



羅迅測計師行  
**Lawson David & Sung**  
SURVEYORS LIMITED  
Property Consultants • Planning • Valuers • Auctioneers  
Estate Agency Licence No. C-006328

Ref: LDS/PLAN/7075

## **Section 16 Planning Application**

**Temporary Private Swimming Pool for a Period of 3 Years at  
Lots 49 S.A ss.3 (Part) and 49 S.A RP (Part) in D.D. 212,  
Che Keng Tuk, Sai Kung, N.T.**

## **Planning Statement**

Applicant  
**Lucky Success Enterprises Limited (朗成企業有限公司)**

Prepared by  
**Lawson David and Sung Surveyors Limited**

October 2024

## Executive Summary

The planning statement is submitted to the Town Planning Board (the “Board”) in support of a planning application for Temporary Private Swimming Pool for a Period of 3 Years (the “proposed development”) at Lots 49 S.A ss.3 (Part) and 49 S.A RP (Part) in D.D. 212, Che Keng Tuk, Sai Kung, N.T. (the “Application Site”).

The Application Site, covering an area of about 151.1 sq.m., falls with an area zoned “Village Type Development” (“V”) on the Approved Hebe Haven Outline Zoning Plan (“OZP”) No. S/SK-HH/8 gazetted on 12.6.2020. According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Board.

The Application Site, or part of it, is the subject of 4 previously approved applications (Nos. A/SK-HH/52, 62, 72 and 76) for a temporary private swimming pool for a period of 3 years. The last application (No. A/SK-HH/76) was approved on 4.9.2020 for a period of 3 years. The Applicant has complied with all approval conditions of the last application. As the planning approval of the last application has lapsed on 12.9.2023, the Applicant would like to apply for the same use to continue the usage of the existing private swimming pool, which has been constructed on the Application Site in accordance with the approved general building plan.

There will be no change in nature of use and development parameters of the proposed development, which includes a temporary private swimming pool with floor area of about 128 sq.m. and depth of 1.5-3m, as well as an ancillary filtration plant platform and underground surge tank within the Application Site. The Applicant has obtained Short Term Waiver for the private swimming pool from the Lands Department. The swimming pool will be used solely by the residents of adjacent house (Lot No. 335 in D.D.212) after redevelopment and the filtration plant equipment of the swimming pool would operate within 9am to 6pm daily.

The justifications of this application are:

1. The proposed development does not contravene the planning intention of “V” zone;
2. The proposed development is compatible with surrounding developments;
3. The Application Site is subject to prior planning approvals granted for the same use;
4. The proposed development has obtained necessary approvals from Lands Department and Buildings Department; and
5. The proposed development will not generate adverse environmental, drainage, traffic, visual, landscape and fire safety impacts on the surrounding areas.

In view of the justifications as presented in this planning statement, it is hoped that members of the Board and relevant Government departments will approve this application for a period of 3 years.

## 行政摘要

此規劃報告書向城市規劃委員會(“城規會”)呈交，旨在支持在新界西貢峯徑篤丈量約份第 212 約地段第 49 號 A 分段第 3 小分段(部份)及第 49 號 A 分段餘段(部份)(“申請地點”)，作為期三年的臨時私人泳池用途(“擬議發展”)的規劃申請。

申請地點的面積約 151.1 平方米，座落於在 2020 年 6 月 12 日刊憲的白沙灣分區計劃大綱核准圖(圖則編號：S/SK-HH/8)上的「鄉村式發展」地帶。根據該大綱圖的註釋，任何不超過三年土地或建築物的臨時用途或發展，須先向城規會提出申請。

申請地點或其部分涉及四宗已獲批准用作為期三年臨時私人泳池用途的規劃許可(申請編號：A/SK-HH/52、62、72 及 76)。最後一次申請(申請編號：A/SK-HH/76)於 2020 年 9 月 4 日獲批，申請人已履行該申請的規劃許可附帶條件。鑑於上次規劃許可已於 2023 年 9 月 12 日屆滿，申請人現向城規會遞交規劃申請作同樣用途，以繼續使用現有按批准的建築圖則興建的私人泳池。

擬議發展的用途性質及發展參數與上次獲批申請相同，包括一個樓面面積約 128 平方米及深度約 1.5 至 3 米的私人泳池，以及於申請地點內的附屬放置濾水機的平台及地下調壓井。申請人已取得地政署批准的短期豁免書。有關私人泳池僅供重建後的位於丈量約份第 212 約地段第 335 號的相鄰住宅住客使用，而該泳池的附屬濾水機亦只會在每天上午 9 時至下午 6 時內運作。

這宗申請的理據為：

1. 擬議發展不會違背「鄉村式發展」地帶的規劃意向；
2. 擬議發展與鄰近發展的土地用途協調；
3. 申請地點之前獲相同私人泳池用途的規劃許可；
4. 擬議發展已取得地政署及屋宇署相關批准；及
5. 擬議發展不會對附近地方構成不良的環境、排水、交通、視覺、園景及消防安全的影響。

基於本規劃報告書所述的理據，敬希 各城規會委員及有關政府部門能批准此項申請，作為期三年的臨時用途。

<b>TABLE OF CONTENTS</b>	<b>Page</b>
<b>1. INTRODUCTION</b> .....	<b>1</b>
1.1 Purpose	
1.2 Organization of the Planning Statement	
<b>2. SITE CONTEXT</b> .....	<b>1</b>
2.1 Site Location	
2.2 Existing Site Condition and Accessibility	
2.3 Surrounding Land Uses	
2.4 Land Status	
<b>3. PLANNING CONTEXT</b> .....	<b>2</b>
3.1 Outline Zoning Plan	
3.2 Previous Applications	
<b>4. DEVELOPMENT PROPOSAL</b> .....	<b>3</b>
4.1 Site Configuration and Layout	
4.2 Location and Operation of the Temporary Private Swimming Pool	
4.3 Fire Service Installations Arrangement	
<b>5. PLANNING JUSTIFICATIONS</b> .....	<b>4</b>
5.1 Not Contravene the Planning Intention of “V” Zone	
5.2 Compatible with Surrounding Developments	
5.3 Prior Planning Approvals Granted for the Same Use at the Application Site	
5.4 Necessary Approvals obtained from the Lands Department and Buildings Department	
5.5 No Adverse Environmental Impact	
5.6 No Adverse Drainage Impact	
5.7 No Adverse Traffic Impact	
5.8 No Adverse Visual and Landscape Impact	
5.9 No Adverse Fire Safety Impact	
<b>6. CONCLUSION</b> .....	<b>5</b>

**List of Figures**

Figure 1	Location Plan
Figure 2	Lot Index Plan
Figure 3	Outline Zoning Plan
Figure 4	As-Built Record Plan

**Site Photos**

**List of Appendices**

Appendix 1	Approval Letter for Compliance with Approval Conditions (a) and (b) of last application (No. A/SK-HH/76)
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## 1. Introduction

### 1.1 Purpose

Pursuant to Section 16 of the Town Planning Ordinance, this Planning Statement Report is submitted to the Town Planning Board (“the Board”) in support of a planning application for temporary private swimming pool (the “proposed development”) for a period of 3 years at Lots 49 S.A ss.3 (Part) and 49 S.A RP (Part) in D.D.212, Che Keng Tuk, Sai Kung, N.T. (hereafter referred to as “the Application Site”). **Figure 1** shows the location of the Application Site and the Lot Index Plan indicating the concerned lots is shown per **Figure 2**.

The Application Site, covering an area of about 151.1 sq.m., falls within “Village Type Development” (“V”) zone on the Approved Hebe Haven Outline Zoning Plan (OZP) No. S/SK-HH/8 gazetted on 12.6.2020. According to the Notes of the OZP, temporary use or development of land or building not exceeding three years requires planning permission from the Board.

The Application Site, or part of it, is the subject of four previous approved applications for temporary private swimming pool. The last application (No. A/SK-HH/76), which was applied by the Applicant, was approved on 4.9.2020 for a period of 3 years. The Applicant had complied with all approval conditions of the last application. The Application Site is currently occupied by the existing private swimming pool, which has been constructed in accordance with the approved general building plan. Since the previous planning approval has lapsed on 12.9.2023, the Applicant submits this application for the same use to continue the usage of the existing private swimming pool at the Application Site. There will also be no changes in the nature and the development parameters of the proposed development from the last application.

### 1.2 Organization of the Planning Statement

This planning statement is divided into 6 chapters. Chapter 1 is an introduction outlining the above background of the planning application. Chapter 2 will then illustrate the site context and land status followed by Chapter 3 which describes the planning context in details. Chapter 4 gives the particulars of the proposed development. Detailed accounts of planning justifications of the proposed development are presented in Chapter 5. The planning statement finally concludes with a summary in Chapter 6.

## 2. Site Context

### 2.1 Site Location

The Application Site, with an area of about 151.1 sq.m., is situated within a private garden located at the end of a local track off Che Keng Tuk Road, Sai Kung, N.T. It is also situated within a village settlement known as Che Keng Tuk Village, which is located at the east of Hiram’s Highway.

### 2.2 Existing Site Condition and Accessibility

The Application Site is currently occupied by a private swimming pool with a filtration plant platform (see **Site Photos**).

The Application Site is accessible via the existing local track off Che Keng Tuk Road, which further connects to Hiram’s Highway.

## 2.3 Surrounding Land Uses

The surrounding areas is predominantly rural in character mixed with low-rise and low-density residential developments and village houses. To the immediate north and north west is a formed platform ready for development of small houses (the original small house at Lot 335 in D.D.212 has been demolished). To the northwest of the Application Site is a private residential development known as Hebe Villa. To the north and east of the Application Site along Che Keng Tuk Road sees village houses of the Che Keng Tuk Village.

## 2.4 Land Status

According to the Land Registration Records, the Applicant is the sole registered owner of the subject lots. The land ownership status of the subject lots is summarized as follows:-

Lot 49 S.A ss.3 in D.D.212	Lucky Success Enterprises Limited
Lot 49 S.A RP in D.D.212	Lucky Success Enterprises Limited

The subject lots are held under Block Government Lease and are demised as agricultural use with lease term for 75 years, from 1.7.1898 and are renewable for a further term of 24 years.

Meanwhile, a Short Term Waiver (STW) No. SW479 for a private swimming pool with ancillary filtration plant and an underground surge tank was granted by the Lands Department (LandsD) for a fixed term of 1.10.2016 to 12.9.2017 and thereafter quarterly.

## 3. Planning Context

### 3.1 Outline Zoning Plan

The Application Site falls within "Village Type Development" ("V") zone on the Approved Hebe Haven Outline Zoning Plan (OZP) No. S/SK-HH/8 gazetted on 12.6.2020 (see **Figure 3**).

As stipulated in the Notes attached to the OZP, the planning intention of "V" zone is primarily to "designate both existing recognized villages and areas of land considered suitable for village expansion. 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."

According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Board.

### 3.2 Previous Applications

The Application Site, or part of it, is involved in four previously approved planning applications as summarized in the table below:

Application No.	Applied Use	Decision	Date of Approval
A/SK-HH/52	Proposed Temporary Private Swimming Pool for a Period of 3 Years	Approved with Conditions	23.9.2011
A/SK-HH/62	Proposed Temporary Private Swimming Pool for a Period of 3 Years	Approved with Conditions	12.9.2014
A/SK-HH/72	Renewal of Planning Approval for Temporary Private Swimming Pool for a Period of 3 Years	Approved with Conditions	8.9.2017
A/SK-HH/76	Renewal of Planning Approval for Temporary Private Swimming Pool for a Period of 3 Years	Approved with Conditions	4.9.2020

The Applicant has also complied with all the approval conditions of the last application (No. A/SK-HH/76) relating to fire service installations on 29.1.2021 (see **Appendix 1**).

## 4. Development Proposal

### 4.1 Site Configuration and Layout

The Applicant seeks planning permission to use the Application Site for a temporary private swimming pool for a period of 3 years. The proposed development includes a temporary private swimming pool with ancillary filtration plant platform and underground surge tank. The existing private swimming pool has been constructed in accordance to the approved general building plan dated 23.5.2017, in which the layout and sections are shown in the As-built Record Plan (see **Figure 4**). There would be no changes in the nature of the use and the development parameters from the last application (Application No. A/SK-HH/76).

The key development parameters of the application are shown below:-

Application Area	About 151.1 sq.m.
Swimming Pool Area	About 128 sq.m.
Filtration Plant Room/Platform Area	About 9.6 sq.m.
Height of Filtration Plant Platform	About 50mm
Underground Surge Tank Area	About 13.5 sq.m.
Water Depth of Pool	About 1.5 – 3m

### 4.2 Location and Operation of the Temporary Private Swimming Pool

The temporary private swimming pool is for the leisure use of the residents of the small house adjacent to the Application Site at Lot 335 in D.D.212 only. Due to the dilapidated condition of the small house, it had been demolished and will be re-built. The filtration plant equipment will operate from 9am to 6pm daily.

The Application Site is located within a private garden area used by residents of house at Lot 335 in D.D.212. The private garden area was separated into two different platform levels – the small house at Lot 335 in D.D.212 is situated on the higher level platform while the Application Site is on the lower level platform.

### 4.3 Fire Service Installations (FSIs) Arrangement

During building plan submission stage of the proposed development, an exemption for provision for

FSIs was approved. The Applicant had also sought exemption for the submission and implementation of FSIs in compliance of approval conditions (a) and (b) of last application (No. A/SK-HH/76), which has been approved by the Fire Services Department (FSD) on 29.1.2021 (see **Appendix 1**). Since the layout and development parameters of the proposed development remain unchanged, no FSIs or equipment would be required for the proposed development.

## 5. Planning Justifications

### 5.1 Not Contravene the Planning Intention of “V” zone

The Application Site falls within “V” zone on the Approved Hebe Haven OZP No. S/SK-HH/8. While the planning intention of “V” zone is intended for the development of small houses by indigenous villagers, the proposed development is a temporary use in nature and provides an interim solution to maximize land utilization on the Application Site that complement the small house in vicinity. In addition, there is no small house application currently under processing at the Application Site. Therefore, given the temporary nature of the proposed development, it will not jeopardize the long-term planning intention of the “V” zone.

### 5.2 Compatible with Surrounding Developments

The surrounding areas of the Application Site are mainly village houses and low-rise, low-density residential development, in which swimming pools are commonly found in the locality. Therefore, the proposed development is compatible with the existing uses and the local character of the area.

### 5.3 Prior Planning Approvals Granted for the Same Use at the Application Site

The Application Site is the subject of 4 previous applications (Nos. A/SK-HH/52, 62, 72 and 76) for the same use which were approved by the Board on 23.9.2011, 12.9.2014, 8.9.2017 and 4.9.2020, respectively for a period of 3 years. All approval conditions of these applications have been complied with. Since there is no significant change on the nature of use and the character of the surrounding areas, this application is considered acceptable within the “V” zone and in line with the previous decision of the Board.

### 5.4 Necessary Approvals obtained from the Lands Department and Buildings Department

The Applicant has obtained STW from the Lands Department for the temporary swimming pool. The private swimming pool has been constructed in accordance with the approved general building plan. As the previous planning approval has lapsed on 12.9.2023, the Applicant submits this application to continue the usage of the existing private swimming pool at the Application Site, which is a viable and lawful option.

### 5.5 No Adverse Environmental Impact

The temporary private swimming pool will be solely used by the residents of house in Lot 335 in D.D.212 (adjacent to the Application Site) for leisure purpose. The anticipated frequency of use of the swimming pool is low. There will not be additional lighting installed to serve the swimming pool. Thus, the proposed development will not induce any adverse environmental impact on the subject locality with no air, noise and light pollution anticipated.



## 5.6 No Adverse Drainage Impact

Drainage Services Department had no in-principle objection to the last application (No. A/SK-HH/76). Given no change in the development parameters, the Applicant will maintain the existing stormwater drainage facilities in connection to the existing swimming pool to prevent any adverse drainage impacts to the surrounding areas. In this regard, no adverse drainage impact is anticipated.

## 5.7 No Adverse Traffic Impact

Since the temporary swimming pool will solely be used by the residents of the adjacent small house on Lot 335 in D.D.212, there will be no traffic generated with nil anticipated traffic impact.

## 5.8 No Adverse Visual and Landscape Impact

The existing swimming pool is constructed in-ground with only a filtration plant platform of not more than 50mm high. In addition, no existing trees would be affected by the proposed development, and therefore, no adverse visual and landscape impacts would be imposed to the surrounding areas.

## 5.9 No Adverse Fire Safety Impact

As mentioned in para. 4.3, an exemption for provision for fire service installations (FSIs) was approved during the building plan submission stage. FSD has also approved exemption for the submission and implementation of FSIs in the compliance of approval conditions of last application (No. A/SK-HH/76). Therefore, no adverse fire safety impact is anticipated.

## 6. Conclusion

The Application Site falls within “V” zone on the Approved Hebe Haven OZP No. S/SK-HH/8. The Application Site is the subject of 4 previously approved applications (Nos. A/SK-HH/52, 62, 72 and 76) for a temporary private swimming pool. The swimming pool has been constructed in accordance with the approved general building plan. Since the planning approval of the last application (No. A/SK-HH/76) had lapsed on 12.9.2023, the Applicant seeks planning approval to continue the usage of the existing private swimming pool.

In view of the existing site conditions and surrounding land uses, the proposed development is considered compatible with the surrounding developments and will not jeopardize the long-term planning intention of the “V” zone given its temporary nature. Additionally, the Application Site has been granted for several planning approvals for the same use.

Since the applied private swimming pool will be used solely by the residents of the small house adjacent to the Application Site at Lot 335 in D.D.212 with the filtration plant equipment operating within 9am to 6pm daily only, no adverse environmental, drainage, traffic, visual, landscape and fire safety impacts on the surrounding areas is anticipated.

In view of the justifications as presented in this planning statement, it is hoped that members of the Board and relevant Government departments will approve this application for a period of 3 years.

LAWSON DAVID & SUNG SURVEYORS LIMITED  
October 2024

# Figures

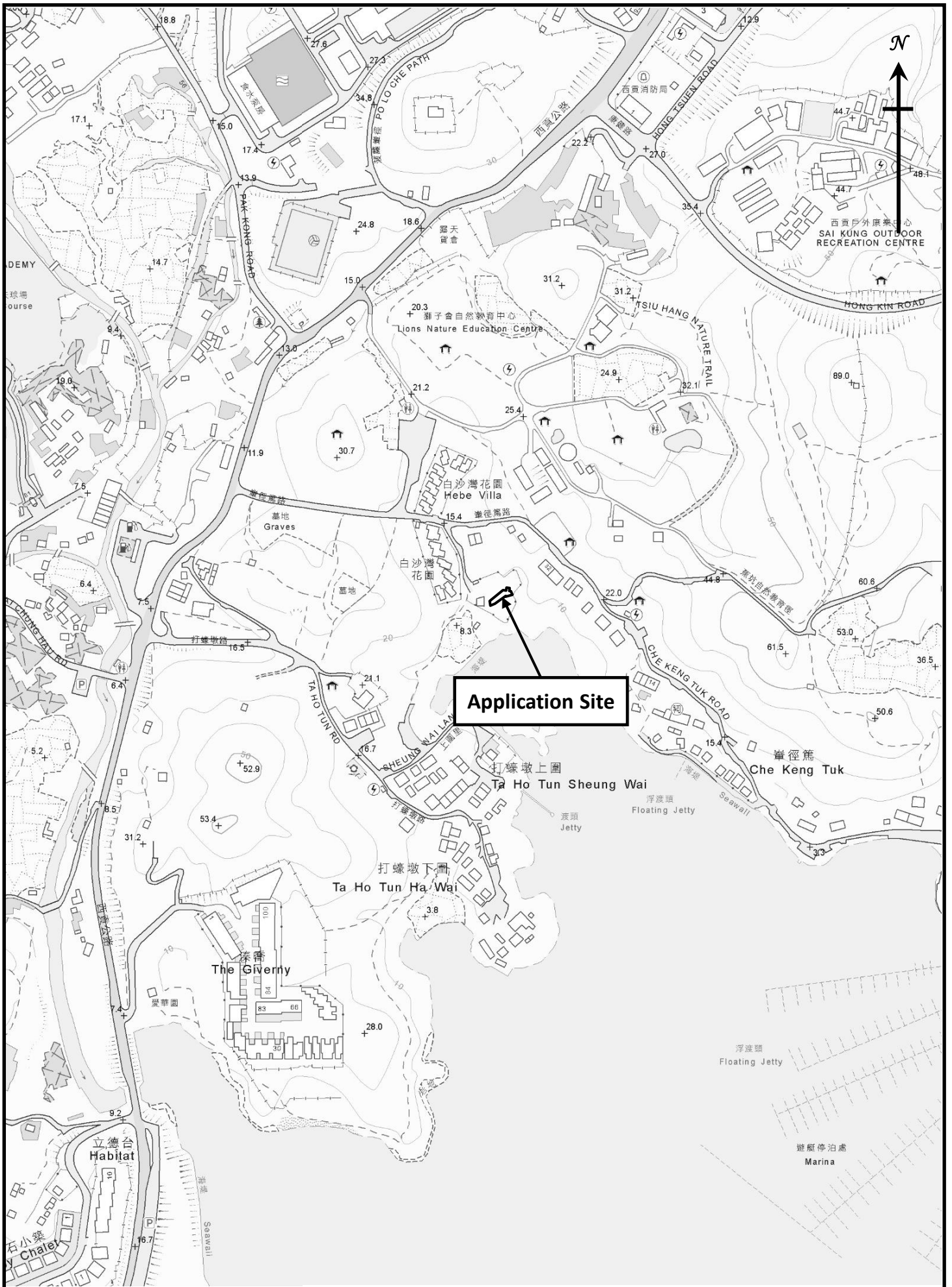
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Figure 1 Location Plan

Figure 2 Lot Index Plan

Figure 3 Outline Zoning Plan

Figure 4 As-Built Record Plan



Location Plan

Figure 1

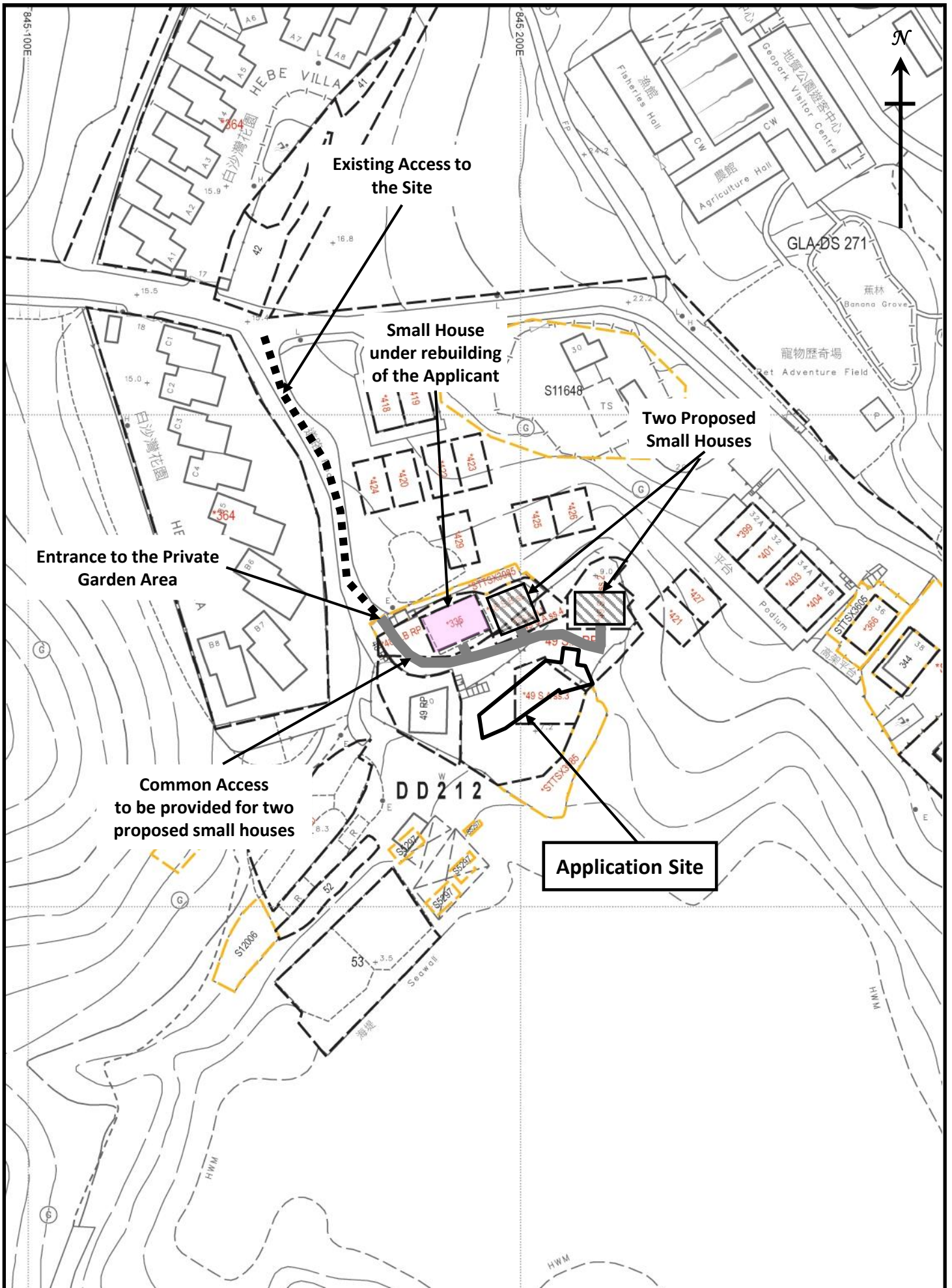
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Lot Index Plan

Figure 2

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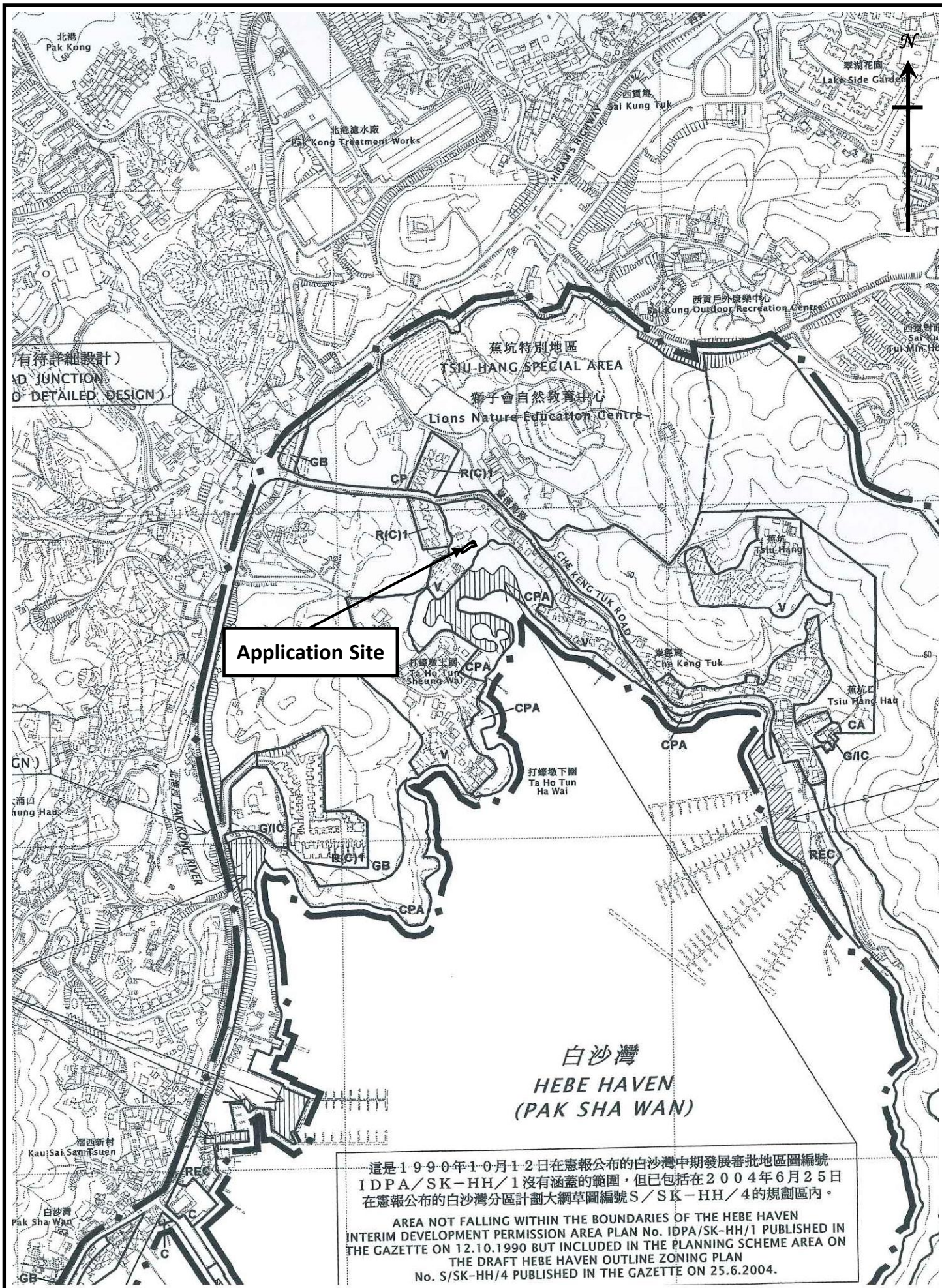


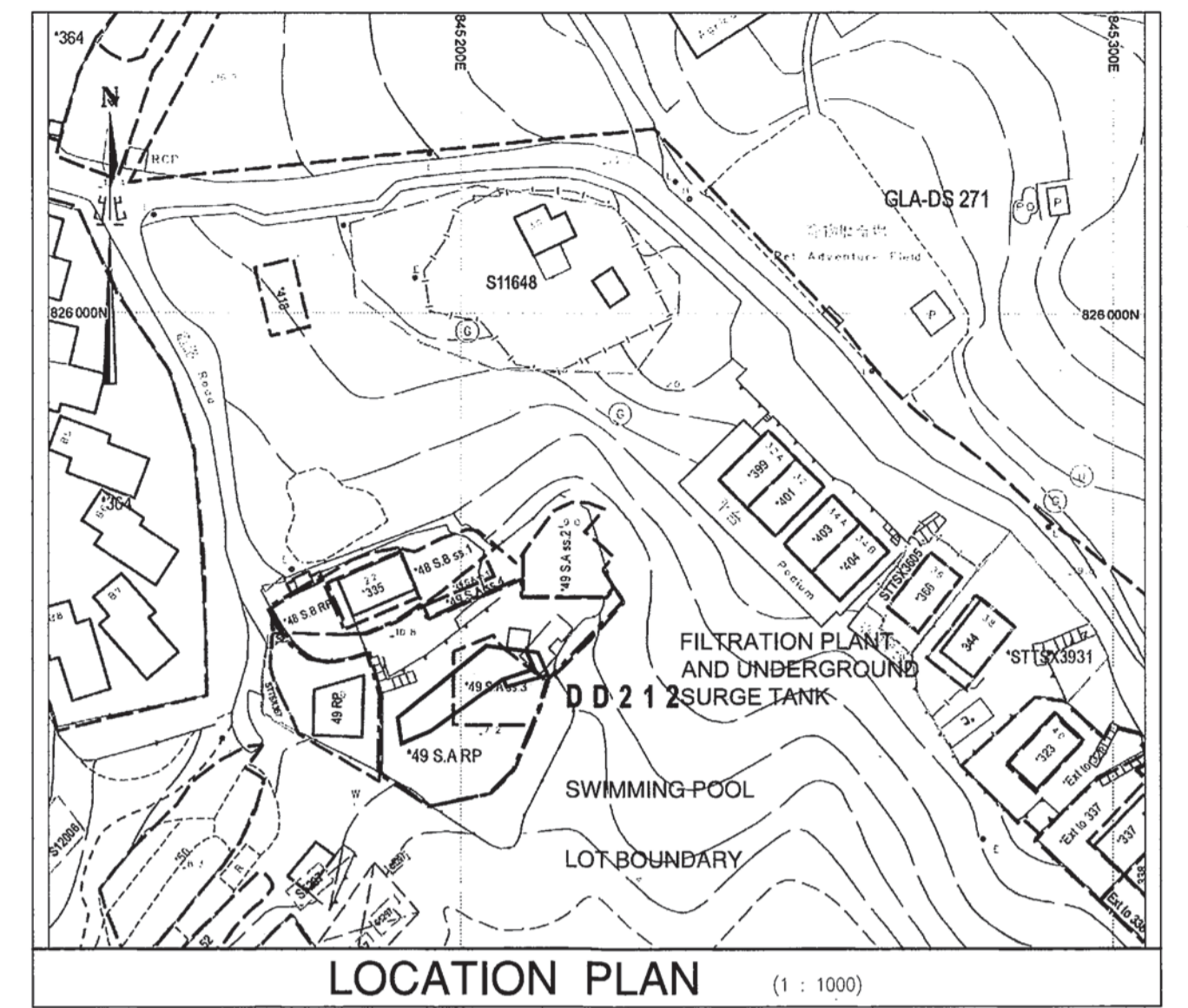
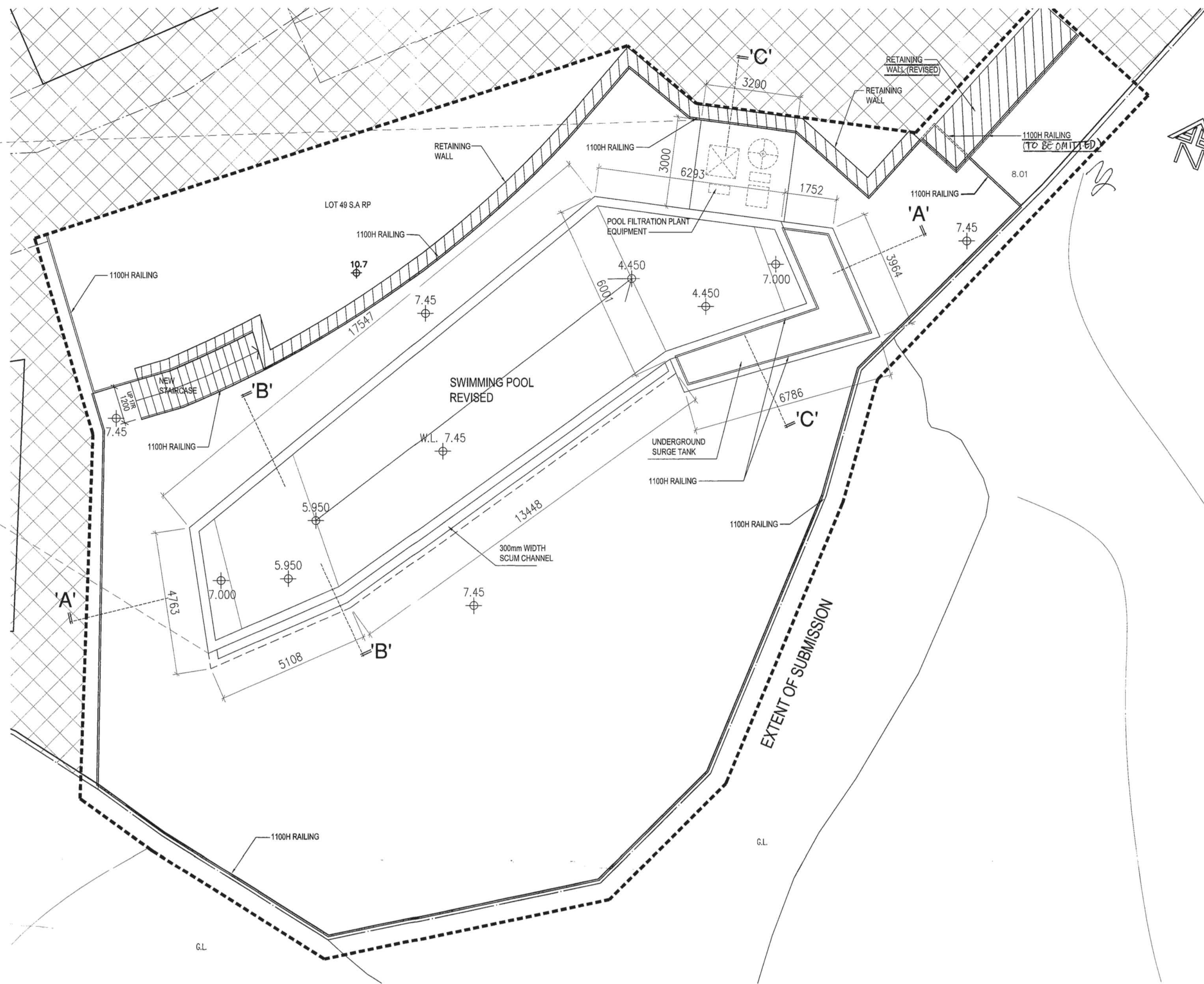
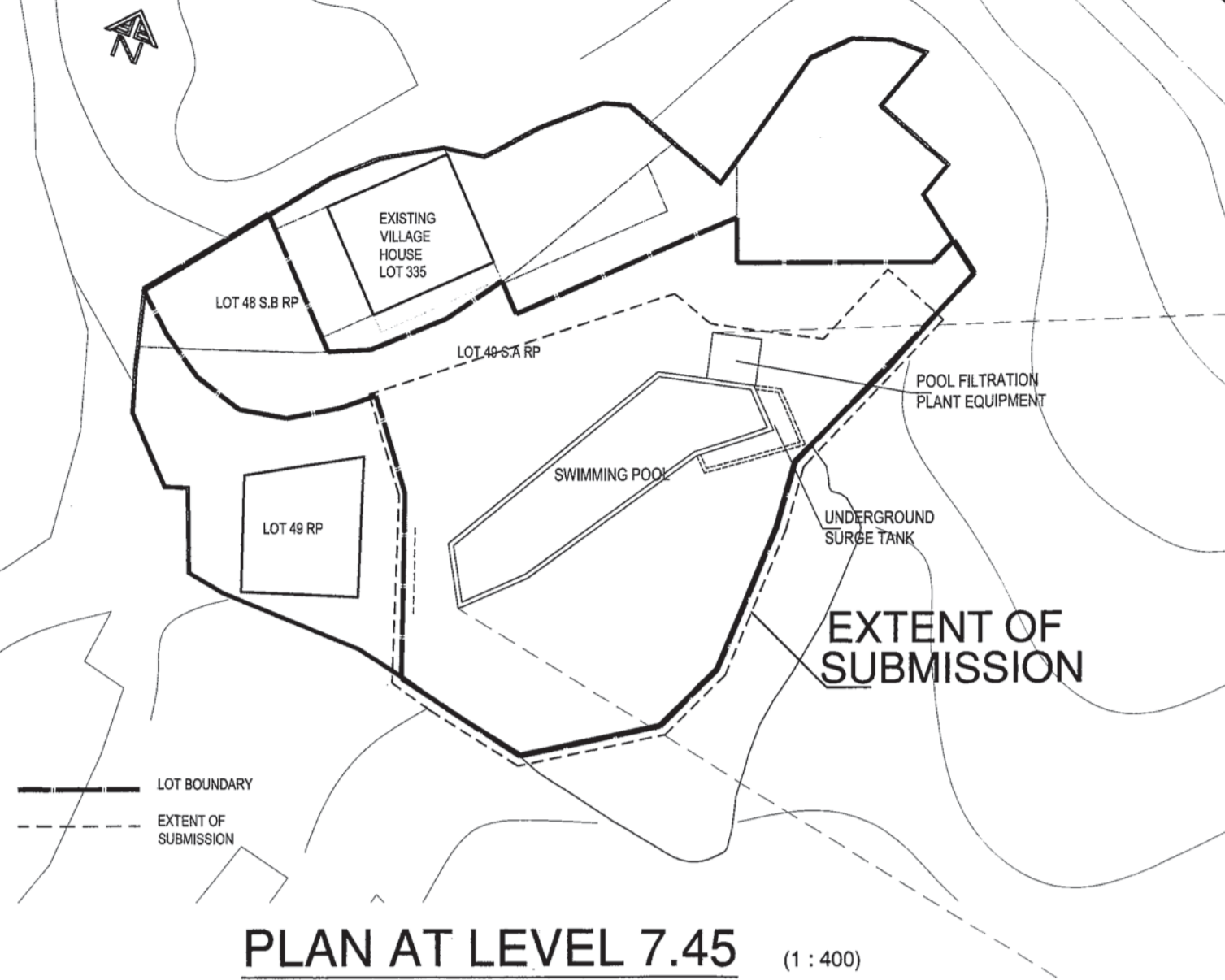
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**LEGEND**

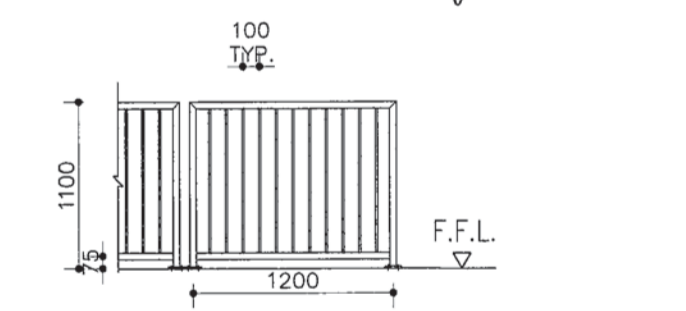
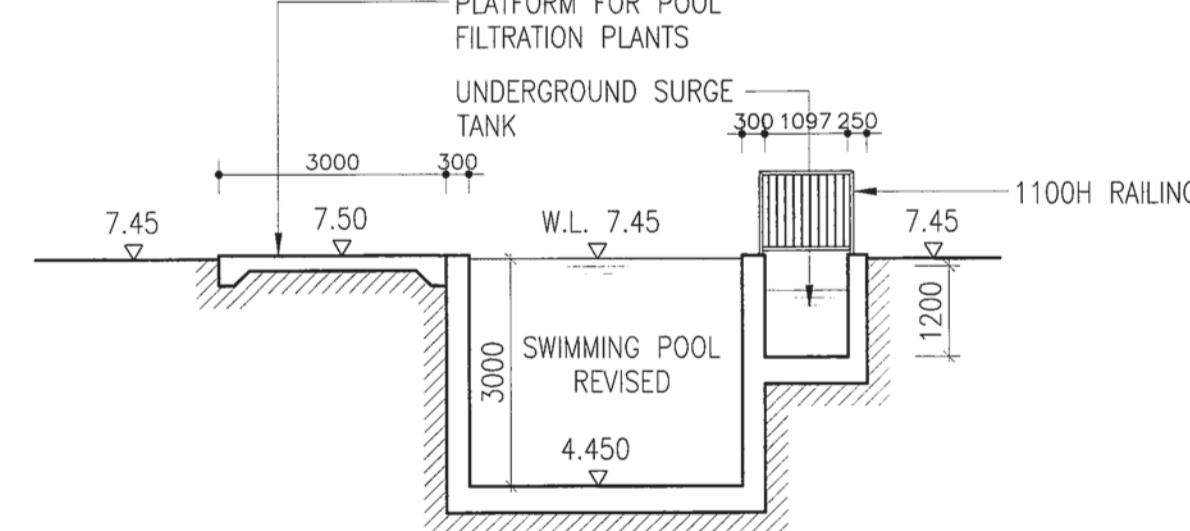
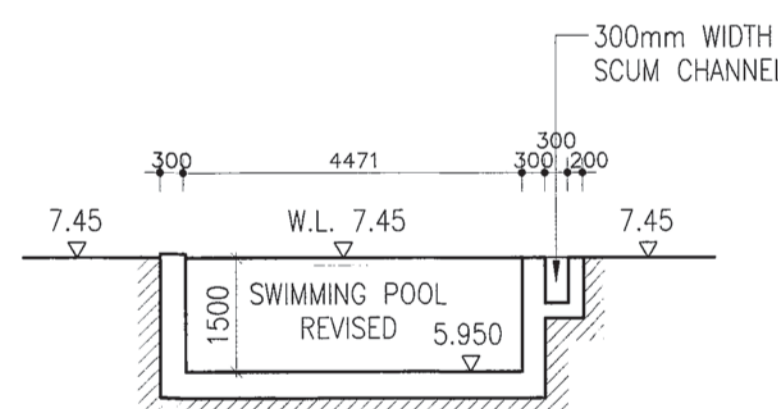
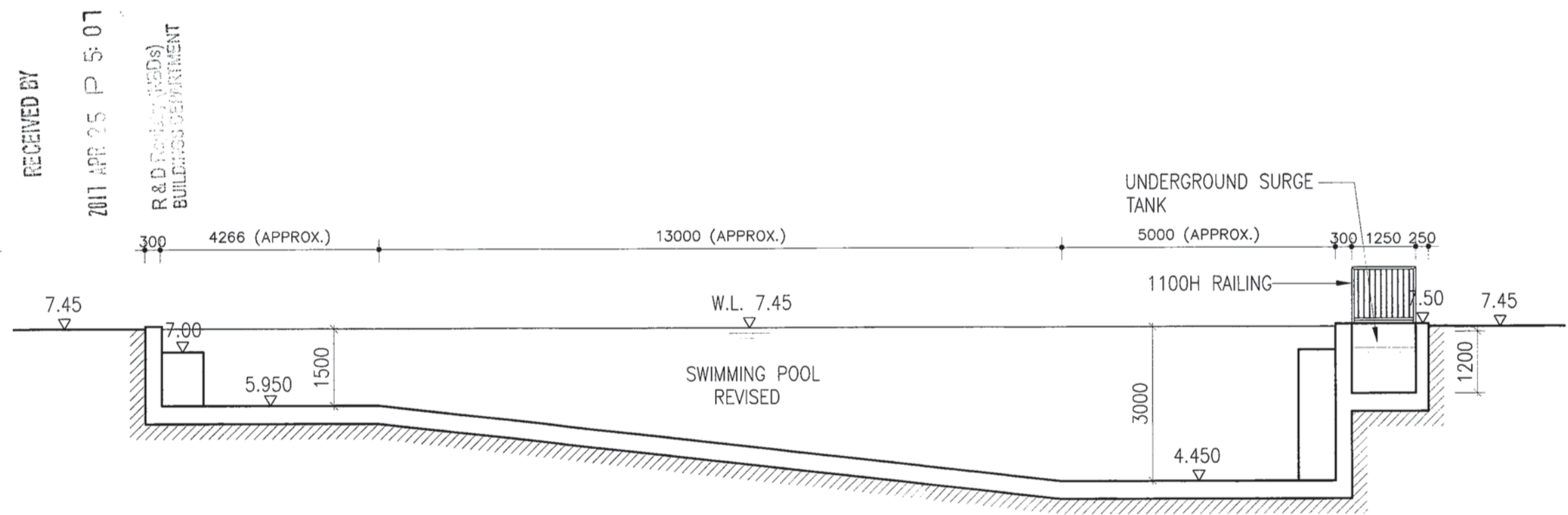
⊗ DENOTES AREA NOT WITHIN THIS A & A WORKS SUBMISSION AND NOT FOR APPROVAL.

**NOTE : (FOR A & A WORKS)**

- (1) NO CHANGE IN G.F.A., S.C. & U.F.A. IN THIS A & A WORKS SUBMISSION. THEREFORE, PLOT RATIO AND SITE COVERAGE CALCULATION TO BE NOT NECESSARY FOR APPROVAL.
- (2) NO CHANGE IN MEANS OF ESCAPE PROVISIONS IN THIS A & A WORKS SUBMISSION.
- (3) WHERE THERE IS A CHANGE IN LEVEL OF 600mm OR MORE, PARAPET OR RAILING TO BE NOT LESS THAN 1100mm HIGH ABOVE FINISHED FLOOR LEVEL AND THE LOWEST 150mm TO BE BUILT SOLID.
- (4) ALL STEEL STRUCTURAL REFER TO STRUCTURAL DETAILS.
- (5) STRUCTURAL PLANS TO BE SUBMITTED SEPARATELY.
- (6) DRAINAGE PLANS TO BE SUBMITTED SEPARATELY.
- (7) THE SWIMMING POOL IS TO BE USED BY THE EXISTING VILLAGE HOUSE LOT 335 D.D.212 AND NOT OPEN TO PUBLIC.

**F.S. NOTE : (FOR A & A WORKS)**

- (1) ALL EXISTING F.S.I SHOULD REMAIN UNCHANGED UNLESS OTHERWISE SPECIFIED



Plan Approved  
 LEUNG Chi-keung  
 Senior Building Surveyor  
 for BUILDING AUTHORITY  
 23 MAY 2017

E	AMENDMENT NO. 3	24.04.17		
D	B.D. APPROVED ON 11.03.2015			
C	AMENDMENT NO. 2	12.01.16		
B	B.D. APPROVED ON 17.04.2012			
A	AMENDMENT NO. 1	19.03.12		
-	B.D. APPROVED ON 18.12.2011			

**AUTHORIZED PERSON**  
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 ARTHUR YUNG AND ASSOCIATES COMPANY LTD.

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**Yung Hun Tat, Arthur**  
 BSc MSc DIC FStruct FHKCE  
 Authorized Person  
 Registered Structural Engineer  
 Registered Geotechnical Engineer

**PROJECT :**  
 LOT 48 S.B. RP, 49 S.A RP &  
 49 S.A as.3 IN D. D. 212  
 AT CHIU HANG, SAI KUNG

**TITLE :**  
 BUILDING PLAN  
 (SWIMMING POOL)

DESIGNED BY	TC	JOB NO.
DRAWN BY	YK	B.D. APP. DATE
CHECKED BY	MH	F.S.D. APP. DATE
SCALE	AS SHOWN	DRAWING NO.
DATE	JAN 2015	<b>G-001E</b>
REF. NO.	1 / 1	

B.D. Ref. NO. BD 2/9205/11  
 F.S.D. Ref. NO.

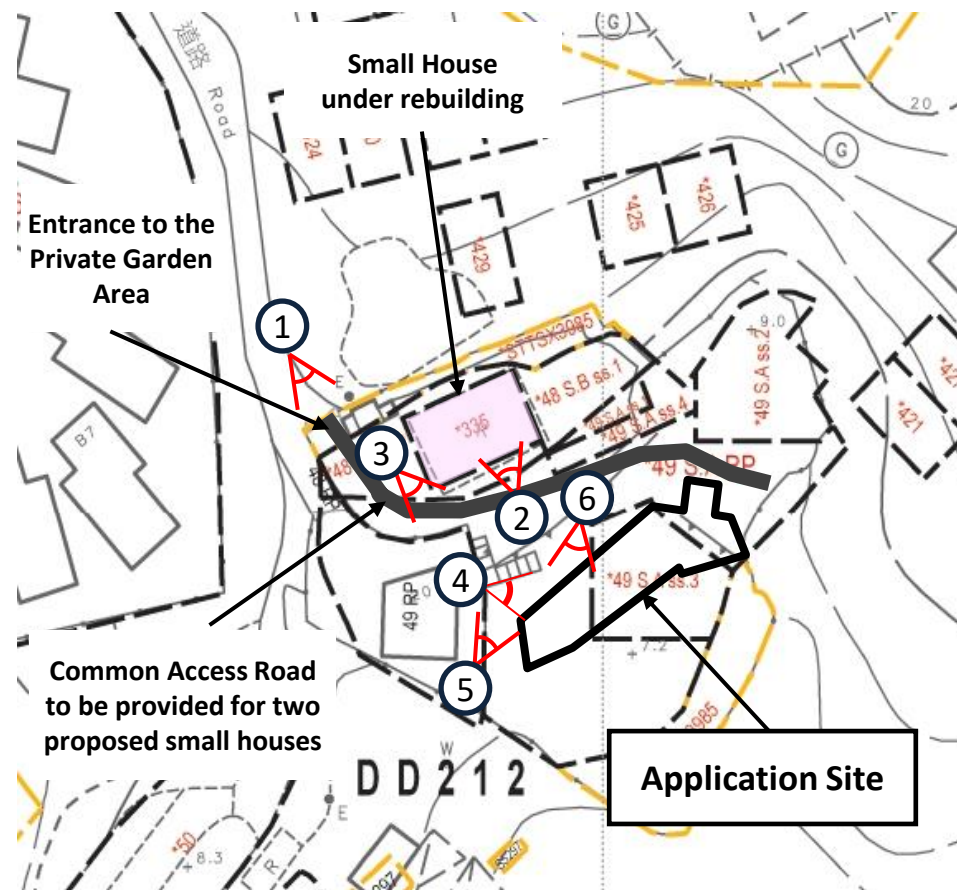
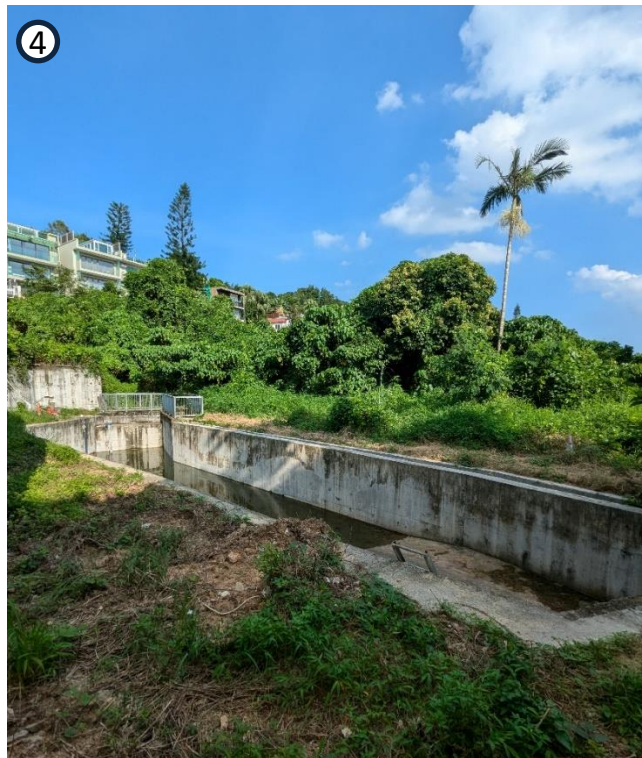
**IT IS CONFIRMED THAT THIS AS-BUILT RECORD PLAN IS IDENTICAL TO THE BD'S APPROVED GENERAL BUILDING PLAN DATED 23 MAY 2017**

**AS-BUILT RECORD**



Figure 4 As-Built Record Plan

## Site Photos

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Legend:

-  Viewpoint of the Photo
-  Photo No.

Existing Condition of the Application Site and Surrounding Area

Site Photos



# Appendix 1

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Approved Letter for Compliance with Approval Conditions (a) and (b) of  
last application (No. A/SK-HH/76)

# 規 劃 署

西貢及離島規劃處  
新界沙田上禾輦路1號  
沙田政府合署15樓



# Planning Department

Sai Kung and Islands  
District Planning Office  
15/F, Sha Tin Government Offices,  
1 Sheung Wo Che Road,  
Sha Tin, N.T.

本函檔號: Your Reference: LDS/PLAN/5553  
本署檔號: Our Reference: TPB/A/SK-HH/76  
電話號碼: Tel. No.: 2158 6051  
傳真機號碼: Fax No.: 2890 5194

**By Post**

29 January 2021

Lawson David & Sung Surveyors Limited  
Room 1601, South China Building,  
1-3 Wyndham Street,  
Central, Hong Kong

Dear Lawson David & Sung,

**Renewal of Planning Approval for Temporary Private Swimming Pool for  
a Period of Three Years at  
Lots 49 S.A ss.3 (Part) and 49 S.A RP (Part) in D.D. 212,  
Che Keng Tuk, Sai Kung, New Territories**

**(Planning Application No. A/SK-HH/76)**

**Compliance with Approval Conditions (a) and (b) –  
Submission and Implementation of Fire Service Installations**

I refer to your letter received by this Office on 24.12.2020 regarding the subject matter. Director of Fire Services has accepted your submission for compliance with approval conditions (a) and (b). As such, I am pleased to inform you that approval conditions (a) and (b) have been complied with.

If you have any queries, please contact Miss Jane W L KWAN of this Office at 2158 6162.

Yours sincerely,

( Ms. Donna TAM )

for and on behalf of Director of Planning

c.c. (by fax)

D of FS (Attn: Mr. CHUI Kwong-yiu)  
Secretary, Town Planning Board

DT/JK/VM/vm