

Form No. S16-III  
表格第 S16-III 號

APPLICATION FOR PERMISSION  
UNDER SECTION 16 OF  
THE TOWN PLANNING ORDINANCE  
(CAP.131)

2023年4月27日收到。城市規劃委員會  
此文件在 4月27日 收到。城市規劃委員會  
只會在收到所有必要的資料及文件後才正式確認收到  
申請的日期。

This document is received on 27 APR 2023  
The Town Planning Board will formally acknowledge  
the date of receipt of the application only upon receipt  
of all the required information and documents.

根據《城市規劃條例》(第131章)  
第16條遞交的許可申請

**Applicable to Proposal Only Involving Temporary Use/Development of  
Land and/or Building Not Exceeding 3 Years in Rural Areas or Renewal  
of Permission for such Temporary Use or Development\***

**適用於祇涉及位於鄉郊地區土地上及/或建築物內進行為期不超過三年的  
的臨時用途/發展或該等臨時用途/發展的許可續期的建議\***

\*Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.

\*其他土地上及/或建築物內的臨時用途/發展 (例如位於市區內的臨時用途或發展) 及有關該等臨時用途/發展的許可續期，應使用表格第 S16-I 號。

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:  
[https://www.info.gov.hk/tpb/en/plan\\_application/apply.html](https://www.info.gov.hk/tpb/en/plan_application/apply.html)

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：  
[https://www.info.gov.hk/tpb/tc/plan\\_application/apply.html](https://www.info.gov.hk/tpb/tc/plan_application/apply.html)

**General Note and Annotation for the Form**

**填寫表格的一般指引及註解**

# "Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made

「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/SK-HC/344
	Date Received 收到日期	27 APR 2023

- 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.info.gov.hk/tpb/>. 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.info.gov.hk/tpb/>), 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

( ☐ Mr. 先生 / ☐ Mrs. 夫人 / ☒ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構 )

KONG Ka Toon 江嘉歡

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

( ☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構 )

NA

## 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)lot 2063 (Part) in D.D. 244 and adjoining Government land, Ho Chung New Village, Sri Kung, N.T.  
西貢曠神新村丈量約份第 244 約地段第 2063 號 (部份) 及毗連政府土地(b) Site area and/or gross floor area involved  
涉及的地盤面積及/或總樓面面積☒ Site area 地盤面積 ..... 36 ..... sq.m 平方米 ☒ About 約  
☐ Gross floor area 總樓面面積 ..... sq.m 平方米 ☐ About 約(c) Area of Government land included (if any)  
所包括的政府土地面積 (倘有)..... 31 ..... sq.m 平方米 ☒ About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	塘鄉分區計劃大綱核准圖 S/SK-HC/11
(e) Land use zone(s) involved 涉及的土地用途地帶	鄉村式發展及道路
(f) Current use(s) 現時用途	私家花園  (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

#### 4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 -

- ☒ is the sole "current land owner"<sup>#&</sup> (please proceed to Part 6 and attach documentary proof of ownership).  
是唯一的「現行土地擁有人」<sup>#&</sup> (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"<sup>#&</sup> (please attach documentary proof of ownership).  
是其中一名「現行土地擁有人」<sup>#&</sup> (請夾附業權證明文件)。
- ☐ is not a "current land owner"<sup>#</sup>.  
並不是「現行土地擁有人」<sup>#</sup>。

- ☐ The application site is entirely on Government land (please proceed to Part 6).  
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

#### 5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述 NA

- (a) According to the record(s) of the Land Registry as at ..... (DD/MM/YYYY), this application involves a total of ..... "current land owner(s)"<sup>#</sup>.  
根據土地註冊處截至 ..... 年 ..... 月 ..... 日的記錄，這宗申請共牽涉 ..... 名「現行土地擁有人」<sup>#</sup>。

(b) The applicant 申請人 --

- ☐ has obtained consent(s) of ..... "current land owner(s)"<sup>#</sup>.  
已取得 ..... 名「現行土地擁有人」<sup>#</sup>的同意。

Details of consent of "current land owner(s)" <sup>#</sup> obtained 取得「現行土地擁有人」 <sup>#</sup> 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified ..... "current land owner(s)"#  
已通知 ..... 名「現行土地擁有人」#。

Details of the "current land owner(s)"# notified 已獲通知「現行土地擁有人」#的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):  
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on \_\_\_\_\_ (DD/MM/YYYY)#&  
於 \_\_\_\_\_ (日/月/年)向每一名「現行土地擁有人」#郵遞要求同意書&

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on \_\_\_\_\_ (DD/MM/YYYY)&  
於 \_\_\_\_\_ (日/月/年)在指定報章就申請刊登一次通知&
- ☐ posted notice in a prominent position on or near application site/premises on \_\_\_\_\_ (DD/MM/YYYY)&  
於 \_\_\_\_\_ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知&
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on \_\_\_\_\_ (DD/MM/YYYY)&  
於 \_\_\_\_\_ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會&

Others 其他

- ☐ others (please specify)  
其他（請指明）

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Note: May insert more than one 「✓」.  
Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註: 可在多於一個方格內加上「✓」號  
申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

<b>6. Type(s) of Application 申請類別</b>	
<b>(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas</b> <b>位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展</b> <b>(For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B))</b> <b>(如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)</b>	
(a) Proposed use(s)/development 擬議用途/發展	(Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期	<input type="checkbox"/> year(s) 年 ..... <input type="checkbox"/> month(s) 個月 .....
<b>(c) Development Schedule 發展細節表</b>	
Proposed uncovered land area 擬議露天土地面積	.....sq.m <input type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	.....sq.m <input type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	.....
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	.....sq.m <input type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	.....sq.m <input 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)	
..... ..... ..... .....	
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			
<p>.....</p> <p>.....</p>			
<p>(d) Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？</p>	Yes 是	<input type="checkbox"/> 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))	
	No 否	<input type="checkbox"/> 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)  <input type="checkbox"/>	
<p>(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。)</p>			
<p>(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動？</p>	Yes 是	<input type="checkbox"/> Please provide details 請提供詳情 <p>.....</p> <p>.....</p> <p>.....</p>	
	No 否	<input type="checkbox"/>	
<p>(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程？</p>	Yes 是	<input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及／或範圍)  <input type="checkbox"/> Diversion of stream 河道改道  <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 ..... m 米 <input type="checkbox"/> About 約  <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 ..... m 米 <input type="checkbox"/> About 約  <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 ..... m 米 <input type="checkbox"/> About 約	
	No 否	<input type="checkbox"/>	
<p>(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響？</p>	<p>On environment 對環境 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/></p> <p>On traffic 對交通 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/></p> <p>On water supply 對供水 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/></p> <p>On drainage 對排水 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/></p> <p>On slopes 對斜坡 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/></p> <p>Affected by slopes 受斜坡影響 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/></p> <p>Landscape Impact 構成景觀影響 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/></p> <p>Tree Felling 砍伐樹木 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/></p> <p>Visual Impact 構成視覺影響 Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/></p> <p>Others (Please Specify) 其他 (請列明) Yes 會 <input type="checkbox"/> No 不會 <input type="checkbox"/></p> <p>.....</p> <p>.....</p>		

	Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)
.....	
.....	
.....	
.....	
.....	

<b>(B) Renewal of Permission for Temporary Use or Development in Rural Areas</b> 位於鄉郊地區臨時用途/發展的許可續期	
(a) Application number to which the permission relates 與許可有關的申請編號	A/ SK-HC 139
(b) Date of approval 獲批給許可的日期	21/08/2020 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	21/08/2023 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	Temporary Private Garden for a period of 3 Years
(e) Approval conditions 附帶條件	<input checked="" type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件  <input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件  <input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件：  Reason(s) for non-compliance: 仍未履行的原因：  (Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)
(f) Renewal period sought 要求的續期期間	<input checked="" type="checkbox"/> year(s) 年 ..... 3 ..... <input type="checkbox"/> month(s) 個月 .....

**7. Justifications 理由**

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.  
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

請參考附頁及圖



敬啟者：

物業地址：西貢蠔涌新村26號屋地下

本人有意於本人物業毗連之政府土地申請短期租約作私家花園用途。

該花園用地範圍在本人購買有關物業時與現時模樣從沒改變，跟據下圖所示，花園圍欄位置與屋前比鄰高圍牆是一致的，此外花園用地外圍為泊車場，有關花園圍欄主要用作保安及防止車輛意外傷給家人用途；基於申請範圍所涉及該小部份位置理應不會對他人構成重大不便，現希望貴署能體諒及繼續批准更改有關位置作為私家花園用途。



攝於2023年4月8日

貴署的早日回覆本人深表謝意並可儘快解決有關問題。

**8. Declaration 聲明**

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.  
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.  
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature  
簽署

☒ Applicant 申請人 / ☐ Authorised Agent 獲授權代理人

.....  
.....

Name in Block Letters  
姓名（請以正楷填寫）

Position (if applicable)  
職位（如適用）

Professional Qualification(s)  
專業資格

☐ Member 會員 / ☐ Fellow of 資深會員

☐ HKIP 香港規劃師學會 /

☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 /

☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 /

☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他 .....

on behalf of  
代表

☐ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

..... 8 April 2023 ..... (DD/MM/YYYY 日/月/年)

**Remark 備註**

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

**Warning 警告**

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

**Statement on Personal Data 個人資料的聲明**

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and  
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及  
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.  
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

# Location Plan

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蠔涌新村  
HO CHUNG  
NEW VILLAGE

WIP Jan 2012

工廠  
Factory

## Legend/圖例



續期申請作臨時私家花園用途範圍

**Relevant Extracts of the Town Planning Board Guidelines on  
“Renewal of Planning Approval and Extension of Time for Compliance with Planning  
Conditions for Temporary Use or Development”  
(TPB PG-No. 34D)**

1. The criteria for assessing applications for renewal of planning approval include:
  - (a) whether there has been any material change in planning circumstance since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
  - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
  - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
  - (d) whether the approval period sought is reasonable; and
  - (e) any other relevant considerations.
2. Under normal circumstances, the approval period for renewal should not be longer than the original validity period of the temporary approval. In general, the Board is unlikely to grant an approval period exceeding three years unless there are strong justifications and the period is allowed for under the relevant statutory plans. Depending on the circumstances of each case, the Board could determine the appropriate approval period, which may be shorter than the time under request.

**Previous Applications**

<b>Application No.</b>	<b>Location</b>	<b>Zoning</b>	<b>Date of Consideration</b>	<b>Decision of the RNTPC</b>	<b>Approval Conditions/ Reasons for Rejection</b>
A/SK-HC/213 Temporary Private Garden for 3 Years	Lot 2063 (Part) in D.D. 244 and adjoining Government Land, Ho Chung New Village, Sai Kung, New Territories	“V” & area shown as ‘Road’	1.6.2012	Approved with condition	(a)
A/SK-HC/319 Temporary Private Garden for 3 Years	Lot 2063 (Part) in D.D. 244 and adjoining Government Land, Ho Chung New Village, Sai Kung, New Territories	“V” & area shown as ‘Road’	21.8.2020	Approved with condition	(a)

**Approval Condition:**

- (a) Upon the expiry of the planning permission, the reinstatement of the application site to an amenity area

**Appendix IV of RNTPC  
Paper No. A/SK-HC/334**

**Similar Applications**

<b>Application No.</b>	<b>Location</b>	<b>Zoning</b>	<b>Date of Consideration</b>	<b>Decision of the RNTPC</b>	<b>Approval Conditions/ Reasons for Rejection</b>
A/SK-HC/126 Temporary Private Garden for 3 Years	Lots 1074B (Part), 1067RP (Part) in D.D. 244 and adjoining Government Land (GL), Ho Chung New Village, Sai Kung	“V” & area shown as ‘Road’	17.2.2006	Approved with conditions	(a) & (b)
A/SK-HC/128 Temporary Private Garden for 3 Years	GL in D.D. 244, Ho Chung New Village, Sai Kung	“V” & area shown as ‘Road’	7.4.2006	Approved	Nil
A/SK-HC/152 Temporary Private Garden for 3 Years	Lots 718RP (Part), 718A (Part), 1070A2 (Part), 1070A3 (Part) in D.D. 244 and adjoining GL, Ho Chung New Village, Sai Kung	“V” & area shown as ‘Road’	2.11.2007	Approved	Nil
A/SK-HC/169 Renewal of Planning Application for Temporary ‘Private Garden’ under Application No. A/SK-HC/126 for 3 Years until 23.1.2012	Lots 1074 s.B (Part) and 1067 RP (Part) in D.D. 244 and adjoining GL, Ho Chung New Village, Sai Kung	“V” & area shown as ‘Road’	23.1.2009	Approved with conditions	(a), (c) & (d)
A/SK-HC/236 House (Private Garden Ancillary to New Territories Exempted House)	Lots No. 1074 S.B (Part) and 1067 R.P (Part) in D.D. 244 and adjoining Government Land	“V” & area shown as ‘Road’	17.10.2014	Rejected	(i) & (ii)

<b>Application No.</b>	<b>Location</b>	<b>Zoning</b>	<b>Date of Consideration</b>	<b>Decision of the RNTPC</b>	<b>Approval Conditions/ Reasons for Rejection</b>
A/SK-HC/239 House (Private Garden Ancillary to New Territories Exempted House) on a Temporary Basis for 3 Years	Lots 1074 S.B (Part) and 1067 R.P (Part) in D.D. 244 and adjoining GL, Ho Chung, Sai Kung	“V” & area shown as ‘Road’	16.1.2015	Approved with conditions	(e) & (f)
A/SK-HC/245 Temporary House (Private Garden Ancillary to New Territories Exempted House) for 3 Years	GL adjoining Lot 2072 in D.D. 244, Ho Chung New Village, Sai Kung	“V” & area shown as ‘Road’	7.8.2015	Approved with conditions	(e) & (f)
A/SK-HC/298 Temporary Private Garden for 3 Years	GL in D.D. 244, Ho Chung New Village, Sai Kung	“V” & area shown as ‘Road’	17.8.2018	Approved	Nil
A/SK-HC/320 Temporary Private Garden for 3 Years	Lots 1067 RP (Part) and 1074 S.B (Part) in D.D. 244 and adjoining Government Land, Ho Chung New Village, Sai Kung	“V” & area shown as ‘Road’	21.8.2020	Approved with conditions	(e)

**Approval Conditions:**

- Submission of tree preservation proposals
- Implementation of tree preservation proposals
- Existing trees on the application site and listed on the approved Tree Survey Report should be maintained at all time during the planning approval period
- No vehicular access or parking spaces should be provided within the private garden
- Upon the expiry of the planning permission, the reinstatement of the application site to an amenity area
- The submission and implementation of landscape proposal

**Reasons for Rejection:**

- Not in line with the planning intention of the application site which is mainly designated as ‘Road’
- Setting of an undesirable precedent

**Government Departments' General Comments**

**1. Land Administration**

Comments of the District Lands Officer/Sai Kung, Lands Department:

- no objection to the application;
- the application site (the Site) is the government land adjoining Lot No. 2063 in D.D. 244. The Site was granted by way of short term tenancy No. SX3226 for private garden excluding vehicle parking purpose which is still valid;
- there is no active project nor project under planning at the area concerned;
- the application will not affect any “means of access for passage of fire services (FS) appliances”/“emergency vehicular access” (“EVA”);
- the Site was not indicated in any “means of access for passage of FS appliances”/“EVA” clause in any of Building Licence of nearby affected village houses; and
- the adjoining house is a New Territories Exempted House.

**2. Traffic**

Comments of the Commissioner of Transport:

- no adverse comment on the application; and
- there are no planned road works at the Site.

Comments of Chief Highway Engineer/New Territories East, Highways Department:

- no record of any implementation programme for any planned road at the concerned location.

**3. Building Matters**

Comments of the Chief Building Surveyor/ New Territories 2 & Rail, Buildings Department:

- no comment under the Buildings Ordinance on the application noting that there are no proposed building works as shown on the information provided.



#### 4. **Other Departments**

The following government departments have no objection to or no comment on the application:

- District Officer(Sai Kung), Home Affairs Department;
- Chief Engineer/Construction, Water Supplies Department;
- Chief Engineer (Works), Home Affairs Department;
- Director of Fire Services;
- Director of Agriculture, Fisheries and Conservation;
- Project Manager (East), East Development Office, Civil Engineering and Development Department; and
- Director of Electronic and Mechanical Services.

**Recommended Advisory Clauses**

- (a) to note the comments of the Director of Environmental Protection that the applicant is advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses' issued by the Environmental Protection Department;
- (b) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department that adequate stormwater drainage collection and disposal facilities should be in place and properly maintained to deal with the surface runoff of the application site (the Site) or the same flowing onto the Site from the adjacent areas without causing any adverse drainage impacts or nuisance to the adjoining areas; and
- (c) to note the comments of the Chief Building Surveyor/ New Territories 2 & Rail, Buildings Department that granting of the planning approval should not be constructed as an acceptance of any existing building works, or unauthorised building works, if any, on the Site under the Buildings Ordinance.