

**Table 1: Responses to Comments from Government Departments on Planning Application No. A/SK-PK/303 (4 February, 2025)**

COMMENTS	RESPONSES
<b>1. Major Works Project Management Office, Highways Department</b>	
<p>(i) We observed that a minor portion of the application site overlaps with the works area of our project Dualling of Hiram's Highway from Marina Cove to Sai Kung Town (HH2).</p> <p>Please be informed that works area of HH2 project was gazetted and authorized in 2021 and the overlapped areas will be used for the construction of the HH2 project. The applicant may wish to review and revise the boundary of the application site without encroaching onto the works area of the HH2 project.</p>	<p>(i) The application boundary would be set back to avoid encroachment on the works area of Dualling of Hiram's Highway from Marina Cove to Sai Kung Town (HH2). A set of revised plans (see <b>Figures 1A to 4A</b>) is attached for your reference.</p>
<b>2. Chief Highway Engineer/New Territories East, Highways Department</b>	
<p>(i) From slope maintenance point of view, the polygon the "application site" should exclude the slope boundary area of HyD slope no. 7SE-D/C86.</p>	<p>(i) The application boundary would be set back to exclude the slope boundary area of HyD slope no. 7SE-D/C86. A set of revised plans (see <b>Figures 1A to 4A</b>) is attached for your reference.</p>
<b>3. District Lands Officer/Sai Kung, Lands Department</b>	
<p>(i) The application site comprises Lot No. 1122 Ext. in D.D. 217. The New Grant No. 5684 governing Lot No. 1122 in D.D. 217 for private residential purposes, whereas the Extension to Lot No. 1122 in D.D. 217 granted by way of Extension Letter dated 13.9.1975 and 21.11.1975 is restricted for pleasure garden purposes only and no structure, other than boundary walls and fences shall be erected. Government land is also involved.</p>	<p>(i) Noted.</p>

COMMENTS	RESPONSES
<p>(ii) The private lot is not covered by any Short Term Waiver (STW). An application for STW to permit the structure erected (i.e. a portion of a swimming pool) has been submitted by the registered owner of House B5 of Lot No. 1122 in D.D. 217 and the Extensions Thereto and is being processed by this office.</p>	<p>(ii) Noted.</p>
<p>(iii) The Government land in the application site was previously covered by ex-Short Term Tenancy (STT) No. SX2971 for the purposes of private garden and swimming pool. Ex-STT No. SX2971 commencing on 29.8.2003 was terminated with effect from 21.10.2010 due to change of ownership of House B5 of Lot No. 1122 in D.D. 217 and the Extensions Thereto. An application for reissue of garden STT to cover the same land area has been submitted by the registered owner of House B5 and is being processed by this office.</p>	<p>(iii) Noted.</p>
<p>(iv) The following irregularities covered by the subject planning application were revealed:</p> <p><u>Unauthorised structure within the said private lot covered by the planning application</u></p> <p>There is unauthorized structure (i.e. a portion of a swimming pool) on the private lot. The lot owner should immediately rectify/regularize the lease breaches and this office reserves the rights to take necessary lease enforcement action against the breaches without further notice.</p>	<p>(iv)</p> <p>The owner of House B5 of Lot No. 1122 in D.D. 217 and the Extensions Thereto has submitted an application for STW to permit the erection of a swimming pool to the Lands Department (LandsD). The owner will follow up with the LandsD on the STW application should this application be approved.</p>

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<p><u>Unlawful occupation of Government land adjoining the said private lot with unauthorised structure covered by the planning application</u></p> <p>The Government land within the application site has been fenced off/ illegally occupied with unauthorised structure (i.e. a portion of a swimming pool) without any permission. Any occupation of Government land without Government’s prior approval is an offence under Cap. 28. This office reserves the rights to take necessary land control action against the illegal occupation of Government land without further notice.</p>	<p>The owner of House B5 of Lot No. 1122 in D.D. 217 and the Extensions Thereto has submitted an application for STT for the purpose of swimming pool and private garden to the LandsD. The owner will follow up with the LandsD on the STT application should this application be approved.</p>
<p>(v) If the planning application is approved, the applications for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW and STT, if approved, will be subject to such terms and conditions including the payment of waiver fee/rent and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered.</p>	<p>(v) Noted.</p>
<p>(vi) It was observed that a minor portion of the application site overlapped with the works area of HyD’s project, namely “PWP Item No. 6806TH Dualling of Hiram’s Highway from Marina Cove to Sai Kung Town”. Works area of the said project was gazetted and authorized in 2021 and the overlapped areas would be used for the</p>	<p>(vi) The application boundary would be set back to avoid encroachment on the works area of Dualling of Hiram's Highway from Marina Cove to Sai Kung Town (HH2). A set of revised plans (see <b>Figures 1A to 4A</b>) is attached for your reference.</p>

COMMENTS	RESPONSES
<p>construction of the said project. HyD advised that the applicant might wish to review and revise the boundary of the application site without encroaching onto the works area of the said project. A site plan showing the overlapping area of the application site and the works area of the said project is enclosed at Appendix I.</p>	
<p><b>4. Chief Building Surveyor/Hong Kong East &amp; Heritage, Buildings Department</b></p>	
<p>(i) All building works including construction of swimming pool on leased land are subject to compliance with the BO and allied regulations. AP must be appointed to coordinate all building works.</p>	<p>(i) The Applicant will appoint an AP to follow up with the building works in accordance with the requirements under the Building Ordinance.</p>
<p>(ii) There is no building plan approved by the Building Authority (BA) regarding the existing swimming pool. As such, the existing swimming pool is considered as an UBW against which enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBW as necessary.</p>	<p>(ii) See our response in 4(i) above.</p>
<p>(iii) The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW, if any, on the Site under the BO.</p>	<p>(iii) Noted.</p>