

**S16 PLANNING APPLICATION  
APPROVED CLEAR WATER BAY PENINSULA NORTH  
OUTLINE ZONING PLAN NO. S/SK-CWBN/6**

**Proposed Filling and Excavation of Land  
for the Permitted “Agricultural Use” in “Conservation Area”  
at Various Lots in DD238 in Clear Water Bay**

## **SUPPORTING PLANNING STATEMENT**

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June 2024

**Applicant:**  
Ringlet Global Limited  
[also renamed as Somewhere Limited]

**Consultancy Team:**  
KTA Planning Limited



## Executive Summary

This Application is prepared and submitted on behalf of Ringlet Global Limited (also renamed as Somewhere Limited; "the Applicant") to seek approval of the Town Planning Board ("TPB") under section 16 of the Town Planning Ordinance for a for the filling and excavation of land for the permitted "Agricultural Use" various lots in DD238 in Clear Water Bay at Somewhere Organic Farm (the "Farm"). The Farm and the subject filling and excavation of land fall within "Conservation Area" ("CA") zone on the Approved Clear Water Bay Peninsula North Outline Zoning Plan ("Approved OZP") No. S/SK-CWBN/6.

Somewhere Organic Farm, is located near Ngam Tau Sha off Hang Hau Wing Lung Road in Clear Water Bay. The area is a sloping area behind the coast, yet evidence of agricultural activities can be found from the past aerial photos. The Farm is located at a site with site levels ranging from about +32.3mPD to about +46mPD. It contains terraces that enable agricultural use. The Applicant spent a lot of efforts to clear the overgrown vegetation, reveal the important historic terraces and revitalises these terraces for cultivation. The Applicant also made use of the nearby stream course, set up an irrigation system for the Farm. There is no doubt that a farm requires features that help to maintain stable water supply, for example water ponds. The excavation of the upper pond (by the previous tenant) and the modifying of the hollowed area to form the lower pond (by the Applicant) are to support the agricultural use and try to capture rainwater running down the terraces. His determination of conserving the farmland has been further demonstrated in his effort in employing renewable energy (e.g. solar energy), adopting organic farming concept and hydroponics as well as having a naturally ventilated bamboo shelter at the Farm.

The Farm has a site area of about 6,175m<sup>2</sup>, the subject exaction and filling of land only take up a very small portion (less than 3.5%) of the site (see below).

Application Item: Excavation of Land					
	(W)	(L)	(D)	Area	% (Farm Area)
Upper Pond	~5.6m	~14m	~1.4m	About 49m <sup>2</sup>	0.79%
Lower Pond	~12.1m	~13m	~1.4m	About 141m <sup>2</sup>	2.28%
Application Item: Filling of Land					
Plinth	~0.8m	~22.5m	~0.8m	About 19m <sup>2</sup>	0.31%
Barrel	~1.2m in dia. X 4			About 4.52m <sup>2</sup>	0.07%

The Applicant fully recognises and appreciates the land is being zoned "Conservation Area", which has a planning intention "... to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes...". The operation of the Farm is fully in line with the planning intention – to conserve the history of agriculture, i.e. Hakka terrace farming. The Applicant has been conserving the historic terraces that have been abandoned and hidden by vegetation and reactivating its original use. To support the agricultural use, the ponds help to secure water supply for irrigation and hold rainwater that run down the

terraces.

Similarly, the minor filling of land to conceal the curvilinear plinth and barrels of the standalone bamboo shelter also aims to maintain the natural setting and its visual environment. This conforms to the planning intention of the "Conservation Area" zone.

With the justifications presented above, we sincerely request the TPB to give favourable consideration to this planning application.

## 行政摘要

(內文如有差異，應以英文版本為準)

申請人 Ringlet Global Limited (已易名為 Somewhere Limited) 擬就城市規劃條例第 16 條向城市規劃委員會(「城規會」)提出規劃申請，申請內容包括為第一欄中的農業用途(植苗圃除外)進行挖土及填土工程。亦小園有機農場及涉及挖土及填土工程的地方現時在清水灣半島分區計劃大綱核准圖編號 S/SK-CWBN/6 (「大綱核准圖」)內被劃為「自然保育區」地帶。

亦小園(有機農場)位於清水灣坑口永隆路近岩頭沙附近，一帶為沿海的斜坡，但從過去的空拍照中可以發現農業活動的蹤跡。該農場部份為平地(約主水平基準以上 32.3 米)，部份為斜坡(約主水平基準以上 46 米)，並包含可供農業使用的梯田。申請人花費了大量的資源來清理雜草叢生的植被，揭示昔日重要的歷史梯田，並為這些梯田進行復耕。申請人也利用附近的溪流，為農場建立了灌溉系統。農場需要有助於維持穩定供水的設施，例如池塘。為了支持農業用途，前租戶柔申請人開挖上池塘和改造地勢較低的地方以形成下池塘，並試圖收集從梯田流下的雨水。除此以外，申請人在農場使用再生能源(例如太陽能)、採用有機耕作理念和水耕法以及在農場設立自然通風的竹棚，充分展現出他對保護農田的決心。

亦小園(有機農場)佔地約 6175 平方米，本次涉及挖土及填土工程的地方僅佔場地很小(少於 3.5%)的範圍(見下表)：

申請內容：挖土					
	(闊)	(長)	(深)	面積	% (農場面積)
上池塘	~5.6 米	~14 米	~1.4 米	About 49m <sup>2</sup>	0.79%
下池塘	~12.1 米	~13 米	~1.4 米	About 141m <sup>2</sup>	2.28%
申請內容：填土					
底座(長型)	~0.8 米	~22.5 米	~0.8 米	About 19 米	0.31%
底座(圓型)	~1.2 米(直徑) X 4			About 4.52 米	0.07%

申請人了解及明白農場及涉及挖土及填土工程的地方被劃為「自然保育區」，而其規劃意向是「保護和保存區內現有的天然景觀、生態系統或地形特色，以達到保育目的及作教育和研究用途...」。農場的運作完全符合規劃意向——保存農業歷史，即客家梯田作耕作用途。申請人一直在保護那些被廢棄和植被隱藏的歷史梯田，並進行復耕。挖土而生的池塘實在有助於確保灌溉用水的供應並同時儲存從梯田流下的雨水。

同樣，為了隱藏獨立竹棚的曲線底座而進行的少量填土工程亦是旨在保持自然環境及視覺景觀。這亦同樣符合「自然保育區」的規劃意向。

根據上述各方面的分析，我們懇請城市規劃委員會在規劃及技術方面，支持本規劃申請。

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**S16 PLANNING APPLICATION**  
**Approved Clear Water Bay Peninsula North OZP No. S/SK-CWBN/6**

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for the Permitted “Agricultural Use” in “Conservation Area”  
at Various Lots in DD238 in Clear Water Bay**

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**Supporting Planning Statement**

**1 INTRODUCTION**

**1.1 Purpose**

1.1.1 This Planning Application is prepared and submitted on behalf of Ringlet Global Limited (also renamed as Somewhere Limited; “the Applicant”) to seek approval from the Town Planning Board (“TPB”) under Section 16 of the Town Planning Ordinance for the filling and excavation of land for the permitted “Agricultural Use” various lots in DD238 in Clear Water Bay at Somewhere Organic Farm (the “Farm”). The Farm and the subject filling and excavation of land fall within “Conservation Area” (“CA”) zone on the Approved Clear Water Bay Peninsula North Outline Zoning Plan (“Approved OZP”) No. S/SK-CWBN/6. This Supporting Planning Statement is to provide the TPB with necessary information to facilitate consideration of this Application.

1.1.2 This Supporting Planning Statement is also going to demonstrate the efforts made by the Applicant to conserve and reactivate the historic feature that was previously hidden by the vegetation – the Hakka terraces.

**1.2 Report Structure**

1.2.1 Following this Introductory Section, the site and planning context will be briefly set out in Section 2. The site history is included in Section 3. The application items and justifications for the Planning Application can be found in Section 4. Section 5 concludes and summarizes this Supporting Planning Statement.

## 2 SITE AND PLANNING CONTEXT

### 2.1 Site Location and Existing Condition

2.1.1 The subject area, Somewhere Organic Farm, is located near Ngam Tau Sha off Hang Hau Wing Lung Road in Clear Water Bay (**Figure 2.1** refers). The area is a sloping area behind the coast. Whilst the area is predominantly covered by vegetation, several patches of farmland, graves and other human activities can be found nearby.

2.1.2 The Farm has a total area of 6,175m<sup>2</sup>. The entrance is at about +32.3mPD and the top of the terraces is about +46mPD. The Farm contains Hakka terraces for that are inherited from the past and it is currently an active farmland with various crops and succulent species (**Figure 2.2** and **Figure 2.3** refer). Apart from the terraces, the Farm is generally flat.

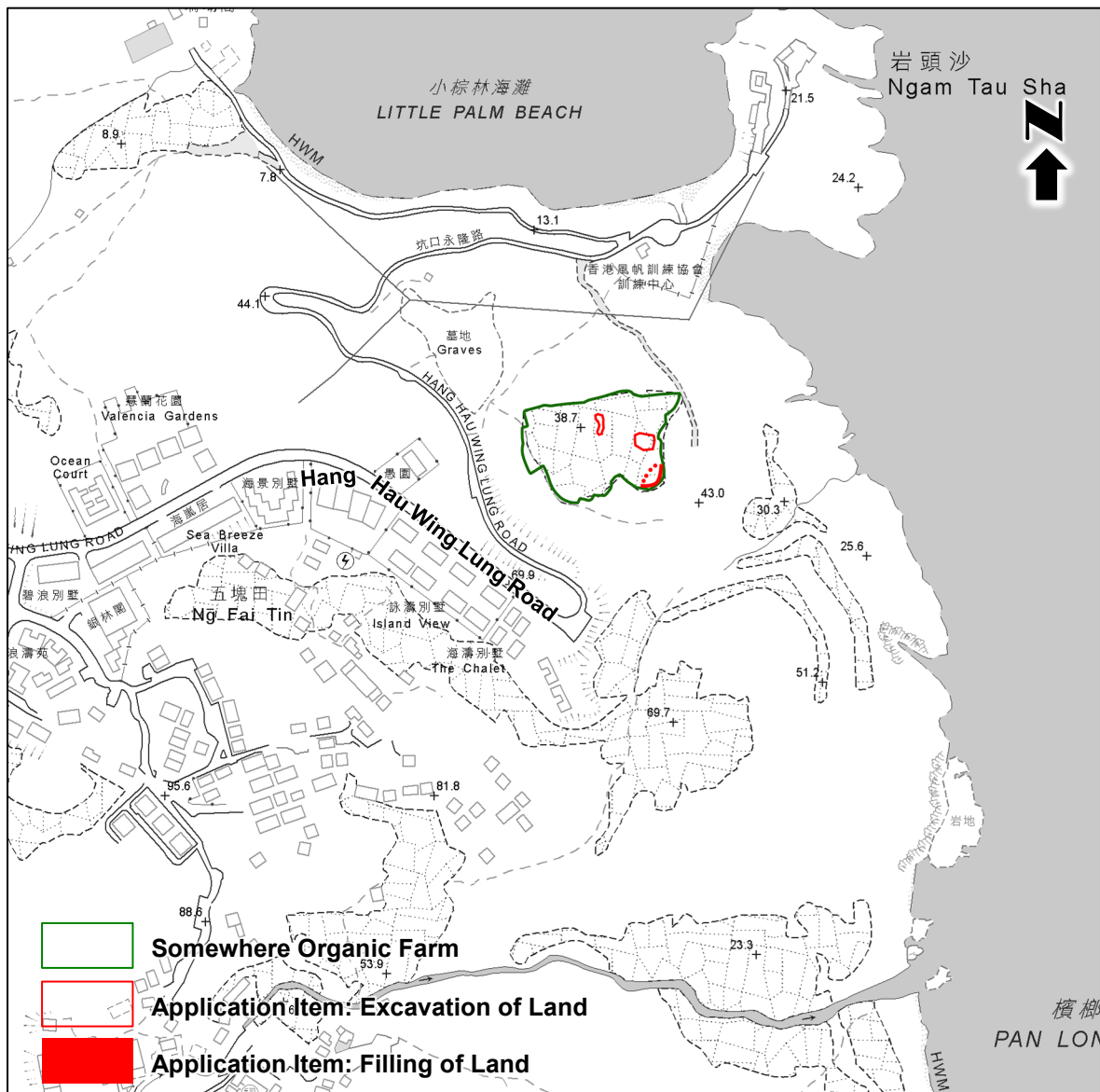
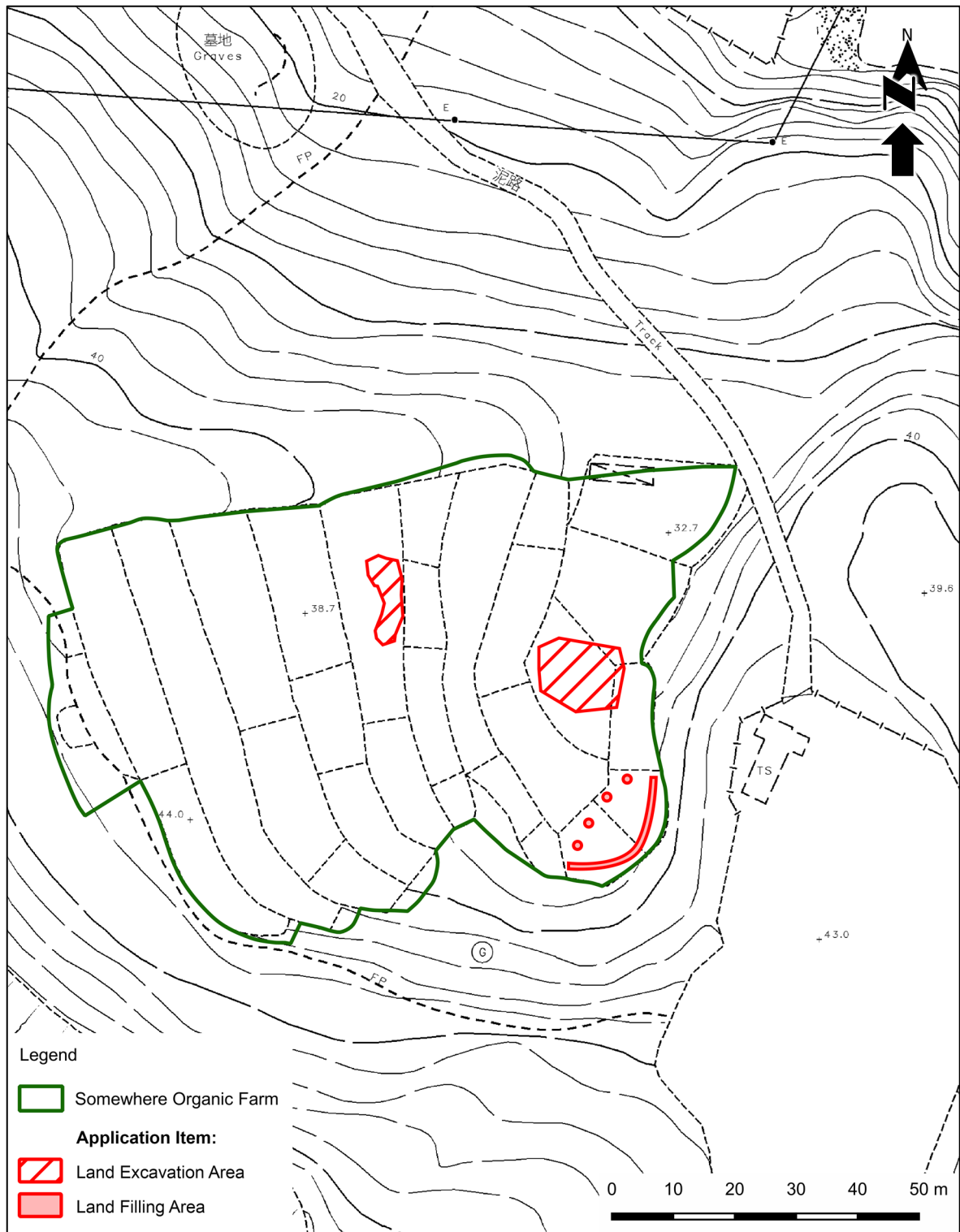


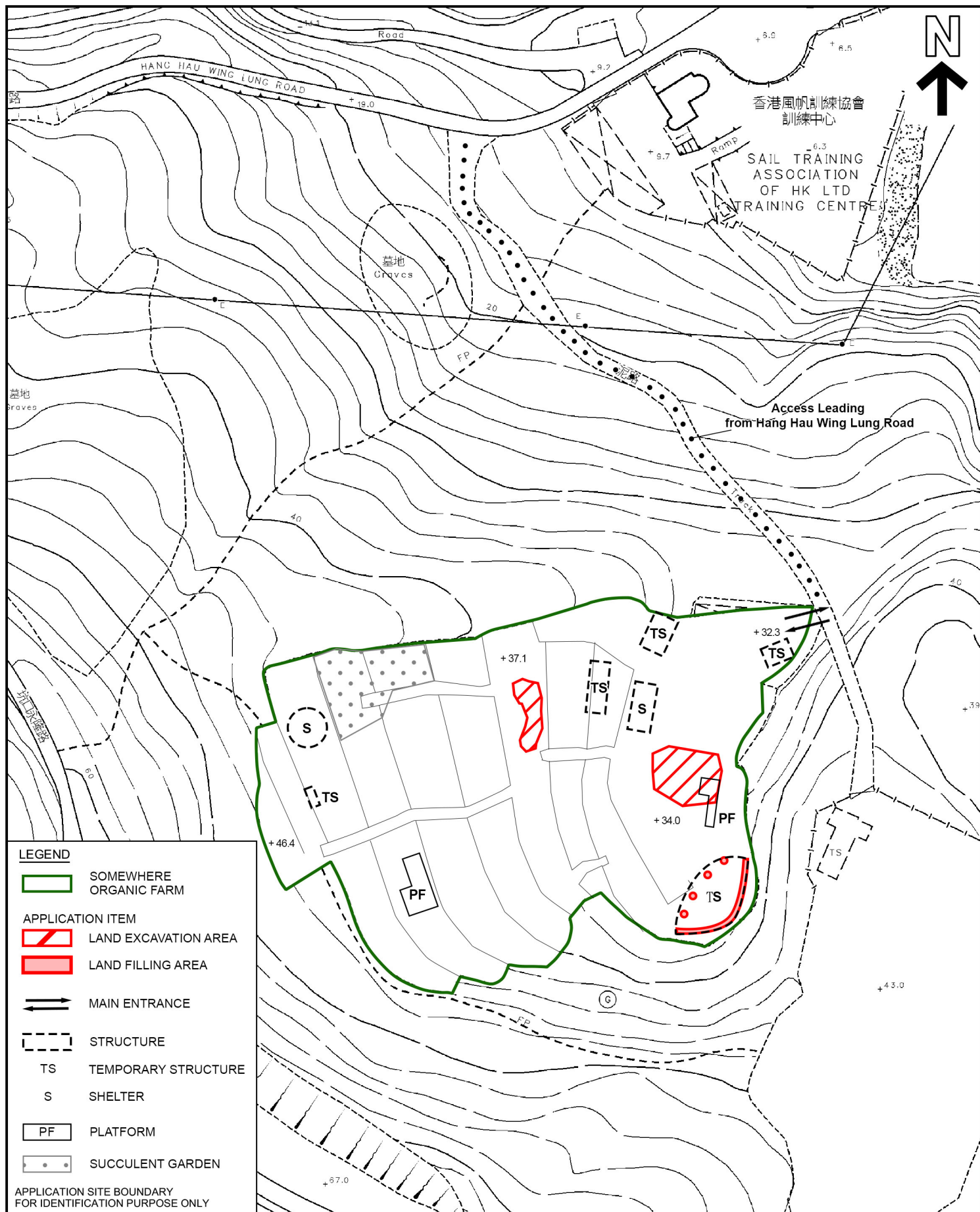
Figure 2.1 Site Location Plan (Scale 1:5 000)



Proposed Filling and Excavation of Land  
 for the Permitted "Agricultural Use" in "Conservation Area"  
 at Various Lots in DD238 in Clear Water Bay  
 S16 Planning Application



**Figure 2.2 Site Location Plan (Scale 1:1 000)**



**LEGEND**

- SOMEWHERE ORGANIC FARM
- APPLICATION ITEM**
- LAND EXCAVATION AREA
- LAND FILLING AREA
- MAIN ENTRANCE
- STRUCTURE
- TS TEMPORARY STRUCTURE
- S SHELTER
- PLATFORM
- SUCCULENT GARDEN

APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

### LAYOUT PLAN

PROPOSED EXCAVATION AND FILLING OF LAND  
IN SUPPORT OF THE EXISTING AGRICULTURAL USE  
VARIOUS LOTS IN D.D. 238, CLEAR WATER BAY,  
SAI KUNG, NEW TERRITORIES

SCALE 1 : 1 000

**Figure 2.3**

EXTRACT PLAN BASED ON  
SURVEY SHEETS No. 12-NW-17B

DATE: 7.6.2024



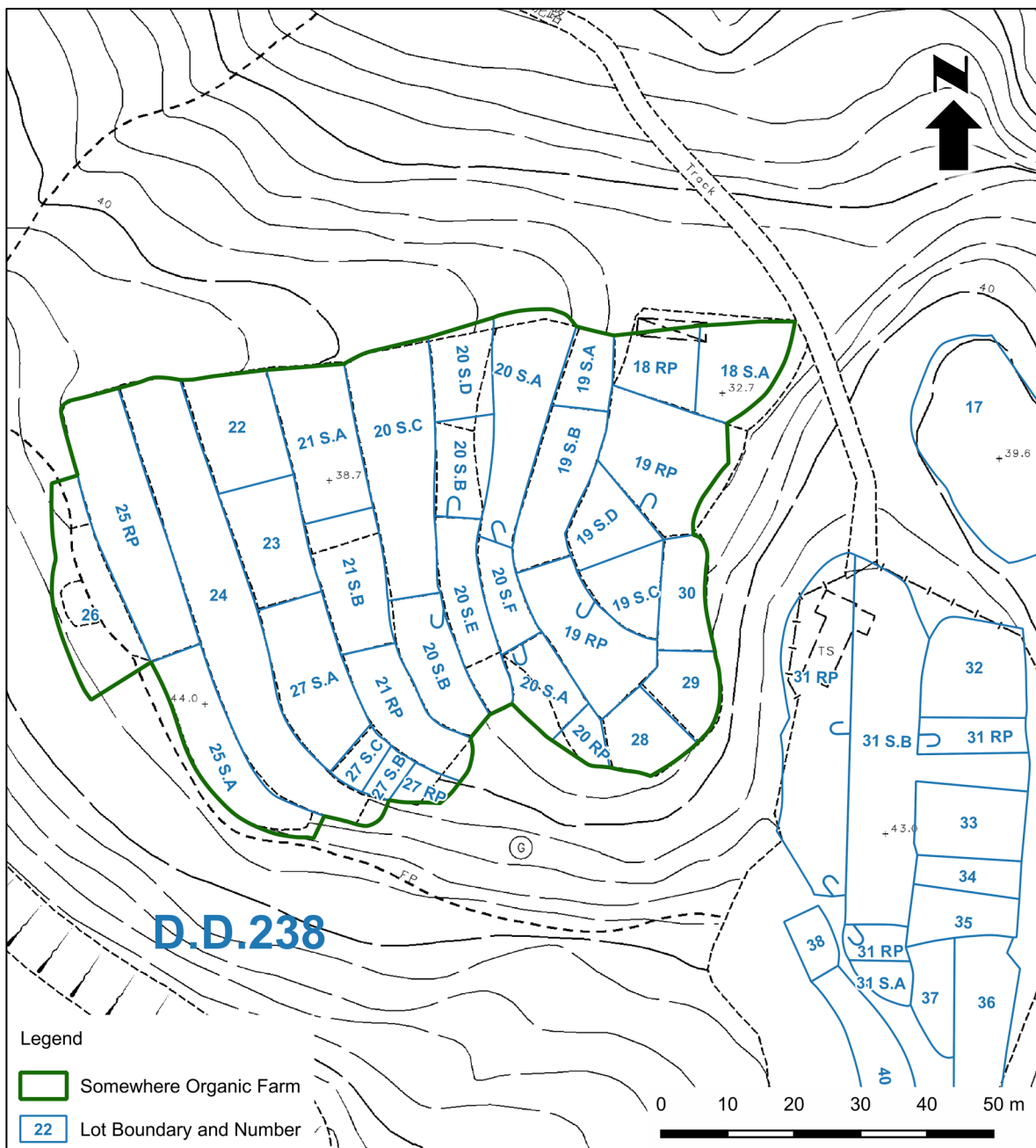
**PLANNING LIMITED**  
規劃顧問有限公司



**Figure 2.4     Site Photos**

## 2.2 Land Lease and Ownership Status

- 2.2.1 The Farm comprises the following individual private lots (**Figure 2.5** refers):  
 18s.A, 18RP, 19s.A, 19s.B, 19s.C, 19s.D, 19RP, 20s.A, 20s.B, 20s.C, 20s.D,  
 20s.E, 20s.F, 20RP, 21s.A, 21s.B, 21RP, 22, 23, 24, 25s.A, 25RP, 26, 27s.A,  
 27s.B, 27s.C, 27RP, 28, 29 and 30 in DD 238
- 2.2.2 The said private lots have a total area of about 6,175m<sup>2</sup> (subject to detailed survey of lot boundaries) and solely owned by the Applicant.



**Figure 2.5 Lot Index Plan**

### **2.3 Surrounding Land Use Pattern**

- 2.3.1 Somewhere Organic Farm surrounded by various rural uses, for example graves and other agricultural land.

### **2.4 Statutory Planning Context**

- 2.4.1 The Farm and the locations of filling and exaction of land fall within an area zoned "Conservation Area" ("CA") on the Approved Clear Water Bay Peninsula North Outline Zoning Plan ("Approved OZP") No. S/SK-CWBN/6 (**Figure 2.6** refers). According to the Statutory Notes of the Approved OZP, planning intention of the "CA" zone 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."*

- 2.4.2 "Agricultural Use (other than Plant Nursery)" is a Column 1 Use that is always permitted.

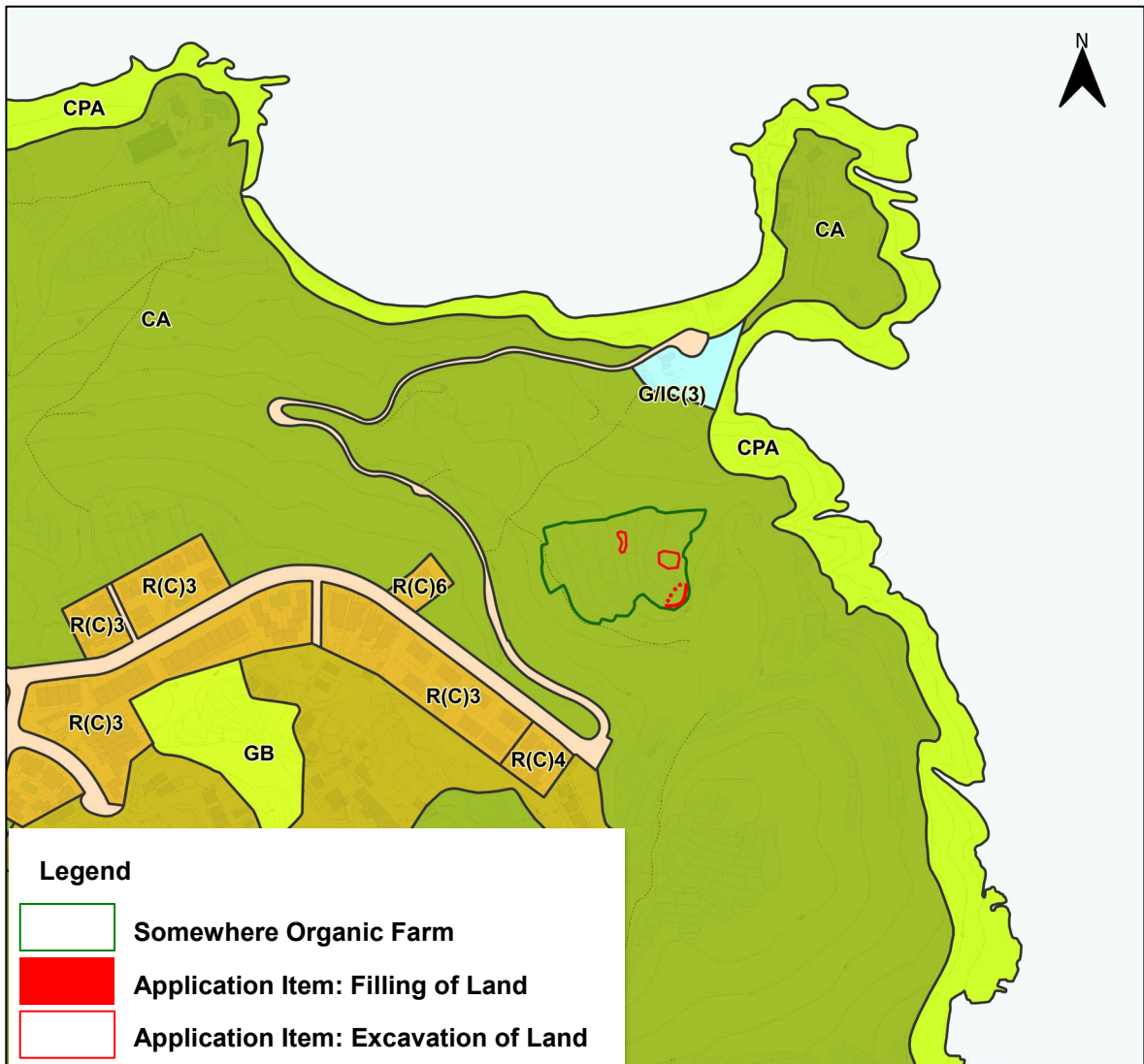


Figure 2.6 Zoning Context Plan

### 3 SITE HISTORY – AGRICULTURAL ACTIVITIES AT THE SITE

#### 3.1 Before DPA Plan

3.1.1 As shown in the aerial photo (**Figure 3.1** refers), there were several patches of farmland in the area being used for agricultural use; not in the form of field or paddock, but in the form of terrace. In agriculture, terracing creates flat steps or terraces into a mountain or hillside. These steps are made to provide flat farmland and control water run-off. These terraces are considered a historic feature which recorded the farming history of Hong Kong, particularly at locations where no flat and arable land is available.



**Figure 3.1 Aerial Photo (Year 1963)**

3.1.2 Subsequent to the economic boost within the territory, people abandoned their farmland and earn their living in other industries. The terraces were then being covered by vegetation and have become less distinctive in the aerial photos (Figure 3.2 refers).

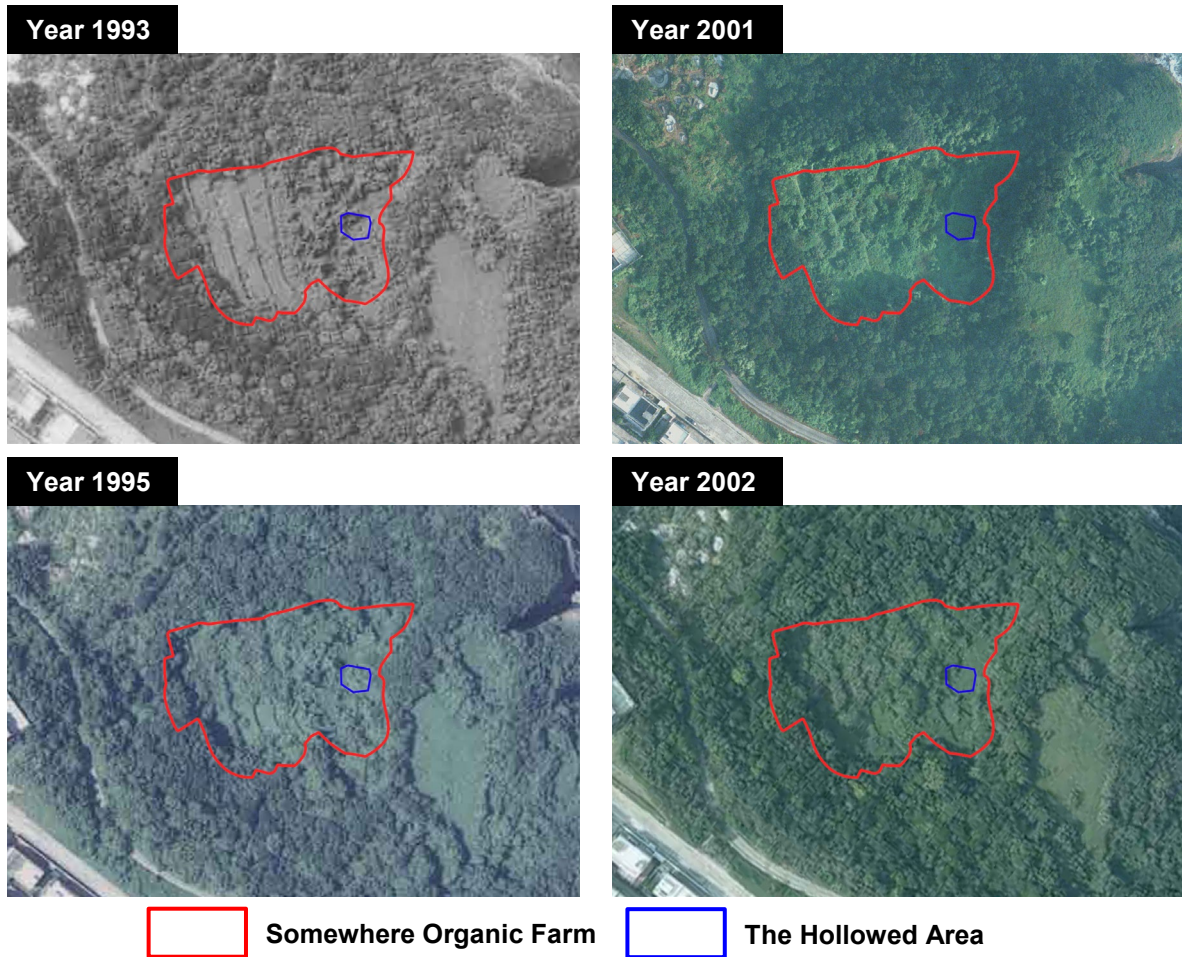


Figure 3.2 Aerial Photos



### 3.2 Before the Landowner Take Over the Site (i.e. before December 2016)

3.2.1 Agricultural activity has become less active in the area and a lot of the agricultural land has been abandoned. The agricultural land has eventually be occupied by outgrown vegetation and some being used for rural industrial uses. With reference to the aerial photos in **Figure 3.3**, the Farm was once being occupied by car repair/dumping.

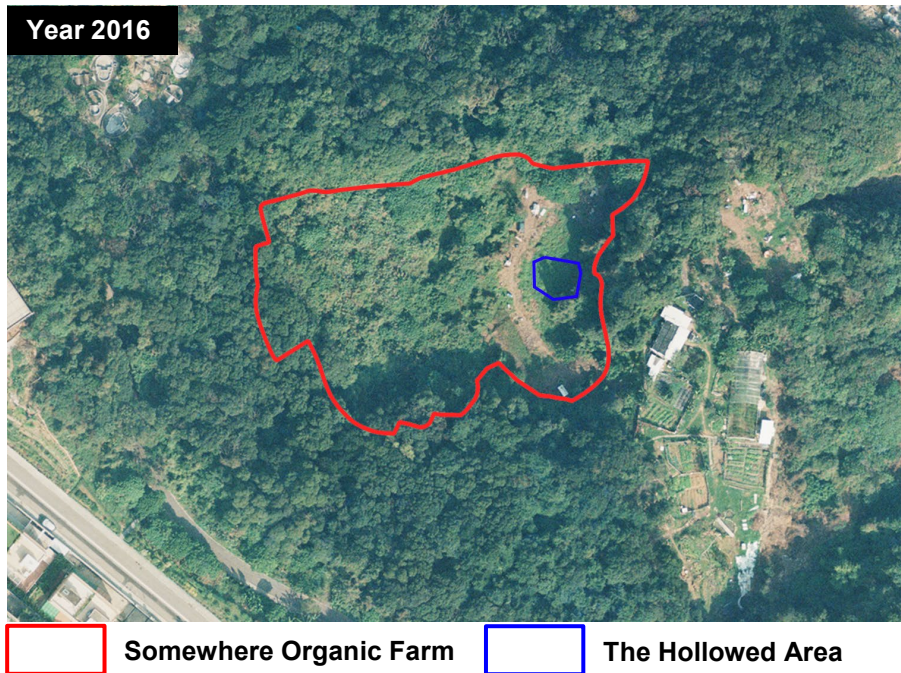


Figure 3.3 Aerial Photo (Year 2016)

### 3.3 Condition of the Site at the time when the Landowner Takeover the Site (i.e. late 2016 to early 2017)

3.3.1 The landowner spent a lot of effort to clear the outgrown vegetation and reveal the terraces, and then transformed the abandoned land into an arable farmland. To be specific, the Landowner revitalizes the Hakka cultivation history by reactivating the terrace.



Figure 3.4 Site Photo (Year 2017)

3.3.2 **Figure 3.4** shows the condition of the Farm at the time when the Landowner took over the site. There are items left behind by the previous occupant, weeds and dried bushes and overgrown vegetation. It is also important to note that one of the ponds within the Farm now was a hollowed area and a water pump is found (**Figure 3.5** refers).



**Figure 3.5** Site Photo Taken in 2017 (when the Landowner took over the Site)

### 3.4 Agricultural Use from 2017 and the Current Condition (non-conventional farming)

3.4.1 Practicing active farming is the best way to maintain the valuable historic feature. The Farm takes part in experimental farming, for example succulent garden, trial tropical fruits, miracle fruit, peanut butter fruits, cashew tree, Jabuticaba and etc.



**Figure 3.6** Farming Activities (Current)

3.4.2 Even though there is fresh water supply, the Farm is predominantly using water from the nearby stream course for irrigation whereas fresh water is only used for general cleaning purpose. The Farm also has a complete rain water harvesting system to further reduce the reliance on usage of tap water.

3.4.3 Hydroponics is the science of growing plants without using soil, by feeding them on mineral nutrient salts dissolved in water. The Farm is equipped with the necessary equipment and is ready to practice hydroponics.

3.4.4 The Farm is also harvesting solar energy to provide electricity within the farmland. The solar panels have been in place since 2021 and is currently still in use.



**Figure 3.7 Location of Solar Panels at the Farm**

3.4.5 Instead of a tradition shelter that is made of scrap metal and nylon canvas, the Farm has an extraordinary yet naturally ventilated shelter to provide a resting area for their staff and volunteers.

3.4.6 The shelter is a bamboo shelter that is a long-span bending-active bamboo gridshell structure with a dimension of 16.81m x 13.68m x 5.3m (H). It is built from bamboo poles that are bent onsite to shape the structure and that are hand-tied together with metal wire using techniques based on Cantonese bamboo scaffolding craftsmanship. The shelter is located at the edge of the Farm and overlook the entire farm. It is elegantly designed and makes it visually compatible with the terraces and natural setting. It allows natural ventilation and captures cool breeze, thus offers a sustainable and naturally ventilated shelter for

the organic farm at the site.

- 3.4.7 The bamboo shelter is designed as a free-standing, standalone structure, placed on top of the ground surface without the need of piling foundations. At its back edge, the shelter is anchored to a small concrete plinth/ridge/dam which was installed to stabilise the terrain and prevent further landslides due to recent heavy rainfalls. In the front, the shelter is anchored to four concrete ballast slabs (diameter 1.2m) that prevent uplift in case of strong wind.



**Figure 3.8 The Bamboo Shelter**

- 3.4.8 The Farmland has been operating since 2018. It employs full time staff to operate and maintain the Farm. The landowner also welcomes volunteers to experience farming. The Farm is operating in a non-profit making nature and it donates some of the crops to local community/NGO.

### **3.5 The Applicant made adjustment to comply with the Reinstatement Notice**

- 3.5.1 The Landowner received an Enforcement Notice and Reinstatement Notice from the Planning Department on 23 February 2024 and 11 March 2024 respectively. The Landowner has been liaising with the Planning Department proactively and responding to these notices accordingly.

3.5.2 The Landowner has started with the reinstatement works as far as practicable. They have reduced the area covered by gravels and grassed the area concerned (**Figure 3.9** refers). At the same time, the Landowner has also made the platforms ready for further inspection by the Planning Department.



**Figure 3.9** Greening of Plantation Area

#### 4 THE SUBJECT OF APPLICATION – MINOR FILLING AND EXCAVATION OF SITE FOR AGRICULTURAL USE

##### 4.1 Minor Excavation of the Upper Pond and an Existing Hollowed Area to form the Lower Pond for Irrigation Purpose

4.1.1 There are 2 ponds within the Farm, the upper pond and lower pond and they are located at about +37mPD and +34mPD respectively. Dimensions of the ponds are as follows:

	(W)	(L)	(D)	Area	% (Farm Area)
Upper Pond	~5.6m	~14m	~1.4m	About 49m <sup>2</sup>	0.79%
Lower Pond	~12.1m	~13m	~1.4m	About 141m <sup>2</sup>	2.28%

4.1.2 The upper pond was excavated by the previous tenant for irrigation purpose. Comparing with the entire farmland of about 6,175m<sup>2</sup>, the size of the lower pond is considered **not excessive** and is of a **reasonable size** (just 3.07% of the total area of the Farm) for agricultural purpose.



**Figure 4.1 Existing Condition of the Upper Pond**

4.1.3 **Figure 4.1** above shows the existing condition of the upper pond, where reinstatement work has yet to begun. Aquatic plants have fully occupied the surface of the pond. It is barely distinguishable with human eyes whether it is a pond or part of the grassland when standing at such a close distance.

- 4.1.4 The lower pond was a hollowed area at the time when the landowner took over the site. During dry season, the bottom of the hollowed area showed up and it is shown in the **Figure 3.5** that it was partially grassed. There are reasons to believe that aerial photos that were taken a few thousand feet above ground by the Lands Department would not be able to capture the hollowed area that was partially grassed or covered by aquatic plants.
- 4.1.5 The Applicant slightly modified and lined the lower pond for fish cultivation and adopting hydroponics in the future.



**Figure 4.2 Existing Condition of the Lower Pond**

- 4.1.6 After all, the excavation of the upper pond and minor adjustment to the original hollowed area are all carried out **in support of the ongoing agriculture activities** within the Farmland, which is a Column 1 Use under the “Conservation Area”. At the same time, these ponds capture rainwater seeping down the terraces.
- 4.2 Minor Filling of Land for a Better Finishing of the Free-Standing Bamboo Shelter**
- 4.2.1 According to Para. 3.4.5 and Para. 3.4.6, the bamboo shelter is a free-standing structure that showcases Cantonese bamboo scaffolding craftsmanship. It creates a naturally ventilated resting space for the staff and volunteers working at the Farm. The shelter is located at the edge of the Farm below the slope and elegantly designed. These make it visually compatible with the terraces and natural setting. It allows natural ventilation and captures cool breeze, thus offers

a sustainable and naturally ventilated shelter for the organic farm at the Farm.

4.2.2 The curvilinear plinth and barrels can in fact be placed at the ground. These odd and stiff features will then become visible. Since these are visually incompatible with the natural setting, the Applicant took steps to conceal these features underground so that only the elegant bamboo shelter is showcased at the Farm. From aesthetic and visual compatibility point of view, the current condition is considered a more acceptable option.



**Figure 4.3 The Bamboo Shelter**



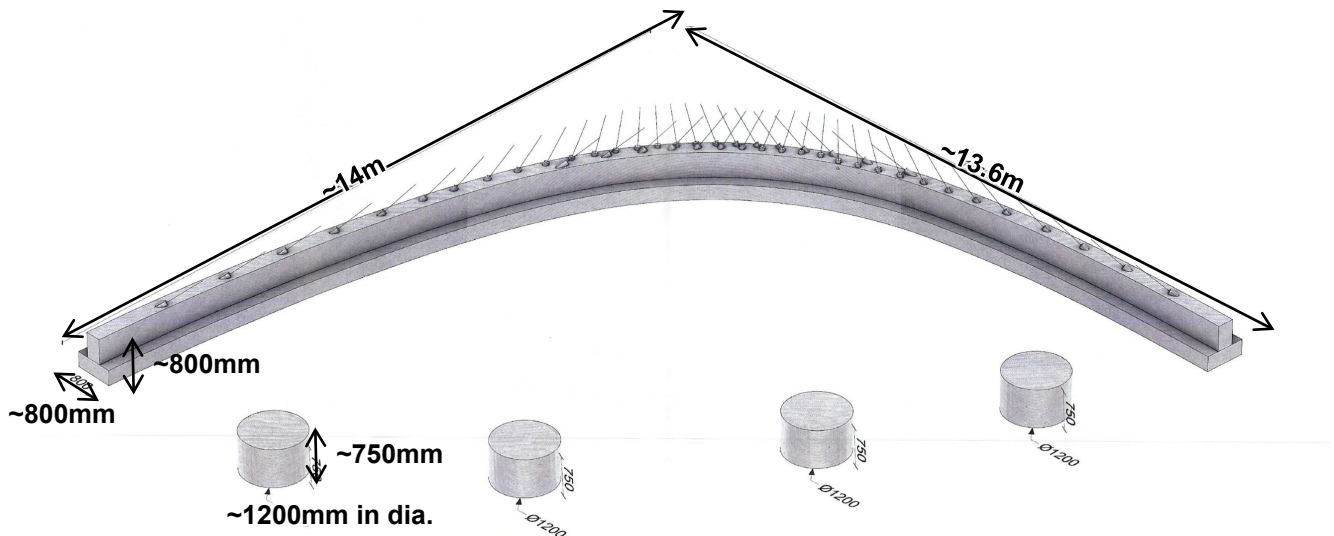


Figure 4.4 The Plinthes and Barrels of the Standalone Bamboo Shelter

### 4.3 The Applicant is Making an Effort in Conserving the Farmland and is In Line With the Planning Intention

4.3.1 The Applicant fully recognises and appreciates the land is being zoned "Conservation Area", which has a planning intention "... to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes...". The operation of the Farm is fully in line with the planning intention – to conserve the history of agriculture, i.e. Hakka terrace farming.

4.3.2 The Applicant cleared the overgrown vegetation, reveal the important historic terraces and revitalises these terraces for cultivation. To do so, the Applicant also made use of the nearby stream course, set up an irrigation system for the Farm. There is no doubt that a farm contains features that help to maintain stable water supply, for example water ponds. The excavation of the upper pond (by the previous tenant) and the modifying of the hollowed area to form the lower

pond (by the Applicant) are to support the agricultural use. His determination of conserving the farmland has been further demonstrated in his effort in employing renewable energy (e.g. solar energy), adopting organic farming concept and hydroponics as well as having a naturally ventilated bamboo shelter at the Farm.

- 4.3.3 Similarly, the minor filling of land to conceal the curvilinear plinth and barrels is also aiming to maintain the natural setting and its visual environment. This conforms to the planning intention of the "Conservation Area" zone.

## **5 CONCLUSION AND SUMMARY**

- 5.1 In light of the above, it is believed that the filling and excavation of land for the permitted "Agricultural Use" various lots in DD238 in Clear Water Bay at Somewhere Organic Farm can now be favourably considered by the TPB from a planning point of view.
- 5.2 The Planning Department and Members of the TPB are respectfully requested to give favourable consideration to support the S16 Planning Application based on the following:
- The size of the lower pond is considered not excessive and is of a reasonable size for agricultural purpose.
  - The excavation of the upper pond and minor adjustment to the original hollowed area are all carried out in support of the ongoing agriculture activities within the Farmland, which is a Column 1 Use under the "Conservation Area".
  - The bamboo shelter is a free-standing structure that showcases Cantonese bamboo scaffolding craftsmanship and the minor filling of land to conceal the curvilinear plinth and barrels is acceptable from aesthetic and visual compatibility point of view.
  - The application items conform to the planning intention of the "Conservation Area" zone.