

Urgent Return receipt Expand Group Restricted Prevent Copy Confidential

Charlotte Tsz Wing WUN/PLAND

寄件者: [REDACTED]
寄件日期: 2026年03月06日星期五 14:13
收件者: [REDACTED]
副本: [REDACTED]
主旨: RE: Application No. A/NE-TKP/2 - Departmental Comments
附件: A-NE-TKP-2_Response_to_PlanD_Comments_FI_6 Mar 2026.pdf

重要性: 高

類別: Internet Email

Dear Ms WUN,

I refer to Application No. A/NE-TKP/2 concerning the proposed temporary private garden at Government Land adjoining Lot 369 in D.D. 255, Pak Tam Au.

Further to your email of 5 March 2026 providing the Planning Department’s comments on the above application, please find attached Further Information for submission to the Town Planning Board in advance of the scheduled meeting.

This submission is made pursuant to TPB PG-No. 32B as Further Information in response to public and departmental comments.

For the avoidance of doubt, the Further Information does not involve any:

- Change to the site boundary;
- Change to GFA, building height or development parameters;
- Intensification of use; or
- Material change to the nature of the application.

Please let me know if any further clarification would be helpful.

Yours sincerely,
James Stewart

From: [REDACTED]
Sent: Thursday, March 5, 2026 5:26 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Application No. A/NE-TKP/2 - Departmental Comments

Dear Sir/Madam,

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I refer to the planning application No. A/NE-TKP/2 for proposed temporary private garden for a period of three years at Government Land in D.D. 255, Pak Tam Au, Sai Kung North.

Please find the comments from Planning Department for your consideration.

- The application site falls entirely within an area zoned "Village Type Development" ("V") on approved To Kwa Peng and Pak Tam Au Outline Zoning Plan No. S/NE-TKP/2. The planning intention of the "V" zone is 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. There is no strong planning justification in the submission for a departure from the planning intention of the "V" zone, even on a temporary basis.
- Although it is noted from the submission that the proposed use will be for gardening/landscaping and serve privacy and safety purposes for the adjoining House No. 16 at Pak Tam Au, the occupation of Government land of about 177m² (i.e. about 2.7 times larger than the footprint of a standard Small House, i.e. about 65.03m²) for private enjoyment is considered excessive and disproportionate in terms of size and scale. There is no strong justification for utilising a large piece of Government land within "V" zone for private garden use.

If you intend to make responses to the comments above or provide further information to supplement your application, please make reference to the relevant Town Planning Board Guidelines (TPB PG-No. 32B) which is available on the website of the Town Planning Board (https://www.tpb.gov.hk/en/forms/Guidelines/TPB_PG_32B.pdf).

Should you have any questions, please feel free to contact the undersigned.

Thank you.

Regards,
Charlotte WUN
TP/TP5
Sha Tin, Tai Po and North District Planning Office
Planning Department
Tel: 2158 6018

Further Information

Application No. A/NE-TKP/2

Proposed Temporary Private Garden for a Period of Three Years

Government Land in D.D.255, Pak Tam Au.

I refer to your email of 5 March 2026 providing the Planning Department's comments on the above application. The Applicant would like to provide the following clarification for the Town Planning Board's consideration in response to the Planning Department's comments.

1. Nature of the Proposed Temporary Private Garden

The proposed use is a simple private garden area ancillary to the existing village house at 16 Pak Tam Au. The use is intended solely for private enjoyment associated with the occupation of the adjoining house and does not involve any commercial gardening, landscaping or similar activities.

The proposal mainly involves enclosing a portion of the adjoining Government land with a fence to provide privacy and safety for the occupants of the house. The property is located adjacent to a public bus stop and several popular hiking routes, and there is frequent pedestrian activity in the immediate vicinity. The garden area would help provide a modest degree of privacy and protection from frequent intrusion by members of the public as well as feral cattle and wild boars commonly found in the area.

It is also relevant to note that the application site formed part of a much larger area of Government land (approximately 380 m²) that was previously leased under Short Term Tenancy No. 751 and used as a private garden from around 1990 until 2014. The tenancy was voluntarily terminated by the former tenant due to health and financial reasons. The current application involves a significantly smaller area. This historical use demonstrates that the land has previously been considered suitable for private garden use associated with the adjoining house.

2. Absence of Development Works or Environmental Impact

The proposal does not involve any development works, site formation, drainage works, paving, tree felling or other physical alteration of the site. The area already comprises existing concrete surfaces and grassed areas.

Accordingly, the proposed temporary use would not give rise to any adverse landscape, environmental, drainage, traffic or infrastructure impacts. The Applicant understands that the Lands Department has indicated that it has no objection and no adverse comment in respect of the application. The Applicant also understands from the Planning Department

that the Water Supplies Department has no objection to the proposal and that no other relevant government departments have raised objections.

3. Planning Intention of the “Village Type Development” Zone

The Applicant fully recognises that the primary planning intention of the “Village Type Development” (“V”) zone is to provide land primarily intended for development of Small Houses by indigenous villagers.

However, the application site is located outside the recognised Village Environs Boundary for Pak Tam Au and is also subject to environmental and physical constraints, including its location within the Water Gathering Ground and its proximity to the steep slope along Pak Tam Road. These constraints make the site unlikely to be suitable for Small House development in the foreseeable future.

In these circumstances, the proposed temporary garden use would not prejudice the long-term planning intention of the “V” zone.

4. Temporary and Reversible Use

The application is for a temporary period of three years only. Should the site be required for other planning purposes in the future, the temporary use could be easily discontinued and the land could readily revert to its current condition.

5. Site Area

The Applicant has already significantly reduced the proposed site area compared with the previous STT and an earlier proposal. Nevertheless, should the Town Planning Board consider that a further reduction in area would be appropriate, the Applicant would be willing to consider a smaller garden area surrounding the house that the Board considers reasonable.

6. Compliance with Other Government Departments

The Applicant has been actively addressing matters raised by the Lands Department and the Buildings Department in relation to the adjoining house. Rectification works have already been completed in respect of all items raised by the Lands Department. Works have also been undertaken to address the issues raised by the Buildings Department, and discussions with the Buildings Department are ongoing regarding their remaining matters.

These issues are being dealt with cooperatively and are unrelated to the proposed temporary garden use.

The Applicant respectfully hopes that the Town Planning Board will take the above clarification into account when considering the application.

Yours sincerely,

James Herbert Stewart