



豪景花園業主立案法團

The Incorporated Owners of Hongkong Garden

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Our ref file : N225-08-2010

11 August 2010

**Re: Remedial Proposal by Building Department**

After numerous and long time discussion with our strong request to the Building Department (BD), BD finally agreed to consider the special circumstance of the cases and prepared to accept owners' request for allowing the unauthorized railing erected on the flower bed together with the unauthorized sliding door between the living room/bedroom and the flower bed to be retained, subject to fulfillment of requirement specified in the remedial proposals. BD sent the remedial proposals to IO Office by email on 11 August 2010 and **agreed to send the said proposal to all related owners individually.** Since the remedial proposals and their standard are set up by the BD, both IO and Customer Services Department are not at the right position to answer the question in relation to the said proposals.

If there is any question and opinion, please do not hesitate to contact the BD officers listed below.

Mr. HO Chun-sang 31620760

Mr. PUN Chun-ting 31620761



The Incorporated Owners of Hong Kong Garden



YOUR REF 來函檔號 :  
OUR REF 本署檔號 : EB/9404/79/1/F03(Pt.III)  
(BUC09)  
FAX 圖文傳真 : 3162 0799  
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The Incorporated Owners of Hongkong Garden  
Hongkong Garden  
No.100 Castle Peak Road, Tsing Lung Tau, Tsuen Wan.

// August 2010

Dear Sir/Madam,

**Blitz Unauthorized Building Works Clearance Operation of Buildings Department  
Hongkong Garden**

Regarding the removal orders served by Buildings Department (BD) to the owners of Hongkong Garden in May 2010, some of the building owners requested BD to consider allowing the unauthorized railing erected on the outer wall of the flower bed together with the unauthorized sliding door between the living room/bedroom and the flower bed to be retained.

Having considered the special circumstances of the cases discussed in the meeting, BD is prepared to accept owners' request for allowing the unauthorized railing erected on the flower bed together with the unauthorized sliding door between the living room/bedroom and the flower bed to be retained, subject to fulfilment of requirements specified in the remedial proposals listed below.

The said requirements include:-

1. If the owner intends to retain metal/glass railing erected on flower bed, appointment of an Authorized Person / Registered Structural Engineer (AP/RSE) to submit structural justifications to BD to certify the structural safety of railing and flower bed is required. If the fixed light between the living room/bedroom and the flower bed has been modified to less than 1100mm high, the owner should reinstate the fixed light to not less than 1100mm high in accordance with approved building plans. **(Proposal 1)**

**If the owner intends to retain both the unauthorized metal/glass railing erected on the flower bed and the sliding door/ window erected between the living room/bedroom and the flower bed**

2. Apart from appointment of an AP/RSE to submit structural justifications to BD to certify the structural safety of railing and flower bed, the owner is required to install a metal railing with a height of not less than 1100mm outside (space not more than 100mm) or inside (space not more than 200mm) the sliding doors/windows; prior to the commencement of works, the owner has to appoint an AP/RSE to submit design proposal of the railing to BD for agreement. **(Proposal 2)**
3. If the owner does not intend to install a metal railing with a height of not less than 1100mm outside or inside the sliding door/window, the owner has to appoint an AP/RSE to submit structural justifications to BD to certify the structural safety of existing metal/glass railing and flower bed, the railing has also to comply with the requirements of Building (Construction) Regulations 8 & 17(3), in order to minimize the risk of persons or objects falling through gaps in the railing, or persons climbing over the railing. If the existing low parapet wall between the living room/bedroom and the flower bed has not been modified, the corresponding height should be 450mm according to approved building plans, the owner can retain the unauthorized sliding door/window between the living room/bedroom and the flower bed, otherwise the owner has to appoint an AP/RSE to submit reinstatement proposal of the parapet wall to not less than 450mm high to BD. **(Proposal 3)**
4. If the existing low parapet wall between the living room/bedroom and the flower bed has been modified, and the owner intends to retain the unauthorized sliding door/window between the living room/bedroom

and the flower bed, the owner is required to install a new solid wall on the flower bed with level difference between the internal floor level of not less than 450mm for separation purpose, the owner also has to appoint an AP/RSE to submit evidence to BD to certify the structural safety of flower bed and demonstrate the height of the new solid wall meeting the requirements. **(Proposal 4)**

Sketches outlining the above requirements are attached at **Appendix I** for general reference. Owing to the different situation for each case, not all situations can be mentioned in this letter. Should individual owner require further advice, please contact the case officer of this Department.

I would like to advise that while the unauthorized railing on flower bed and unauthorized sliding door or window between the living room/bedroom and the flower bed can be allowed to retain by adopting the abovementioned proposals, they are still unauthorized building works. If there are changes in circumstances in the future, BD may issue removal order for removal of the said unauthorized building works. Please convey the above message to the owners.

With regard to the appointment of AP/RSE, the owners may consider the viable option of jointly appointing one AP or RSE for the works. .

As some owners have lodged appeals to the Appeal Tribunal (Buildings) against the orders issued by this Department, the contents of this letter should be read on without prejudice basis.

Lastly, I would be grateful if you could inform the concerned building owners of Hongkong Garden of the above by posting this letter, together with sketches at Appendix I, on all the G/F entrance lobbies of Hongkong Garden. If there is any question, please do not hesitate to contact the following BD officers, **Mr. HO Chun-sang** at telephone **3162 0760** or **Mr. PUN Chun-ting** at telephone **3162 0761**.

Yours sincerely,

(Alice M. C. NG)  
Senior Building Surveyor/D5  
for Building Authority

c.c.

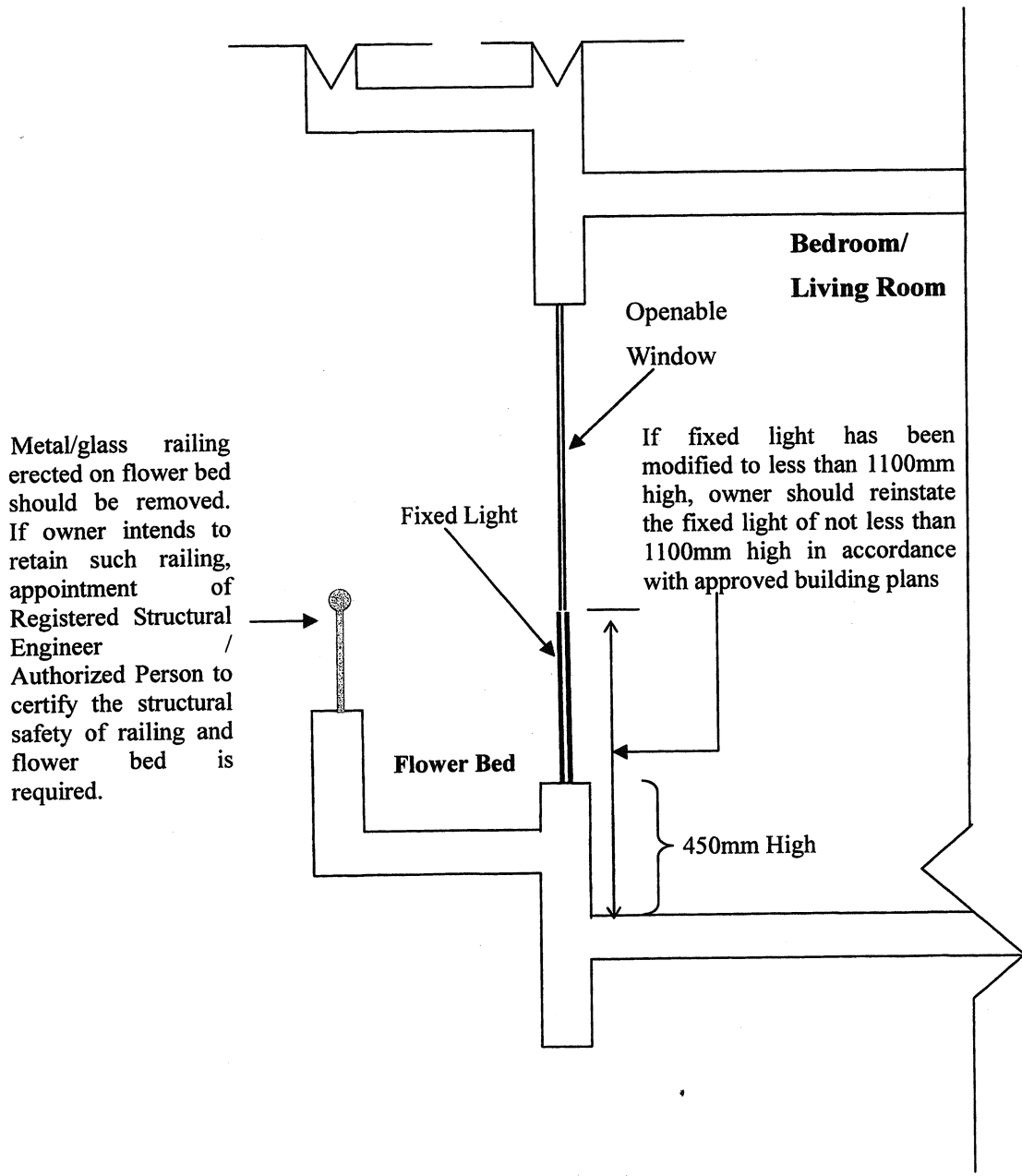
T.L.60 Management Limited  
No.100 Castle Peak Road, Tsing Lung Tau, Tsuen Wan.

Concerned owners

Remedial Proposals

UBWs on flower bed at external wall of Living Room/Bedroom

**Proposal 1:**



**Proposal 2:**

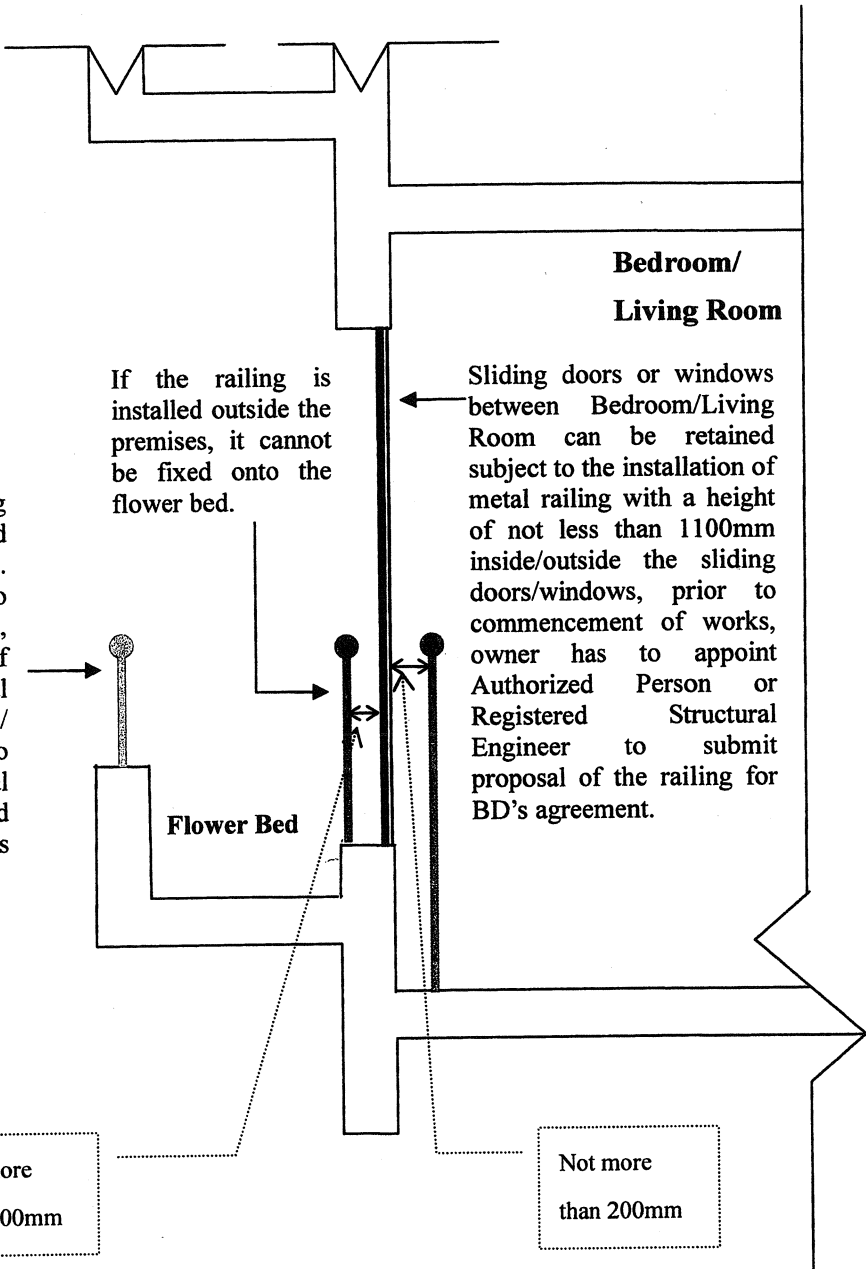
Metal/glass railing erected on flower bed should be removed. If owner intends to retain such railing, appointment of Registered Structural Engineer / Authorized Person to certify the structural safety of railing and flower bed is required.

If the railing is installed outside the premises, it cannot be fixed onto the flower bed.

Sliding doors or windows between Bedroom/Living Room can be retained subject to the installation of metal railing with a height of not less than 1100mm inside/outside the sliding doors/windows, prior to commencement of works, owner has to appoint Authorized Person or Registered Structural Engineer to submit proposal of the railing for BD's agreement.

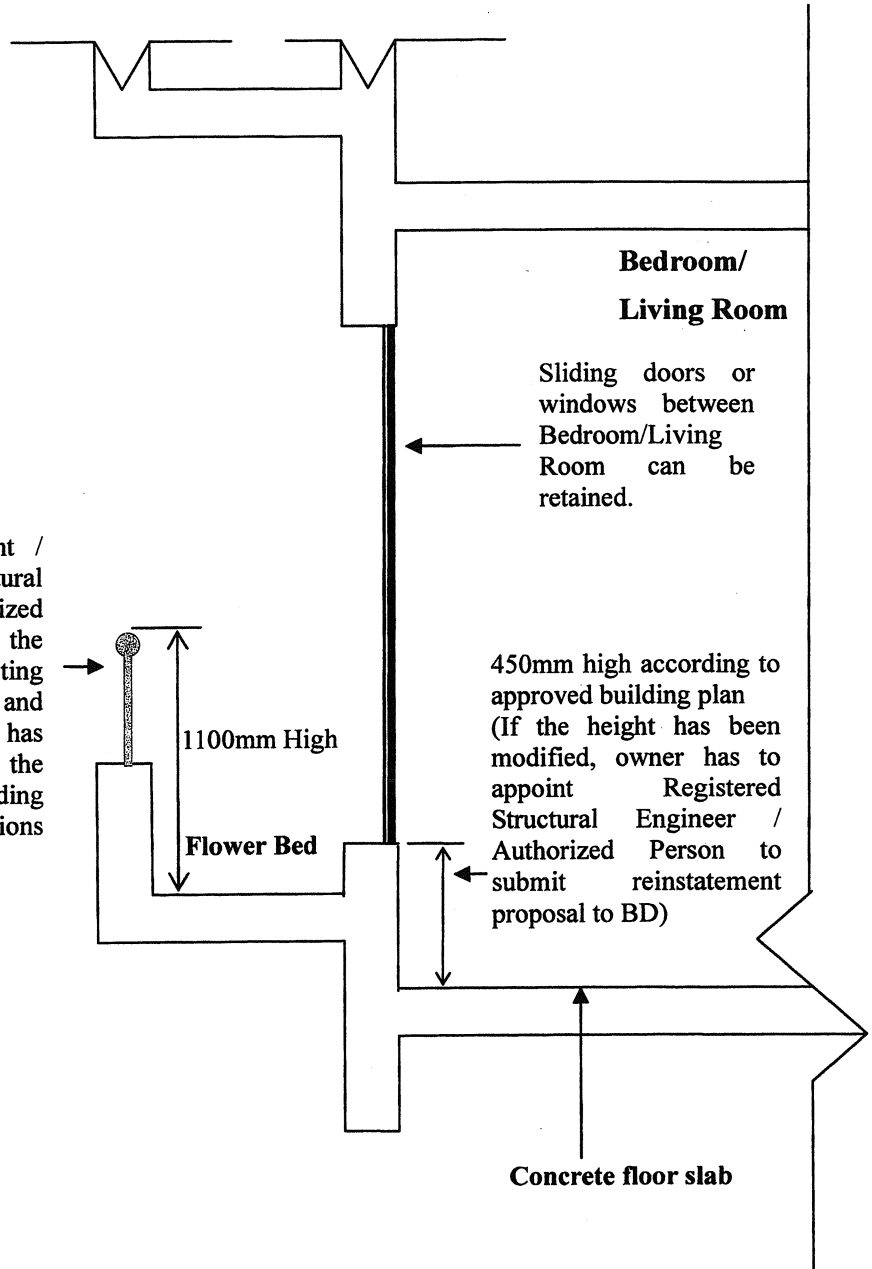
Not more than 100mm

Not more than 200mm



Proposal 3:

Owner has to appoint / Registered Structural Engineer / Authorized Person to certify the structural safety of existing metal/glass railing and flower bed, the railing has also to comply with the requirements of Building (Construction) Regulations 8 & 17(3).



**Proposal 4:**

Owner has to appoint / Registered Structural Engineer / Authorized Person to certify the structural safety of existing metal/glass railing and flower bed, the railing has also to comply with the requirements of Building (Construction) Regulations 8 & 17(3).

