

Urgent Return receipt Expand Group Restricted Prevent Copy

Iris Tsoi Ying YIK/PLAND

寄件者: [REDACTED]
寄件日期: 2026年01月19日星期一 10:14
收件者: [REDACTED]
主旨: Planning Application-Ref. 20251126OJN-16 Pak Tam Au
附件: 177m2-revised on 2026-01-15.pdf; Application-amended
pages-2,6,12,13-2026-01-18.pdf; Planning Statement-amended
pages-21,22,25,27,31,39-2026-01-18.pdf

重要性: 高

類別: Internet Email

Dear Iris and Charlotte

Thank you for your calls last week. In response thereto, I am pleased to respond as follows:

1. As suggested, I have amended the site plan to reduce the size from 207m² to 177m² by moving the western boundary only. Please see the revised site plan showing the proposed revised STT area of 177m².
2. Following our discussions, I have retained the curved area of the site plan on the north-east side since it follows the pre-existing rock wall in the area and allows more flexible access to the property without interference from the lamp post.
3. As discussed, I confirm that the shape of the boundary shown in Figures 1 and 3 of the Planning Statement are only indicative of the site boundary and the site boundary in the attached revised site plan is what should be adopted for purposes of this Application.
4. Please note that I have not amended the red lines shown in Photos 1-10 in the Planning Statement and they are only indicative of the site boundary and the site boundary in the attached revised site plan is what should be adopted for purposes of this Application.
5. Please note that the revised site plan has amended the size of the two storage units to 2.5m x 3.0m to match the size mentioned in the Application and the Planning Statement. As discussed, it is expected that the two storage units would be placed approximately as shown on the site plan, but the final placement of the storage units (less than or equal to the agreed size) would not be a concern of the Planning Department.
6. There is an LPG cylinder storage box attached to the north-east corner of the house (see Photos 1 and 2 in the Planning Statement) and a short fence off the south-east corner of the house (see Photos 5, 6, 7 and 8 in the Planning Statement). The LPG cylinder storage box follows the shape of the pre-existing retaining wall between House 16 and 15. Its dimensions are: Height – 95cm; width – 1.26m; and, depth – 54cm (~0.65m³), marginally different from the Buildings Department suggested dimensions of: 1.2m (height); 1m (width) and 40cm (depth) (~.48 m³). The representatives of the Buildings Department with whom I spoke said they had no objection to the fence that is formed by the current structure above the retaining wall in this location (for safety reasons due to the 1.2 metre drop) and the only issue may be with the dimensions of the LPG cabinet itself. I am in discussions with the Buildings Department about whether the LPG cabinet meets the criteria of a Green and Amenity Facility under their guidelines and modifications will be made if deemed necessary. The fence at the south-east corner of the house replaced a pre-existing steel fence that protected from the potentially dangerous drop in the formation level of the sites between House 16 and 15 of approximately 1.2 metres.
7. Further to our discussion, and as noted in clause 9.8 of the Planning Statement, all of the mature trees that were included in STT 751 and in the previous application in 2024 will now be outside of the

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proposed boundary. As such, there would be no tree felling as a result of this temporary private garden. All of the current proposed site area is covered either by pre-existing concrete areas or pre-existing green areas, the latter of which requires no clearance of vegetation.

8. A fence or wall will be erected around the proposed boundary if the site for the temporary private garden is approved.
9. As a result of the reduction in the proposed site size from 207m² to 177m², the figures in the Application have been revised accordingly. Attached to this email are the revised pages 2, 6, 12 and 13 of the Application. At this point, I have amended the figures by hand and initialled each amendment. Please let me know if you need me to go into the EPASS system and amend the Application online or if the attached will suffice.
10. I have also amended by hand the relevant pages of the Planning Statement affected by the change in the proposed site size from 207m² to 177m². Attached to this email are the revised pages 21, 22, 25, 27, 31 and 39 of the Planning Statement. (Page 27 was amended to correct the measurement of the width of the LGP cylinder storage box from 135cm to 126cm). At this point, I have amended the figures by hand and initialled each amendment. Please let me know if you need me to go into the EPASS system and amend the Planning Statement online or if the attached will suffice.

Please let me know if you have any more questions and comments and if you require any further information or clarification before submitting the application to the Town Planning Board.

Best regards

Jim

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Charlotte Tsz Wing WUN/PLAND

寄件者: [REDACTED]
寄件日期: 2026年01月19日星期一 20:53
收件者: [REDACTED]
主旨: RE: Planning Application-Ref. 20251126OJN-16 Pak Tam Au
附件: 20251126OJN-SitePlan-177m2-LPG added-2026-01-19.pdf; Application-amended pages-2,6,12,13-2026-01-18-v.2.pdf; Planning Statement-amended pages-21,22,25,27,31,39-2026-01-18-v.2.pdf

類別: Internet Email

Dear Iris and Charlotte

Further to my email below and the later phone call from Iris, I attach the following:

1. An amended site plan showing the location of the LPG cylinder storage box.
2. As a result of the inclusion of the LPG cylinder storage box, I have amended by hand the figures in the Application. Attached to this email are the revised pages 2, 6, 12 and 13 of the Application.
3. I have also amended by hand the relevant pages of the Planning Statement affected by the inclusion of the LPG cylinder storage box. Attached to this email are the revised pages 21, 22, 25, 27, 31 and 39 of the Planning Statement.
4. As discussed, I prefer to leave the wording “fence or wall” to allow some flexibility in enclosing different areas of the boundary.
5. I understand from the telephone call that you have calculated the size of the site to be slightly in excess of 177 m² but within your tolerance of 5%. As such, I prefer to not make any amendments to my application or Planning Statement.

Please let me know if you have any more questions and comments and if you require any further information or clarification before submitting the application to the Town Planning Board.

Best regards

Jim

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Charlotte Tsz Wing WUN/PLAND

寄件者: [REDACTED]
寄件日期: 2026年01月21日星期三 15:14
收件者: [REDACTED]
主旨: RE: Planning Application-Ref. 20251126OJN-16 Pak Tam Au
附件: 177m2-revised on 2026-01-15.pdf; Planning Statement-amended pages-21,22,25,27,31,39-2026-01-18.pdf; Application-amended pages-2,6,12,13-2026-01-18.pdf; Site Plan-177 m2-wo current LPG.pdf

重要性: 高

類別: Internet Email

Dear Iris and Charlotte

Further to my telephone to Charlotte a short while ago, I have had my meeting with the Buildings Department and made some decisions.

One decision that affects the Planning Application is that I now plan to remove the existing LPG Cylinder Storage Box and re-orient it along the front of the house so that it complies with the government's Green and Amenity Facilities in NTEH guidelines. Accordingly, I want to revert to the 15 m² of GFA and remove the 0.68 m² that represented the current LPG Cylinder Storage Box. I will ask my contractor to ensure that the new structure will comply with the guidelines which specify that: it be affixed to the external wall; made of concrete or metal; size not exceeding 1.2m (in height) x 1m (in width); and, with a projection not exceeding 0.4m. For your reference, it will rotated 90 degrees so that the back of the storage container rests against the front wall of the house. I have not been able to get ahold of the architect assistant who is helping with the drawings, so the revised structure does not show at all on the Site Plan. For your reference only, I have drawn it by hand on a separate version of the site plan, but I prefer to submit the Site Plan without my hand revisions.

Accordingly, I enclose the following:

1. The previous version of the Site Plan at 177 m² before the current LPG Cylinder Storage Unit was added to the Site Plan the GFA.
2. With reference to Clause 8.2.5 of the Planning Statement, I confirm my intention to remove and replace the current LPG Cylinder Storage Unit and replace it with one that complies with the Guidelines, as noted above.
3. As a result of the exclusion of the LPG cylinder storage box, I have reverted to the previous version of the Application. Attached to this email are the previous pages 2, 6, 12 and 13 of the Application.
4. I have also reverted to the previous amendments to the relevant pages of the Planning Statement affected by the exclusion of the current LPG cylinder storage box. Attached to this email are the previous pages 21, 22, 25, 27, 31 and 39 of the Planning Statement.

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Please let me know if you have any more questions and comments and if you require any further information or clarification before submitting the application to the Town Planning Board.

Best regards

Jim

| | | |
|---------------------------------|-------------------------|--|
| For Official Use Only 請勿填寫此欄 | Application No. 申請編號 | |
| | Date Received 收到日期 | |

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.tpb.gov.hk/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.tpb.gov.hk/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處(熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

| |
|--------------------------------------|
| 1. Name of Applicant 申請人姓名/名稱 |
| Stewart James Herbert (Mr. 先生) |

| |
|--|
| 2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用) |
| |

| | |
|--|--|
| 3. Application Site 申請地點 | |
| (a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用) | Government Land Adjoining Lot No. 369 in D.D. 255 |
| (b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積 | <input checked="" type="checkbox"/> Site area 地盤面積 207 177 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 15 sq.m 平方米 <input checked="" type="checkbox"/> About 約 |
| (c) Area of Government land included (if any) 所包括的政府土地面積 (倘有) | 207 177 sq.m 平方米 <input type="checkbox"/> About 約 |

(c) Development Schedule 發展細節表

| | | | |
|---|--------------------|------|---|
| Proposed uncovered land area 擬議露天土地面積 | 192 162 | sq.m | <input checked="" type="checkbox"/> About 約 |
| Proposed covered land area 擬議有上蓋土地面積 | 15 | sq.m | <input checked="" type="checkbox"/> About 約 |
| Proposed number of buildings/structures 擬議建築物/構築物數目 | 2 | | |
| Proposed domestic floor area 擬議住用樓面面積 | | sq.m | <input type="checkbox"/> About 約 |
| Proposed non-domestic floor area 擬議非住用樓面面積 | 15 | sq.m | <input checked="" type="checkbox"/> About 約 |
| Proposed gross floor area 擬議總樓面面積 | 15 | sq.m | <input checked="" type="checkbox"/> About 約 |

Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足, 請另頁說明)

Prefabricated Storage Sheds (Garden Sheds) - Please see the attached Planning Statement

Proposed number of car parking spaces by types 不同種類停車位的擬議數目

| | |
|---|-------|
| Private Car Parking Spaces 私家車車位 | ----- |
| Motorcycle Parking Spaces 電單車車位 | ----- |
| Light Goods Vehicle Parking Spaces 輕型貨車泊車位 | ----- |
| Medium Goods Vehicle Parking Spaces 中型貨車泊車位 | ----- |
| Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 | ----- |
| Others (Please Specify) 其他 (請列明) | ----- |

Proposed number of loading/unloading spaces 上落客貨車位的擬議數目

| | |
|------------------------------------|-------|
| Taxi Spaces 的士車位 | ----- |
| Coach Spaces 旅遊巴車位 | ----- |
| Light Goods Vehicle Spaces 輕型貨車車位 | ----- |
| Medium Goods Vehicle Spaces 中型貨車車位 | ----- |
| Heavy Goods Vehicle Spaces 重型貨車車位 | ----- |
| Others (Please Specify) 其他 (請列明) | ----- |

Proposed operating hours 擬議營運時間

n/a

(d) Any vehicular access to the site/subject building?
是否有車路通往地盤/
有關建築物?

Yes 是

There is an existing access. (please indicate the street name, where appropriate)
有一條現有車路。(請註明車路名稱(如適用))

Pak Tam Au Village Access Road

There is a proposed access. (please illustrate on plan and specify the width)
有一條擬議車路。(請在圖則顯示, 並註明車路的闊度)

No 否

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will also be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)
(請盡量以英文及中文填寫。此部分會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

| | | | |
|--|---|---|---|
| Application No. 申請編號 | (For Official Use Only) (請勿填寫此欄) | | |
| Location/address 位置/地址 | Government Land Adjoining Lot No. 369 in D.D. 255 | | |
| Site area 地盤面積 | 207 sq. m 平方米 <input checked="" type="checkbox"/> About 約 177 (includes Government land of 包括政府土地 177 207 sq. m 平方米 <input type="checkbox"/> About 約) | | |
| Plan 圖則 | To Kwa Peng and Pak Tam Au Outline Zoning Plan Number S/NE-TKP/2 | | |
| Zoning 地帶 | Village Type Development | | |
| Type of Application 申請類別 | <input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 3 _____ <input type="checkbox"/> Month(s) 月 _____ <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____ | | |
| Applied use/ development 申請用途/發展 | Temporary Private Garden Please see the attached Planning Statement for more details. | | |
| (i) Gross floor area and/or plot ratio 總樓面面積及/或地積比率 | | sq.m 平方米 | Plot Ratio 地積比率 |
| | Domestic 住用 | <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於 | <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於 |
| | Non-domestic 非住用 | 15 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於 | <input checked="" type="checkbox"/> About 約 0.068 <input type="checkbox"/> Not more than 不多於 |

| | | |
|--|---|---|
| (ii) No. of blocks 幢數 | Domestic 住用 | |
| | Non-domestic 非住用 | 2 |
| (iii) Building height/No. of storeys 建築物高度/層數 | Domestic 住用 | m 米 <input type="checkbox"/> (Not more than 不多於) Storeys(s) 層 |
| | | <input type="checkbox"/> (Not more than 不多於) |
| | Non-domestic 非住用 | 2 m 米 <input checked="" type="checkbox"/> (Not more than 不多於) |
| | | 1 Storeys(s) 層 <input checked="" type="checkbox"/> (Not more than 不多於) |
| (iv) Site coverage 上蓋面積 | 8.5 8 % <input checked="" type="checkbox"/> About 約 | |
| (v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目 | Total no. of vehicle parking spaces 停車位總數 _____ | |
| | Private Car Parking Spaces 私家車車位 _____ | Motorcycle Parking Spaces 電單車車位 _____ |
| | Light Goods Vehicle Parking Spaces 輕型貨車泊車位 _____ | Medium Goods Vehicle Parking Spaces 中型貨車泊車位 _____ |
| | Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 _____ | Others (Please Specify) 其他 (請列明) _____ |
| | Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位/停車處總數 _____ | |
| | Taxi Spaces 的士車位 _____ | Coach Spaces 旅遊巴車位 _____ |
| | Light Goods Vehicle Spaces 輕型貨車車位 _____ | Medium Goods Vehicle Spaces 中型貨車車位 _____ |
| | Heavy Goods Vehicle Spaces 重型貨車車位 _____ | Others (Please Specify) 其他 (請列明) _____ |

The Applicant believes that this new proposal is a material modification of the proposal in 2024 and addresses all of the concerns of the TPB as well as all other government agencies that provided comments on the original proposal. **This modified Section 16 application seeks to address the concerns of various government agencies by, inter alia, significantly reducing the area of the proposed STT from 326 m² to 207 m², by reducing the covered area from about 67 m² to about 15 m² and by eliminating the request for car parks inside the proposed Site area.**

6. Land Administration

- 6.1 The temporary private garden is proposed for ¹⁷⁷~~207~~ m² of Government Land adjoining Lot No.369 in D.D.255 Pak Tam Au, Tai Po, New Territories.
- 6.4 The former STT No. 751 was terminated in 2014 by the tenant for physical and financial reasons and, solely because of the voluntary termination of the former STT, the DLO has confirmed that a transfer of the previous STT No. 751 will not be considered by the DLO. It was quite clear from various discussions with representatives of the Lands Department that if the previous STT had not be voluntarily terminated by the previous tenant, that a new STT would almost assuredly have been granted to the Applicant without material change – i.e. at the former size of 380 m².

7. The Proposed Scheme

- 7.1 The Proposed Scheme is for a garden of ¹⁷⁷207 m² as shown on **Figure 3** below and approximately indicated in **Photos 1-10** above. The garden would be for the sole use of the Applicant.

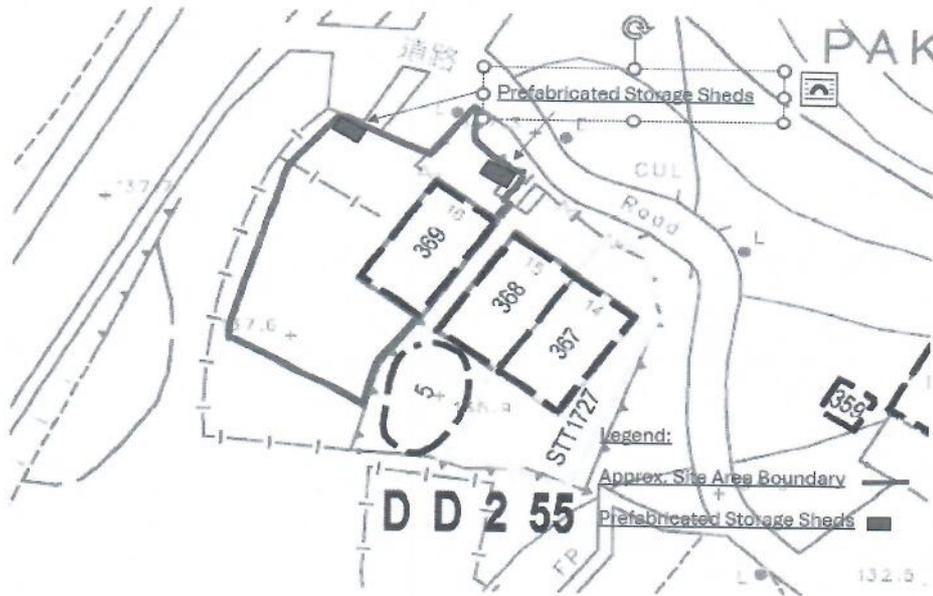


Figure 3: Boundary plan of the proposed temporary private garden, also showing the proposed location of two prefabricated storage sheds.

- 7.2 The plan in Figure 3 also shows the location of two prefabricated storage sheds covering approximately 15 m² in total and with an approximate height of 2.0 m. There is currently no provision for any canopies on the house. However, if any are added at a later date, they will be retractable canopies that comply with the Buildings Department green amenity provisions for NTEH / Small Houses.
- 7.3 A simple breakdown of the different areas shown in **Figure 3** is:

| | |
|-----------------------------|---|
| Garden Area | ¹⁶² 162 m ² |
| Prefabricated Storage Sheds | 15 m ² (Height around 2.0 m) |
| TOTAL Area: | ¹⁷⁷ 177 m ² |

requiring planning permission, there have been many renewals of STT sites (reviewed approximately every five years) and many transfers of STT sites well in excess of 180 m² upon the sale of properties from an original owner/STT tenant to a new owner/STT tenant. Such renewals or transfers are negotiated and unilaterally approved, without obligation to do so, by the Lands Department. In fact, the Applicant was party to such a transfer of STT 1727 adjoining the property at Lot No. 367 in D.D. 255, namely 14 Pak Tam Au, which was transferred from the estate of the former owner to the Applicant as confirmed in a letter from LandsD dated 30 May 2016. In that case, the site area was 122 m². Such transfers were made at the sole discretion of the LandsD which, under the STT agreements, had the power to terminate the tenancy on one month's notice upon the transfer of ownership on the adjoining property. It was quite clear from various discussions with representatives of the Lands Department that if the previous STT No. 751 had not be voluntarily terminated by the previous tenant, that a new STT would almost assuredly have been granted to the Applicant without material change – i.e. at the former size of 380 m².

Attached as Appendix A to this Planning Statement is a partial list of STT sites in the Sai Kung and Tai Po districts that have been renewed (normally on a five-year basis resulting in an increase in the rental rate) and/or effectively transferred (under a new STT number) to a new property owner/STT tenant. The list shows a sample of 40 STT renewals or transfers from 2019 to 2025 and ranging in size from 4,040 m² down to 48 m². Of the renewals or transfers on this sample list, ~~17~~²¹ are for STT sites greater than the current application size of ~~207~~¹³⁷ m². For reference, included on the list is SX1144 for 1015 m² which I believe may be in the process of being transferred following a sale of the adjoining property. Also included on the list is STTTP0128 for 132 m² which is the STT that replaced STT 1727 on the property at 14 Pak Tam Au that previously was for 122 m².

Secondly, the response suggests that a more efficient use of government land resources should be considered as an alternative to the proposed private garden. In this regard, it should be noted that the subject land has been used as a private garden since 1990 when the original STT was granted. This use only came after the existing structure was erected on Lot No. 369 in D.D. 255 and presumably the land lay vacant before that time. The response implies that a more efficient use for the land exists, but arguably, the only potential use for the land would be to build additional NTEH Small houses, but as noted above, that would not be allowed because ***the site was located within the Upper Indirect Water Gathering Grounds where public sewer was not available.*** Arguably, there is no other more efficient use of the government land for the Planning Department to consider. Furthermore, if in the future some

structure near the site was the house built on Lot 369 in D.D. 255 in 1990, before STT 751 was granted, and there were no outstanding LandsD letters issued in respect thereto.

- 8.2.3 The second comment included in the Appendix suggested that the applicant shall apply for an STT, which was irrelevant since it was established that it was instead necessary to apply for planning permission before applying for an STT.
- 8.2.4 The third comment stated that “there are unauthorized structures on the adjoining private Lot 369 in D.D. 255”. This comment presumably related to the renovated house and not the previous structure. In this regard, apparently following one of many complaints believed to have been initiated by the owner of the property at 15 Pak Tam Au (Lot 368 in D.D. 255), LandsD inspected Lot 369 and issued a letter dated 27 March 2025 to the Applicant.
- 8.2.5 With reference to the letter, the unspecified “unauthorized structures extended from the G/F” apparently refers to a short brick fence that was erected in place of a pre-existing steel fence and also a cabinet for holding two LPG gas tanks. The old and new fence were in place for safety reasons along the 1.2 metre drop from the property level of 16 Pak Tam Au to the property level of 15 Pak Tam Au and to provide privacy between the neighbors. The other structure referenced by the LandsD personnel to the Applicant was a cabinet holding two LPG gas tanks at the front of the house that is approximately ~~135~~¹²⁵ cm wide instead of only 100 cm wide. If the STT is granted, this fence and this cabinet would both be entirely within the STT site area applied for.
- 8.2.6 The other items mentioned in the letter from LandsD included: a “parapet or railing exceeding 1.22 metres in height on the outer edges on the balcony” on the first and second floors. These parapets or railings were built slightly higher than specified only on the east side facing the contiguous property at 15 Pak Tam Au to provide some privacy from a difficult and nosey neighbour and her cameras. These balconies are not enclosed and are outside bedrooms and the slightly higher railings on the east side only made it more difficult for the neighbour to view inside the rooms from her property.
- 8.2.7 The letter also referred to the “balcony at the Rooftop” which is in the process of being rectified following a letter dated 5 December 2025 received from the Buildings Department in which this was also mentioned. Discussions with the Buildings Department are underway and this issue and others raised by the Buildings Department in their letter are expected to be rectified and/or cleared with the Buildings Department soon.

9. Planning Assessment and Justification

Previous STT on the Application Site

- 9.1 Between 1990 and 2014 there was an STT (STT No. 751) on the same site. However, the previous STT covered a much larger area of 380 m² and the current application is only 207 m². Since the previous STT was terminated by the tenant in 2014 there has been no alternative use for the site. There does not appear to be any plan to use the Application Site for any other purpose in the foreseeable future.

Application Site Located Outside of Village Environs Boundary Plan

- 9.2 As the Land in the Application Site is all Government Land located outside of the Recognised Village Environs Boundary Plan (see **Figure 4**) it is unlikely that it will or ever could be used for NTEH Village Houses. We believe this area was likely excluded because it was not suitable for any additional NTEH Village Houses because it has limited access and borders on a steep slope down to Pak Tam Road. Also, as noted above, no NTEH / Small House would ever be allowed to be built on the property due to the sewage disposal issue since the site is located in a water gathering ground (WGG).

The “Village” Zone has Plenty of More Appropriate Land for Development

- 9.3 The Pak Tam Au “Village” zone is a large area, see **Figure 5**. There is plenty of land which is within both the “Village” zone and also the Recognised Village Environs Boundary for future expansion of the village. A substantial amount of land is flat grassland that would be much easier to develop additional NTEH village houses than the proposed Application Site, see **Figure 6 and Photos 11 and 12**.

2012 Applications for Village Houses in Pak Tam Au were Rejected by the TPB

- 9.4 As outlined in paragraphs 5.1. above, there were a number of applications for NTEH made in Pak Tam Au in 2012 (numbers A/DPA/NE-TKP/7, 8, 9, 10, 11 and 13) which were all rejected. The primary reason for the rejections was that the proposals involved the development of multiple NTEH village houses and that public sewer was not available and further that “the applicant failed to demonstrate that the proposal would not cause adverse water quality impact on the area”. **As noted above, the reasons for rejection in the above applications are not applicable to the application in 2024 by this applicant or this current application.** This application does not include any development therefore there would be no adverse impact on the water quality as a result of this private garden.

The uses under application are either always permitted under the relevant OZP or in respect of which an application can be made to the TPB.

This S.16 application is to satisfy this point.

The STT is for a Temporary Use that can be cancelled at any time

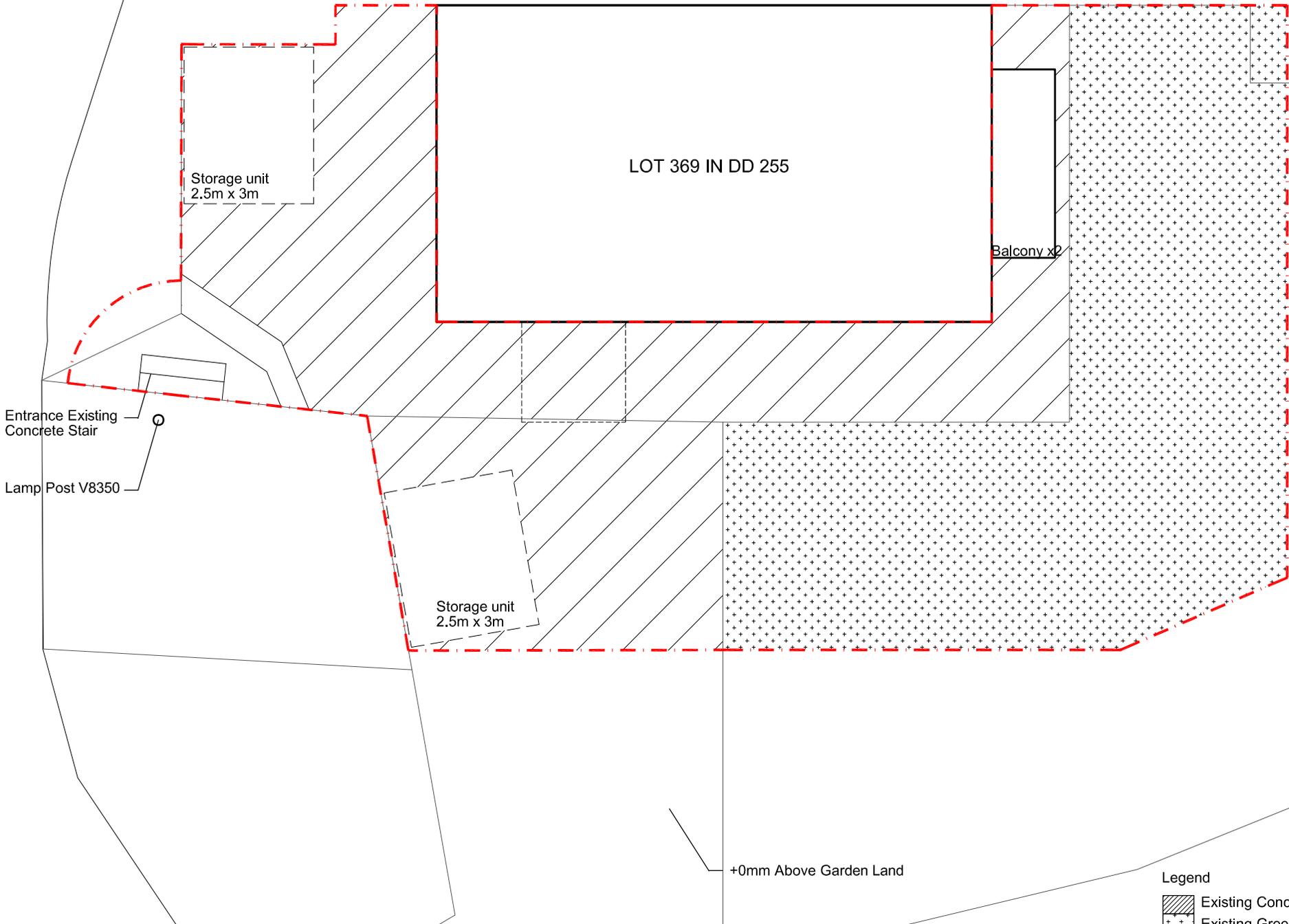
- 9.12 The STT is for a temporary use that can be cancelled at any time should another use arise.

Application Site is Considerably Smaller than the Previous STT

- 9.13 The Application Site is less than half the size of the previous STT (STT No. 751) which encompassed 380 m² and is considerably smaller than the previous submission from this Applicant which was for 326 m². The current area of ~~207~~¹⁷⁷ m² is within the size of several other private gardens approved by the government in the past five years. As such, the proposed temporary private garden would not appear to be excessive.

10. Conclusion

- 10.1 This application is effectively the rejuvenation of the previous STT that was in effect since 1990, but for a significantly smaller area. Except for the fact that the previous owner of Lot No. 369 in D.D. 255 voluntarily terminated the former STT 751 for physical and financial reasons in 2014, it is highly likely that the entire area of the previous STT would have been approved as a new STT for the Applicant by the Lands Department. It is hoped that the Town Planning Board will consider this amended application for a temporary private garden favourably.



Legend

-  Existing Concrete Area
-  Existing Green Area

NEW STT TOTAL : 177 m²



For reference only - not submission

Proposed revised location
of LPG Cylinder Storage Box
- complying w. Green & Amenity
Facility guidelines.
LOT 369 IN DD 255

Storage unit
2.5m x 3m

Balcony x2

Entrance Existing
Concrete Stair

Lamp Post V8350

Storage unit
2.5m x 3m

+0mm Above Garden Land

Legend

-  Existing Concrete Area
-  Existing Green Area

NEW STT TOTAL : 177 m²

