

Your Ref.: A/NE-STK/25

Our Ref.: P13076/TL24270

28 May 2024

The Secretary
Town Planning Board
15/F., North Point Government Offices
333 Java Road, North Point, Hong Kong

By Post and Email:
tpbpd@pland.gov.hk

Dear Sir,

Submission of Further Information

S.16 Planning Application

Renewal of Planning Approval for

‘Temporary Public Vehicle Park (Coaches and Private Cars Only)’

for a Period of 3 Years

Lots 443 S.B RP (Part), 444 S.B RP (Part), 445 S.B RP (Part), 446 S.B RP (Part)

and 447 S.B RP (Part) in D.D. 41 and Adjoining Government Land,

Sha Tau Kok, New Territories

We would like to submit further information to respond to the comments from District Lands Officer/ North dated 24.5.2024.

We clarify that the existing run-in/out which was accepted in the previous planning application no. A/NE-STK/13 remains unchanged.

Yours faithfully,
For and on behalf of
Goldrich Planners & Surveyors Ltd.

Francis Lau

Encl.

Comments from District Lands Officer/ North dated 24.5.2024

	Comments	Responses
1.	The application site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. No right of access via Government land (GL) is granted to the application site.	Noted.
2.	Lot No. 447 SB RP in DD. 41 is covered by a Letter of Approval (LoA) No. 1064 for erection of temporary structures. This office reserves the rights to take enforcement action for irregularities and cancel the LoA as appropriate.	Noted.
3.	The application site are already being used for the uses under the application. Despite illegal occupation of GL had been stated in last planning application in May 2021, no rectification nor STT application had been received by this office since last planning approval in June 2021.	The applicant will apply to the Lands Department for a STT to regularize the occupation of Government Land.
4.	<p>I must point out that the following irregularity covered by the subject planning application has been detected by this office:</p> <p><u>Unlawful occupation of Government land adjoining the said private lots covered by the planning application.</u></p> <p>The GL within the application site (about 334 m² as mentioned in the application form) has been fenced off without any permission. Any occupation of GL 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>	For Government Land, please refer to response 3. above.
5.	The following irregularity not covered by the subject planning application has been detected by this office:	The applicant will identify the unauthorized structures and liaise the Lands Department on the scale of the unauthorized structure and the method to regularize the same.

	<p><u>Unauthorised structures within the said private lots not covered by the planning application</u></p> <p>There are unauthorised structures within Lot No. 447 SB RP in DD. 41 not covered by the subject planning application. The lot owners should immediately rectify the lease breaches and this office reserves the rights to take necessary lease enforcement action against the breaches without further notice.</p>	
6.	<p>The lot owners/applicant shall remove the unauthorised structure not covered by the subject planning application immediately and, subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification as aforesaid required, apply to this office for a Short Term Tenancy (STT) to permit the occupation of the Government land. The application for STT will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STT, if approved, will be subject to such terms and conditions including the payment of rent and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owners/applicant for any breach of the lease conditions, including the breaches already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of Government land.</p>	Please refer to responses 3. and 5.
7.	<p>Unless and until the unauthorised structures are duly rectified by the lot owners, please take it as this office's objection to the application which must be brought to the attention of the Town Planning Board when they consider the application.</p>	Please refer to response 5.