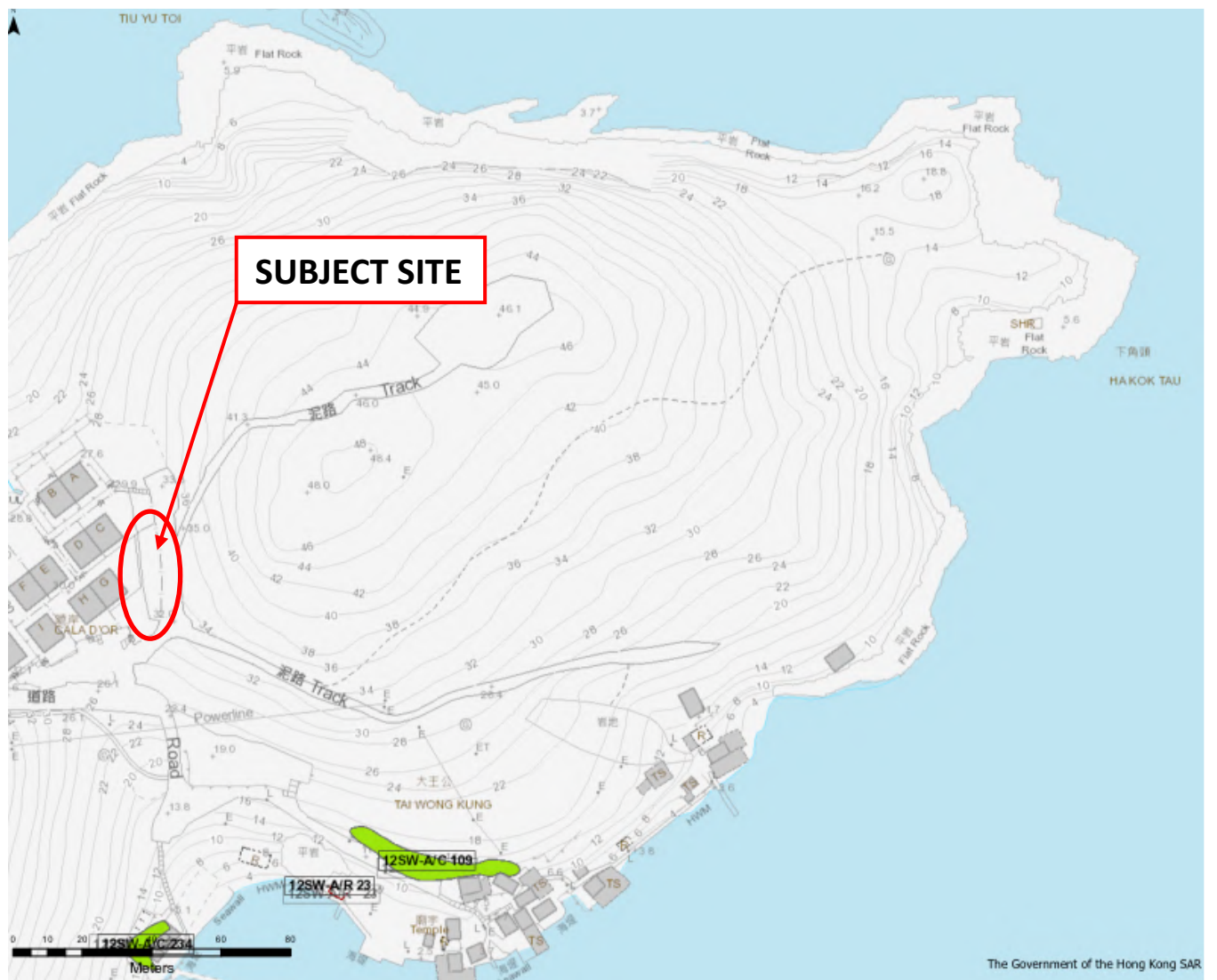
**Geological Map Extracted from  
Sheet No.12 (Clear Water Bay) 1:20000  
HGM 20-Series Hong Kong Geological Survey Map**



## **APPENDIX E**

**EXISTING GROUND INVESTIGATION RECORD PLAN  
RETRIEVED FROM GINFO**





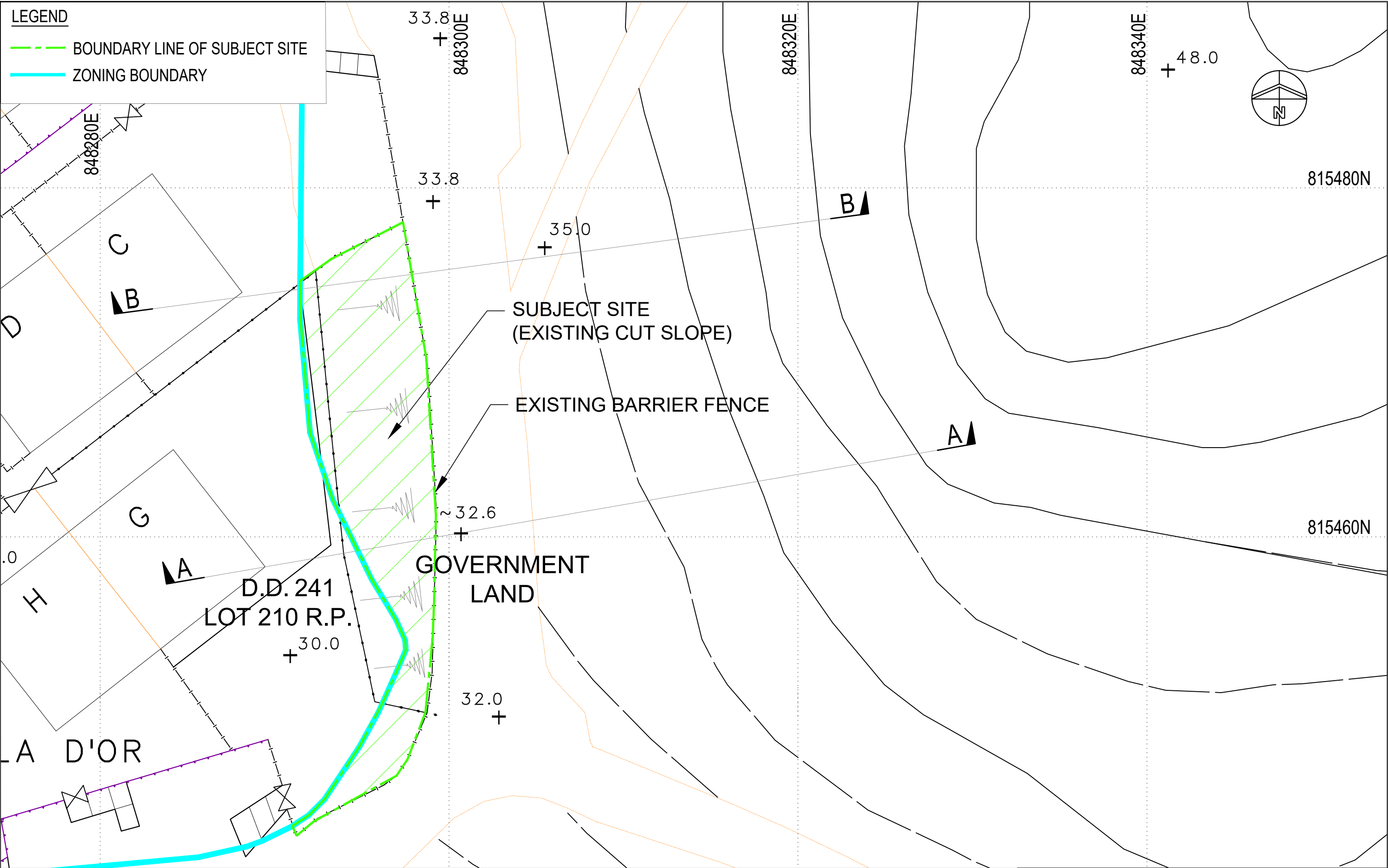
**EXISTING GROUND INVESTIGATION RECORD PLAN RETRIEVED FROM GINFO**



## **APPENDIX F**

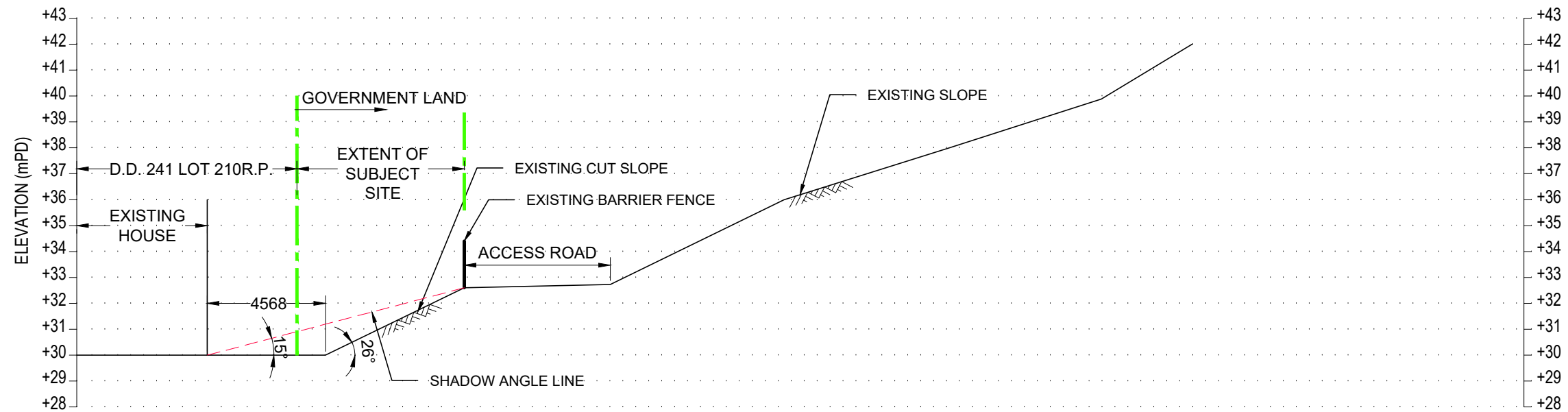
### **SITE LAYOUT PLAN AND SECTIONS**



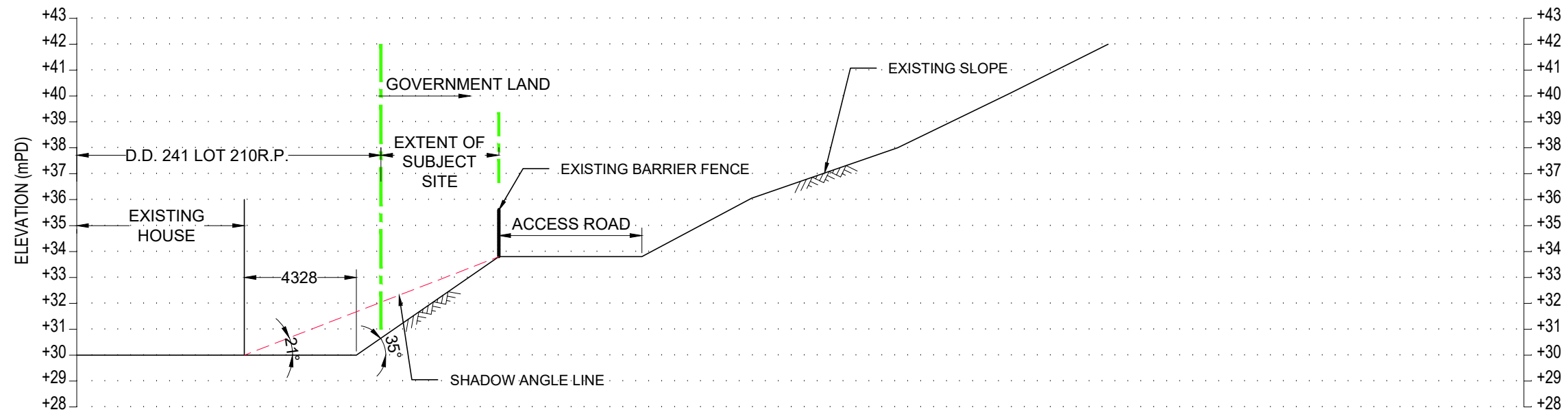


PROJECT : S.16 APPLICATION FOR PROPOSED TEMPORARY PRIVATE GARDEN FOR A PERIOD OF THREE YEARS AND PROPOSED EXCAVATION & FILLING OF LAND ASSOCIATED WITH ON-SITE MAINTENANCE AND BARRIER FENCE ERECTION/REPLACEMENT IN "CONSERVATION AREA" ZONE AT GOVERNMENT LAND ADJOINING D.D. 241 LOT NO. 210 RP, TAI WONG KUNG, PO TOI O, SAI KUNG, N.T.	CLIENT :	PROJECT NO. J2409	
	DRAWING TITLE : SITE LAYOUT PLAN	APPROVED BY HC	DATE OCT. 2024
	DRAWING NO : LP-01	DESIGNED BY PH	SCALE 1 : 200 (A3) DRAWN BY AM





**SECTION A-A**  
1 : 100



**SECTION B-B**  
1 : 100

PROJECT :  
S.16 APPLICATION FOR PROPOSED TEMPORARY PRIVATE GARDEN FOR A PERIOD OF THREE YEARS AND  
PROPOSED EXCAVATION & FILLING OF LAND ASSOCIATED WITH ON-SITE MAINTENANCE AND BARRIER FENCE ERECTION/REPLACEMENT IN  
"CONSERVATION AREA" ZONE AT GOVERNMENT LAND ADJOINING D.D. 241 LOT NO. 210 RP, TAI WONG KUNG, PO TOI O, SAI KUNG, N.T.

CLIENT :	-	PROJECT NO.	J2409
DRAWING TITLE :	SECTION A-A & SECTION B-B	APPROVED BY	HC
DRAWING NO :	LP-02	REVISION	-
		DESIGNED BY	PH
		DATE	OCT. 2024
		SCALE	1 : 200 (A3)
		DRAWN BY	AM

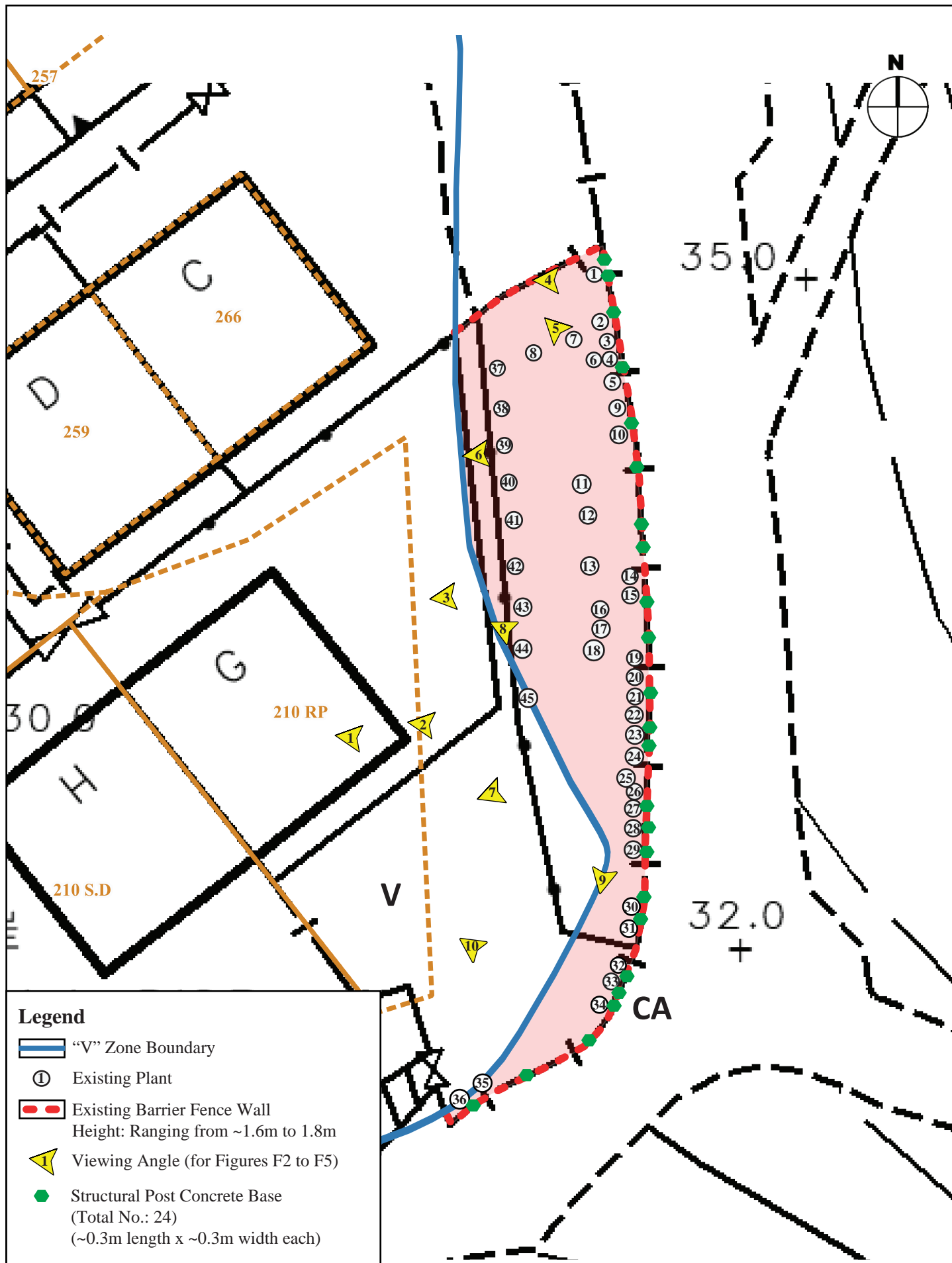


## **Annex B**

*Figures F1 to F6*

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#### Location of Existing Plants and Fence Wall

(Extracted from Government Survey Sheet No.: 12-SW-13A)

(For Indicative Purpose Only)

#### Figure F1

1: 200



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Photo Plate No. 1

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VISION PLANNING CONSULTANTS LTD.

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Unit C, 20/F., Seabright Plaza, 9-23 Shell Street, North Point, Hong Kong.  
Tel : (852) 2566 9988 Fax: (852) 2566 9978 E-mail: vision@visionplanning.com.hk

Figure F2

For indicative purpose only





Photo Plate No. 2

**VISION**

弘域城市規劃顧問有限公司  
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Figure F3

For indicative purpose only



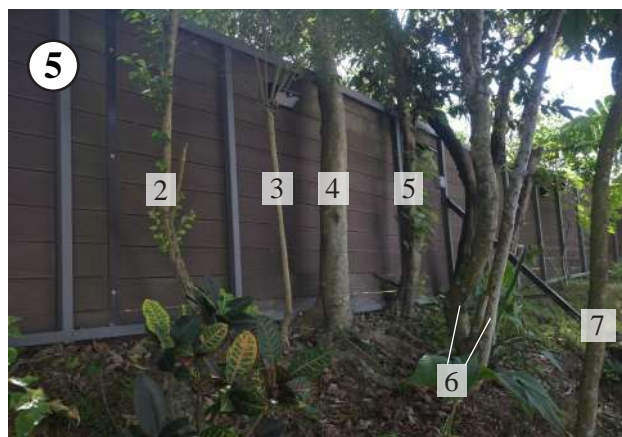
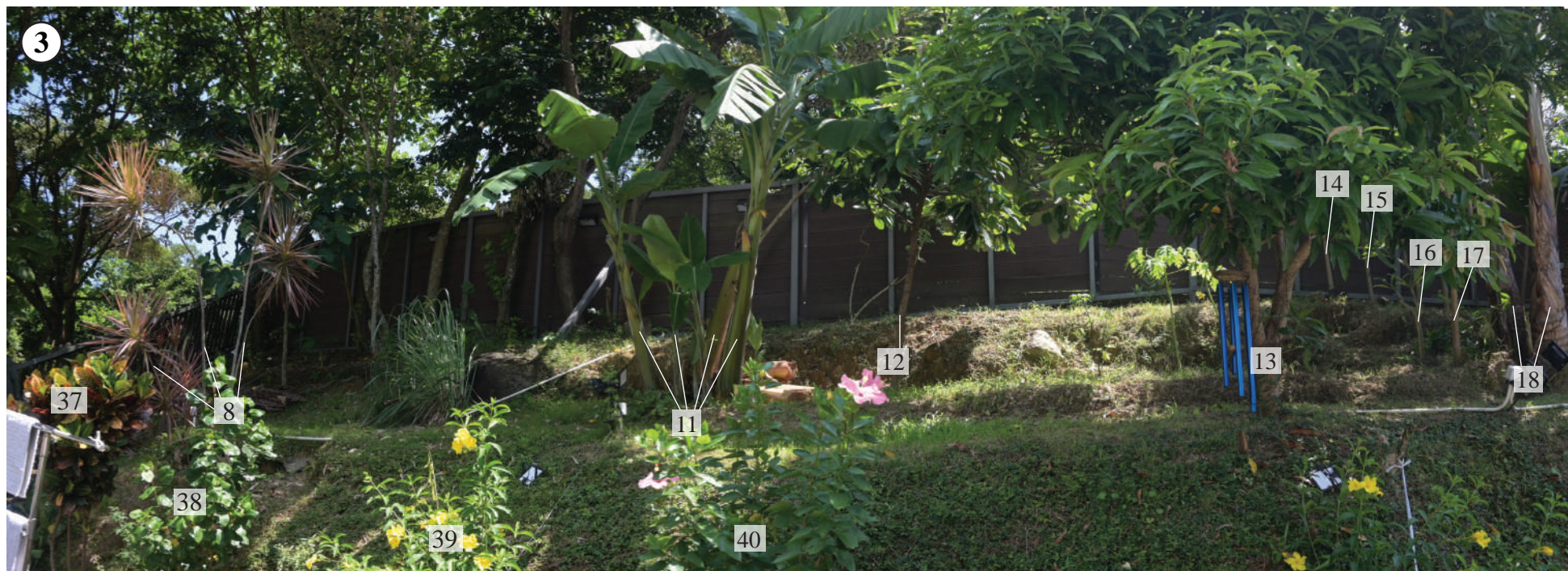


Photo Plate No. 3

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Figure F4

For indicative purpose only



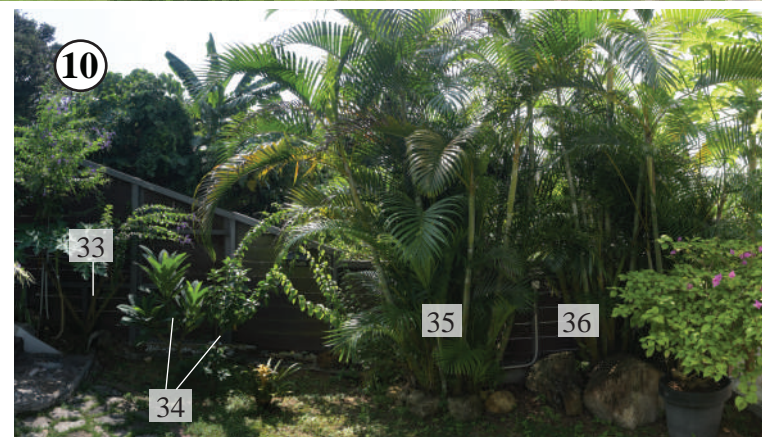
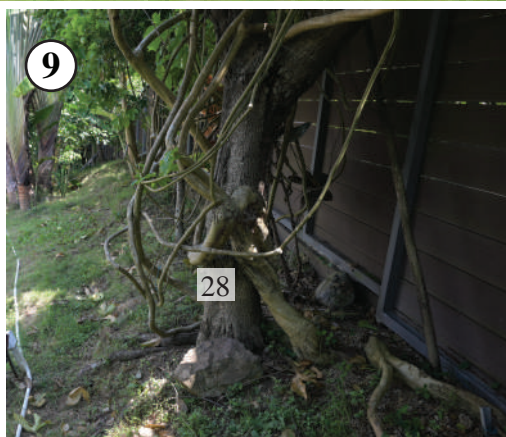
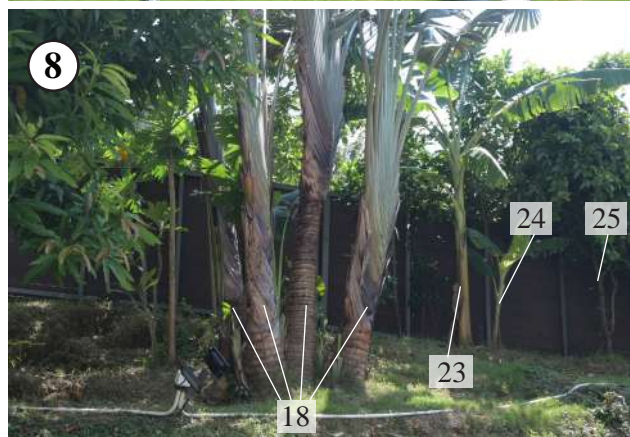


Photo Plate No. 4

**VISION**

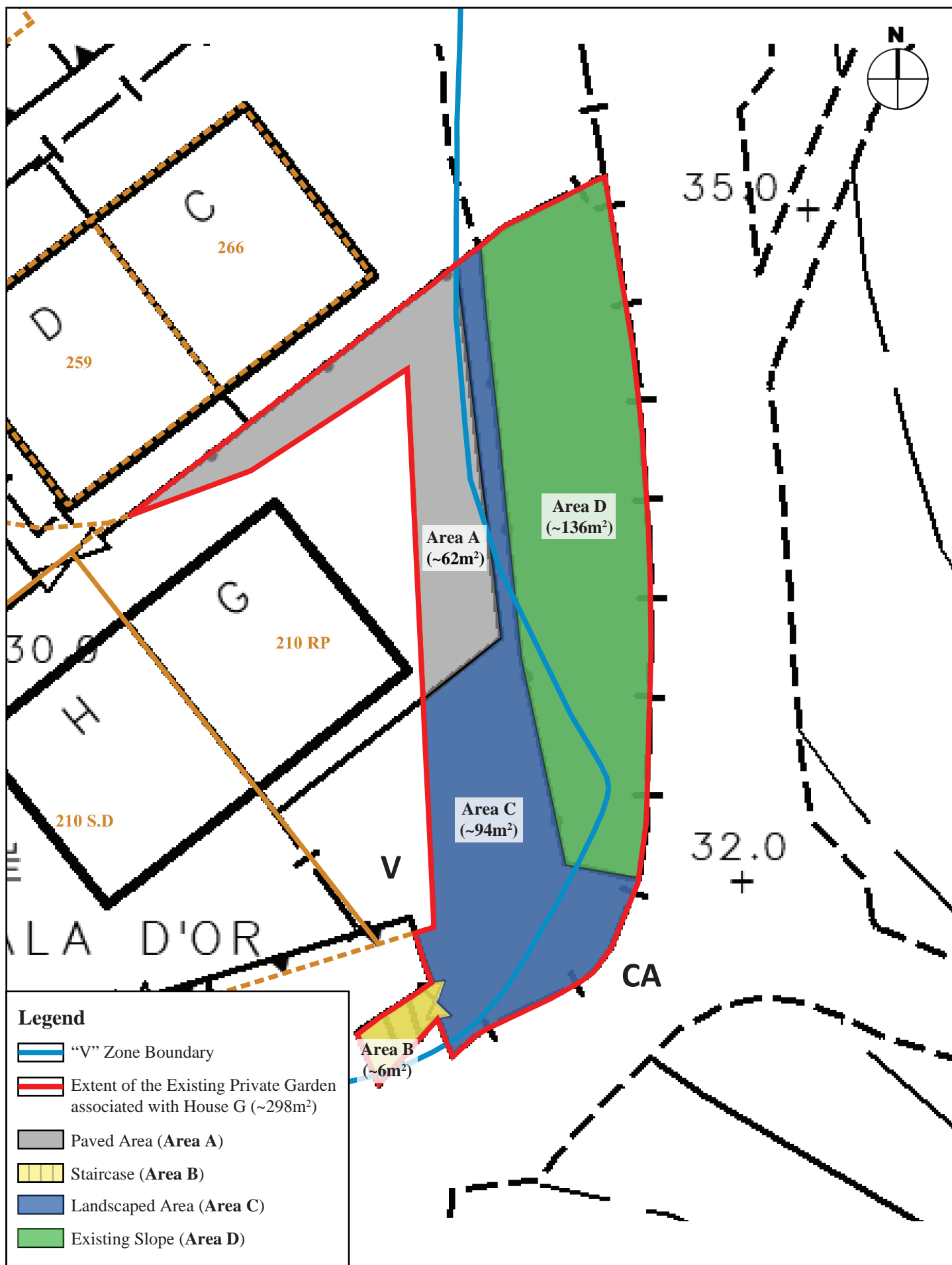
弘域城市規劃顧問有限公司  
VISION PLANNING CONSULTANTS LTD.

香港北角銀禧街 9-23 號秀明中心 20 樓 C 室  
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Tel : (852) 2566 9988 Fax: (852) 2566 9978 E-mail: vision@visionplanning.com.hk

Figure F5

For indicative purpose only





### Existing Uses in and around Proposed Private Garden

(Extracted from Government Survey Sheet No.: 12-SW-13A)

(For Indicative Purpose Only)

Figure F6

1: 200

**VISION**

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VISION PLANNING CONSULTANTS LTD.

香港北角鯉魚灣 9-23 號秀明中心 20 樓 C 室  
Unit C, 20/F., Seabright Plaza, 9-23 Shell Street, North Point, Hong Kong.  
Tel : (852) 2566 9988 Fax: (852) 2566 9978 E-mail: vision@visionplanning.com.hk



VISION PLANNING CONSULTANTS LTD.  
弘域城市規劃顧問有限公司

Your Ref: TPB/A/SK-CWBS/50  
Our Ref: SK-TWK/PA/KRL/24-10  
Date: 28 November 2024

**By Hand and Email**  
(tpbpd@pland.gov.hk)

The Secretary,  
Town Planning Board,  
c/o Town Planning Board Section,  
Planning Department,  
15/F, North Point Government Offices,  
333 Java Road,  
North Point,  
Hong Kong.

Dear Sirs,

**Proposed Temporary Private Garden for a Period of 3 Years and Associated Excavation and Filling of Land, in “Conservation Area” Zone at Government Land Adjoining Lot No. 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung, New Territories (Application No.: A/SK-CWBS/50)**  
– *Submission of Further Information No. 2*

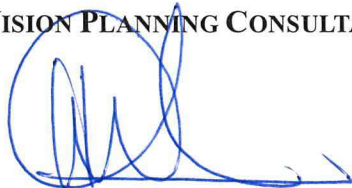
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On behalf of the Applicant, we submit herewith a total of 4 copies of Response-to-Comments Table (“**R-to-C Table**”) to clarify comments raised by relevant government departments with respect to the captioned application.

Should you have any queries with regard to the above, please do not hesitate to contact our Miss Sylvia LO, Miss Nora WONG or the undersigned at [REDACTED].

Thank you very much for your kind attention.

Yours faithfully,  
for and on behalf of  
**VISION PLANNING CONSULTANTS LTD.**



Kim On CHAN  
Managing Director

c.c. Client  
SKIs DPO (Attn.: Ms. Sylvia LAM)

By email and WhatsApp  
By email

Encl. FI 2  
[SK-TWK/PA/KRL/24-10]  
[KC/SL/NW]



**Table A – Applicant’s Responses to Departmental Comments****(Application No. A/SK-CWBS/50)**

<b>Departmental Comments</b>		<b>Applicant’s Responses</b>
<b>A.</b>	<b>Comments of Head of Geotechnical Engineering Office, Civil Engineering and Development Department (CEDD) (Contact Officer: Ms. Y H LAM, Tel: 2762 5389)</b>	
1.	His office has no adverse geotechnical comment on the application. Referring to Section 5.6 of the Geotechnical Planning Review Report, site formation works will be needed for the proposed temporary private garden. Therefore, please be reminded to make necessary submission to the Buildings Department in accordance with the provisions of Buildings Ordinance in future.	Noted.
<b>B.</b>	<b>Comments of Chief Town Planner/Urban Design and Landscape, Planning Department (Contact Officer: Ms. Isabella TSUI, Tel: 3565 3951)</b>	
1.	According to R-to-C, the applicant replied that “slope stability/slope repair/maintenance works...may cover the entire site ...”. She maintains the concern that the proposed excavation and fill of land of 150 sq.m (i.e. the entire site area) up to 1.5m would damage any tree/vegetation cover in-situ which is opposite to the applicant’s intention to protect and conserve the existing vegetation/tree.	<p>Please note that the Applicant intends to retain the whole “CA” site in-situ under the existing conditions, if no slope stability works will be required to be carried out as proved by the detailed slope stability assessment at the later stage, and/or, if no removal and re-provision of the existing fence barrier walls are required; and if no tree(s) will be damaged by typhoon(s), or no removal of dead tree(s)/tree(s) in poor conditions will be required during the operational phase of this Application.</p> <p>The Applicant has no objection, if the Town Planning Board (“the TPB”) considers suitable, to impose a planning condition on the present Application stating that no on-site excavation/filling of land should be carried out without prior written consent from relevant government departments and all such needed works must be properly reported and to the satisfaction of relevant government departments or of the TPB.</p>



**Government Departments' General Comments**

**1. Land Administration**

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

- (a) no objection to the application;
- (b) the application site (the Site) comprises Government Land (GL) and is not covered by any Short Term Tenancy (STT). An application for STT for the purpose of private garden to regularise the illegal occupation of the Site and the GL adjoining Lot 210 RP in D.D. 241 had been submitted by the present owner of Lot 210 RP in D.D. 241. The said STT application was rejected by his office on 24.6.2024 as the applied use did not fall within Column 1 or 2 uses of the "Conservation Area" ("CA") zone under relevant Outline Zoning Plan;
- (c) the Small House (SH) erected on Lot 210 RP in D.D. 241 was granted by way of Building Licence No. 1444 dated 21.1.1999. The Certificates of Exemption in respect of building works and drainage works associated with the SH development were issued on 25.3.2002 and 20.3.2008 respectively. The site formation plan for the SH development was approved by the Buildings Department on 21.2.2006. The relevant Certificate of Compliance was issued on 16.10.2009;
- (d) land enforcement action is being taken against the illegal occupation of both the GL within the Site and the GL adjoining Lot 210 RP in D.D. 241;
- (e) the local access road adjoining the Site is GL with the maintenance responsibility not specified. Besides, his office has no record of previous works carried out along the said access road and no land enforcement action has been taken against the said access road;
- (f) the following irregularities covered by the planning application have been detected by his office:

Unlawful occupation of GL with unauthorized structures within the Site

the GL within the Site has been fenced off/illegally occupied with unauthorized structures without any permission. Any occupation of GL without Government's prior approval is an offence under Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office reserves the right to take necessary land control action against the illegal occupation of GL without further notice;

- (g) the following irregularities not covered by the planning application have been detected by his office:

Unlawful occupation of GL adjoining the Site in the "V" zone

the GL adjoining Lot 210 RP in D.D. 241 has been fenced off/illegally occupied



with unauthorized structures without permission and is not included in the application. Any occupation of GL without Government's prior approval is an offence under Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office reserves the right to take necessary land control action against the illegal occupation of GL without further notice;

- (h) if the planning application is approved, the applicant shall apply to his office for a STT to permit the occupation of GL. The application for STT will be considered by the Government in its capacity as landlord and there is no guarantee that it will be approved. The STT, if approved, will be subject to such terms and conditions including the payment of rent and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered; and
- (i) there are a total of nine STT applications for private garden use in the vicinity of the Site in which 5 have been approved, 3 have been rejected and 1 is being processed by his office.

## **2. Nature Conservation**

Comments of the Director of Agriculture, Fisheries and Conservation:

Noting that all existing on-site vegetation and trees will be retained in-situ and the overall greenery at the Site will be conserved, he has no comment on the application from the nature conservation perspective.

## **3. Traffic**

Comments of the Commissioner for Transport:

- (a) no objection to the application; and
- (b) the access road leading to the Site is not under the Transport Department's management.

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

- (a) no objection to the application from highway maintenance viewpoint; and
- (b) the access road leading to the Site is outside HyD's maintenance jurisdiction.

## **4. Environment**

Comments of the Director of Environmental Protection:



- (a) no in-principle objection to the application from environmental planning perspective having regard to the scale and nature of the applied use which will unlikely cause major pollution under Environmental Protection Department (EPD)'s ambit;
- (b) as the Site has been used as a private garden at the present moment that may involve earthworks and/or building works within the "CA" zone. The case has been referred to the Environmental Compliance Division of EPD to investigate whether any enforcement action would be required;
- (c) there was no substantiated environmental complaint associated with the Site in the past 3 years based on EPD's record; and
- (d) other advisory comments are at **Appendix III**.

## **5. Geotechnical Safety**

Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department:

- (a) his office has no adverse geotechnical comment on the application; and
- (b) based on the information and figures provided in the Geotechnical Planning Review Report (GPRR), it is noted that some existing fence walls may have been erected on unallocated GL within the applied private garden area. DLO/SK, LandsD is requested to review this application and take necessary land control actions, if required; and
- (c) according to Section 5.6 of the GPRR, site formation works will be needed for the temporary private garden. The applicant shall make necessary submission to the Buildings Department in accordance with the provisions of the Buildings Ordinance in future.

## **6. Drainage**

Comments of the Chief Engineer/Mainland South, Drainage Services Department (DSD):

Since there is no DSD's drainage and sewerage facility at the Site, he has no comment on the application from drainage maintenance viewpoint.

## **7. Environmental Hygiene**

Comments of the Director of Food and Environmental Hygiene:

- (a) no adverse comments on the planning application;
- (b) there was no record related to illegal dumping activities and/or relevant environmental



complaints on the Site; and

(c) other advisory comments are at **Appendix III**.

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

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

- (a) no comment on the application; and
- (b) her office has no works or projects near the Site and did not receive any public comments regarding the application.

## **9. Other Departments**

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

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Engineer (Works), HAD;
- (c) Commissioner of Police; and
- (d) Director of Fire Services.



**Recommended Advisory Clauses**

- (a) to note the comments of the Director of Environmental Protection that the proposed excavation and filling of land as well as erection or replacement of roadside fence barriers would involve earthworks and/or building works falling within "Conservation Area" zone. In this regard, the applicant is reminded that all projects involving earthworks, dredging works and other building works partly or wholly in a conservation area are designated projects which require an environmental permit for their construction and operation unless the works belong to exception (a) - (o) under Item Q.1 of the Environmental Impact Assessment Ordinance;
- (b) to note the comments of the Director of Food and Environmental Hygiene (DFEH) as follows:
  - (i) the applicant should ensure that no Food and Environmental Hygiene Department's (FEHD) facilities will be affected;
  - (ii) proper licence/permit issued by FEHD is required if there is any activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132), Places of Public Entertainment Ordinance (Cap.172) and other relevant legislation for the public;
  - (iii) for any waste generated from the such activity/operation, the applicant should arrange disposal properly at their own expenses. The work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding.
- (c) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that that approval of the s.16 application under Town Planning Ordinance does not imply approval of the trees works such as pruning, transplanting and/ or felling under lease. The applicant is reminded to approach relevant authority/ government department(s) direct to obtain necessary approval on tree works.







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

---

From: [REDACTED]  
Sent: 2024-09-08 星期日 04:49:51  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Subject: A/SK-CWBS/50 Tai Wong Kung, Po Toi Parking of Govt Land CA

A/SK-CWBS/50

Government Land adjoining Lot 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung

Site area: About 150sq.m Government Land

Zoning: "Conservation Area"

Applied use: Private Garden

Dear TPB Members,

Strong Objections. The area has been used as for illegal parking.

Instead of approving a private garden, the authorities should be taking action against unapproved use of government land that has CA zoning. The applicant refers to this abuse SO WHY HAS IT BEEN TOLERATED FOR SO LONG? There is a parking lot on the other side of the residences but vehicle owners never want to take a few extra steps so they park on this area.

"There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted."

Members should inquire into the reason for failure to protect state land.

Enforcement not privatization is the solution. TD should send a tow truck and immediately remove illegally parked vehicles from the area.

Mary Mulvihill



敬啟者

FRI,  
2024年9月13日(星期五) 6頁6

本人有些少疑問？有關申請告示問題？！

(申請地點)西貢清水灣 文咸門路 大王公山 布袋澳村(曉岸)

(申請編號) A/SK-CWBS/50；

有可能在(不合法則)(違例佔用)(公用)地段！？

希望有關部門，可以跟進；

(佔用者)他說過他是(公務員)

他知道什麼方法可以在些地段建築？！？

在全個屋園？有10座樓房？也有10屋外地段？

大有未經許可，也有未經批准，(屋外)屋內)建造物？！

但有關部門，發出通知(違例者立即)進行！

立即遵守法規，立即清拆違例建築物，

？疑問？有關部門？

如何接受？這個房屋，屋外的申請？？

我地 我地 遵守法規(拆完)(再拆)也有兩次？！

再次請問 有關部門？！？！ 謝謝 謝謝

圖片，文字信件合計陸頁，





# 規劃申請 PLANNING APPLICATION



申請編號 Application No.	A/SK-CWBS/50
地點 Location (見下圖 See Plan Below)	西貢布袋澳大王公毗連丈量約份第241約地段第210號餘段的政府土地 Government Land adjoining Lot 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung
地帶及圖則 Zoning and Plan	「自然保育區」 "Conservation Area" 清水灣半島南分區計劃大綱核准圖編號S/SK-CWBS/2 Approved Clear Water Bay Peninsula South Outline Zoning Plan No. S/SK-CWBS/2
建議 Proposal	擬議臨時私人花園(為期3年)及相關挖土及填土工程 Proposed Temporary Private Garden for a Period of 3 Years and Associated Excavation and Filling of Land

任何人士均可就這宗申請提出意見。有關意見必須於2024年9月17日或之前，以專人送遞或郵遞(香港北角渣華道333號北角政府合署15樓)、傳真(2877 0245或2522 8426)或電郵(tpbpd@pland.gov.hk)方式，向城市規劃委員會提出。

Any person may make comment on this application. The comment must be made to the Town Planning Board by hand or post (15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong), fax (2877 0245 or 2522 8426) or e-mail (tpbpd@pland.gov.hk) on or before 17 Sep 2024.

## 詳情 Particulars

## 位置圖 Location Plan

(只作識別用 for identification purpose only)

- 這是根據《城市規劃條例》(下稱「條例」)第16條提出的申請。  
This is an application made under section 16 of the Town Planning Ordinance (the Ordinance).
- 公眾可在城市規劃委員會(下稱「委員會」)就這宗申請作出考慮前，登入委員會的網頁([https://www.tpb.gov.hk/tpb/plan\\_application/A\\_SK-CWBS\\_50.html](https://www.tpb.gov.hk/tpb/plan_application/A_SK-CWBS_50.html))或掃描本通告的二維碼)及到下列地點查閱這宗申請。  
Until the application has been considered by the Town Planning Board (the Board), the application is available for public inspection on the Board's website ([https://www.tpb.gov.hk/tpb/plan\\_application/A\\_SK-CWBS\\_50.html](https://www.tpb.gov.hk/tpb/plan_application/A_SK-CWBS_50.html)) or scanning the QR code in this Notice and at the following locations.

### 規劃署規劃資料查詢處 Planning Enquiry Counters, Planning Department

(熱線 Hotline: 2231 5000)  
香港北角渣華道333號北角政府合署17樓  
17/F, North Point Government Offices, 333 Java Road, North Point, H.K.  
新界沙田上禾輦路1號沙田政府合署14樓  
14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, N.T.

- 根據條例，所有向委員會提出的意見，均會供公眾查閱。  
All comments made to the Board will be available for public inspection under the Ordinance.

### 個人資料聲明 Statement on Personal Data

委員會就任何意見所收到的個人資料會交給委員會秘書及政府部門，以根據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：

- 處理這宗申請，包括公布有關意見供公眾查閱，同時公布提出意見人士(下稱「提意見人」)的姓名供公眾查閱；以及
- 方便提意見人與委員會秘書及政府部門之間進行聯絡。

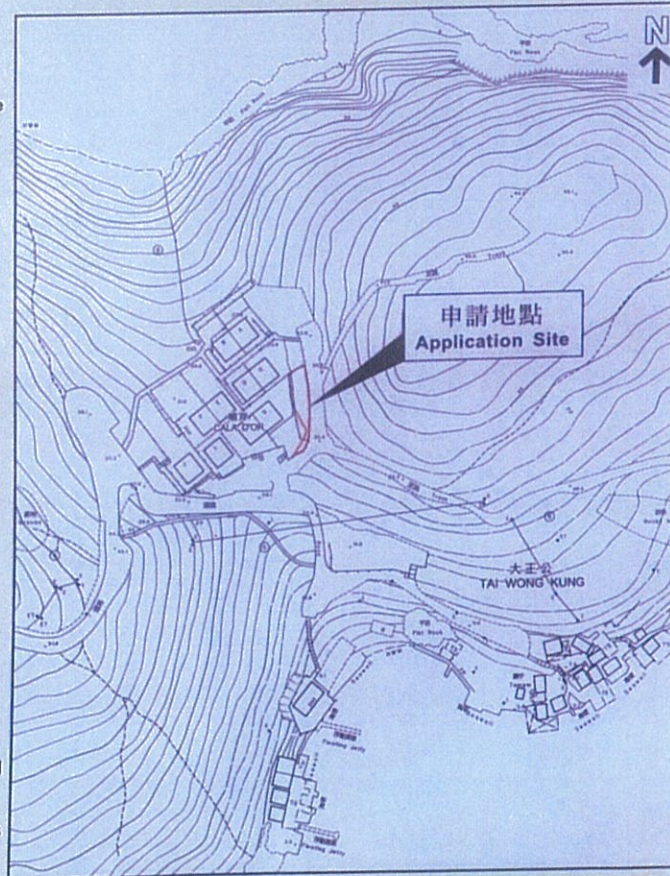
The personal data submitted to the Board in any comment will be used by the Secretary of the Board and Government departments for the following purposes:  
(a) the processing of this application which includes making available the name of the person making the comment (hereafter known as "commenter") for public inspection when making available the comment for public inspection; and  
(b) facilitating communication between the "commenter" and the Secretary of the Board/Government departments  
in accordance with the provisions of the Ordinance and the relevant Town Planning Board Guidelines.

### 重要提示 Important Notes:

- 委員會考慮申請的暫定會議日期已上載於委員會的網頁([www.tpb.gov.hk/](http://www.tpb.gov.hk/))。考慮規劃申請而舉行的會議(進行商議的部分除外)，會向公眾開放。如欲觀看會議，請最遲在會議日期的一天前以電話(2231 5061)、傳真(2877 0245或2522 8426)或電郵(tpbpd@pland.gov.hk)向委員會秘書處預留座位。座位會按先到先得的原則分配。  
The tentative date of the Board to consider the application has been uploaded to the Board's website ([www.tpb.gov.hk/](http://www.tpb.gov.hk/)). The meeting for considering planning applications, except the deliberation parts, will be open to the public. For observation of the meeting, reservation of seat can be made with the Secretariat of the Board by telephone (2231 5061), fax (2877 0245 or 2522 8426) or e-mail (tpbpd@pland.gov.hk) at least one day before the meeting. Seats will be allocated on a first-come-first-served basis.

供委員會在考慮申請時參閱的文件，會在發送給委員會秘書後存放於規劃署的規劃資料查詢處(查詢熱線: 2231 5000)，以及在會議當日存放於會議轉播室，以供公眾查閱。  
The paper for consideration of the Board in relation to the application will be available for public inspection after issue to the Board Members at the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) and at the Public Viewing Room on the day of meeting.

委員會考慮申請後，可致電2231 4810或2231 4835查詢有關決定，或是在會議結束後，在委員會的網頁上查閱決定摘要。  
After the Board has considered the application, enquiry about the decision may be made by tel. no. 2231 4810 or 2231 4835 or the gist of the decision can be viewed on the Board's website.



城市規劃委員會  
2024年8月27日  
Town Planning Board  
27 Aug 2024

(任何人在未經委員會許可而撕去、塗改、毀壞或移除本通告，均可能構成刑事罪行。)  
(Any person who obliterates, defaces, destroys or removes this notice without the authorization of the Board may commit a criminal offence.)







6頁3,

# 大王公 Tai Wong Kung

西貢區議會



SAI KUNG  
DISTRICT COUNCIL

規劃申請  
PLANNING APPLICATION

申請編號 Application No. **ASA/CWB/338**

地點 Location  
見下圖 See Plan Below

地帶及圖則 Zoning and Plan

建議 Proposal

附屬文件 Particulars

地點圖 Location Plan

備註 Notes

2024年8月27日  
27 Aug 2024











The Secretary,  
Town Planning Board,  
15/F, North Point Government Offices,  
333, Java Road, North Point,  
Hong Kong.  
(Email: tpbpd@pland.gov.hk)

16th September, 2024.



Dear Sir/ Madam,

**Proposed Temporary Private Garden for a Period of 3 Years and Associated  
Excavation and Filling of Land  
(A/SK-CWBS/50)**

1. We refer to the captioned.
2. The application site is entirely within Conservation Area (CA) zone. Its planning intention is as follows:

*'This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.'*

*'There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.'*<sup>1</sup>

3. We urge the Board to reject this application as it is unlikely to be in line with the planning intention of CA zone and we also urge the Board to consider whether the approval

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<sup>1</sup><https://www.ozp.tpb.gov.hk/api/Plan/PlanNote?planNo=S%2fSK-CWBS%2f2&lang=EN&ext=pdf&dType=in>



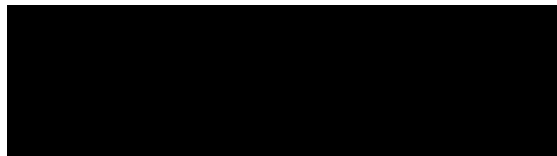


嘉道理農場暨植物園公司  
**Kadoorie Farm & Botanic Garden Corporation**

would set a precedent for similar applications within this CA zone and to seriously consider the potential cumulative impact on the CA zone of approving this application.

4. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden







世界自然基金會  
香港分會

WWF-Hong Kong

Sep 1 4



20 November 2024

Chairman and members  
Town Planning Board  
15/F North Point Government Offices,  
333 Java Road, North Point, Hong Kong  
(E-mail: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk))



Dear Sir/Madam,

**Re: Proposed Temporary Private Garden for a Period of 3 Years and Associated  
Excavation and Filling of Land in "Conservation Area" zone in Tai Wong Kung,  
Po Toi O (A/SK-CWBS/50)**

WWF would like to lodge an objection to the captioned proposal.

**Impact of excavation and filling of land on vegetation cover**

According to the planning statement, "*all existing on-site vegetation and trees will retain in-situ.*" However, this claim seems inconsistent with the extensive excavation and filling proposed, which would likely have an adverse impact on the vegetation cover. Therefore, we recommend that approval should not be granted without comprehensive tree surveys.

The reason for excavation and filling the entire site to a depth of about 1.5 meters is unclear. Paragraph 1.4 of the planning statement states that the proposed private garden "*will inevitably involve some kind of on-site excavation and filling of land associated with future maintenance and/or erection/replacement of fence barrier works at different operation stages.*" We consider that this justification does not sufficiently explain the scale of the proposed works. As such, we request that the town planning board members ask the applicant to clarify the necessity of such a large extent of excavation and filling of land.

**together possible™**

贊助人：中華人民共和國  
香港特別行政區行政長官  
李家超先生、大紫荊勳賢、SBS, PDSM  
主席：白丹尼先生  
行政總裁：黃碧茵女士

核數師：中審眾環（香港）會計師事務所有限公司  
公司秘書：嘉信秘書服務有限公司  
義務司庫：匯豐銀行  
註冊慈善機構

Patron: The Honourable John Lee Ka-chiu, GBM, SBS, PDSM  
The Chief Executive, Hong Kong Special Administrative Region  
People's Republic of China  
Chairman: Mr Daniel R Bradshaw  
CEO: Ms Nicole Wong

Auditors: Mazars CPA Limited  
Company Secretary:  
McCabe Secretarial Services Limited  
Honorary Treasurer: HSBC  
Registered Charity  
(Incorporated With Limited Liability)

註冊名稱 Registered Name: 世界自然(香港)基金會 World Wide Fund For Nature Hong Kong  
(於香港註冊成立的擔保有限公司 Incorporated in Hong Kong with limited liability by guarantee)



### Undesirable precedent of “build first, apply later”

According to paragraph 2.3 of the planning statement, the site “*has been used as a private garden at the present moment*”. It is suspected that this is a “build first, apply later” case by using government land zoned as “Conservation Area” as a private garden before attaining approval from the town planning board (Fig 1.). Approval of the captioned will set an undesirable precedent which encourages similar actions in pursuit of development approval, the cumulative effect of which would adversely impact the landscape of the “Conservation Area”.

We would be grateful if our comments could be considered by the Town Planning Board and the captioned proposal rejected.

Yours faithfully,  
Bonnie LEUNG (Ms.)  
Conservation Officer, Conservation Policy  
WWF Hong Kong

**Figure 1. Government land zoned as “Conservation Area” used as private garden without approval.**

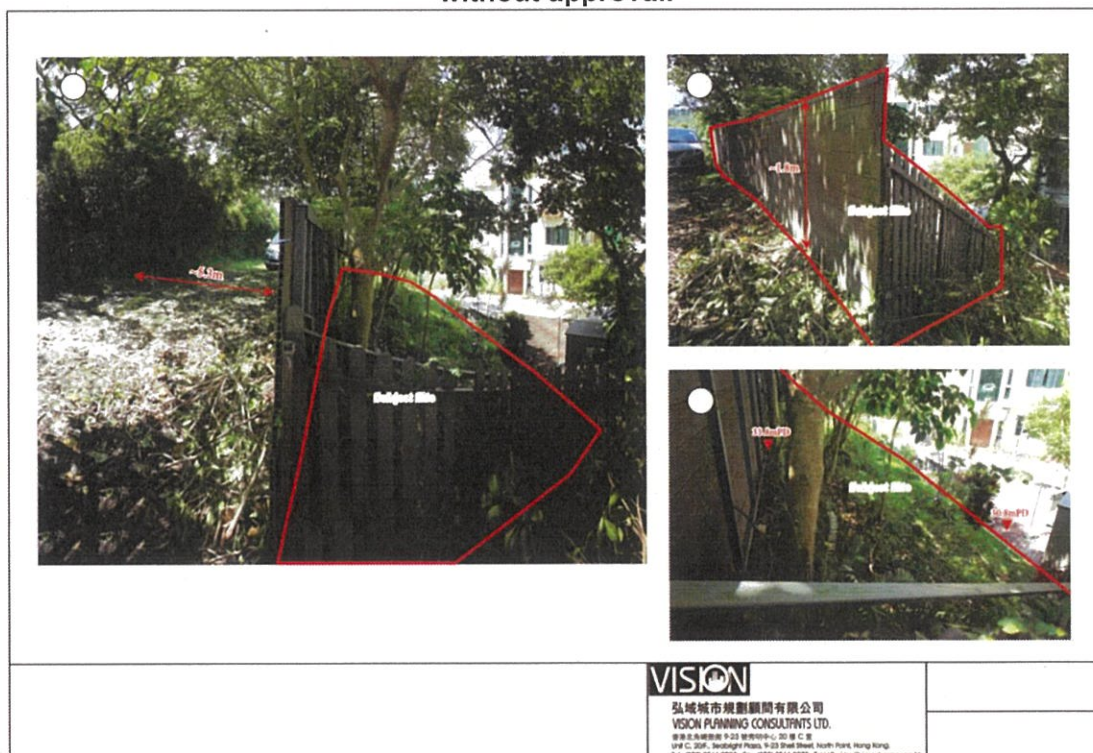


Image source: Applicant's drawing plan



The Secretary,  
Town Planning Board,  
15/F, North Point Government Offices,  
333, Java Road, North Point,  
Hong Kong.  
(Email: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk))

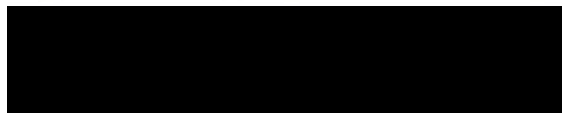
29th November, 2024.



Dear Sir/ Madam,

**Proposed Temporary Private Garden for a Period of 3 Years and Associated  
Excavation and Filling of Land  
(A/SK-CWBS/50)**

1. We refer to the captioned.
2. We urge the Board to look at a photo extracted from the Town Planning Board Planning Portal 3 which shows the site (bounded by red line).





3. The planning intention of the Conservation Area (CA) zone, where the site is located, is as follows:

*‘This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.*

*There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.’*

4. We urge the Board to consider whether the proposed use/ activities (temporary private garden as well as associated excavation and filling of land) are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest.
5. We also urge the Board to consider the potential cumulative impacts of approving this application as the approval would set a precedent for other similar cases in this CA zone.
6. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden



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

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**From:** [REDACTED]  
**Sent:** 2024-12-02 星期一 02:32:45  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** Re: A/SK-CWBS/50 Tai Wong Kung, Po Toi Parking on Govt Land CA

Dear TPB Members,

So enforcement action has finally been taken.

Approval would set an undesirable precedent and encourage others to illegally occupy first and then legitimize later encroachment not only onto government land but in addition to CA zoning.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** tpbpd <tpbpd@pland.gov.hk>  
**Date:** Sunday, 8 September 2024 4:49 AM HKT  
**Subject:** A/SK-CWBS/50 Tai Wong Kung, Po Toi Parking of Govt Land CA

A/SK-CWBS/50

Government Land adjoining Lot 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung

Site area: About 150sq.m Government Land

Zoning: "Conservation Area"

Applied use: Private Garden

Dear TPB Members,

Strong Objections. The area has been used as for illegal parking.

Instead of approving a private garden, the authorities should be taking action against unapproved use of government land that has CA zoning. The applicant refers to this abuse SO WHY HAS IT BEEN TOLERATED FOR SO LONG? There is a parking lot on the other side of the residences but vehicle owners never want to take a few extra steps so they park on this area.

"There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted."

Members should inquire into the reason for failure to protect state land.



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

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Enforcement not privatization is the solution. TD should send a tow truck and immedialy remove illegally parked vehicles from the area.

Mary Mulvihill



致規劃署:

就 新界西貢布袋澳大王公毗連丈量約份第 241 約地段第 210 號餘段的政府土地擬議臨時私人花園 (為期 3 年) 及相關挖土及填土工程(申請編號:A/SK-CWBS/50) 一事, 布袋澳村村民作出反對,希望規劃署取消該工程之批核

布袋澳村村民 致上  
03/12/2024

布有金 村代表

電話

