

Responses-to-Comments

Proposed Temporary Medium Goods Vehicle and Container Tractor / Trailer Park with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Various Lots in D.D. 84, Ta Kwu Ling, New Territories

(Application No. A/NE-TKL/755)

- (i) The original business premises in Kwu Tung (i.e. Application No. A/KTN/82) were resumed and reverted to the Government on 12 April 2024 under the Roads (Works, Use and Compensation) Ordinance (Chapter 370) – Resumption of Land for PWP Item No. 7828CL (Annex I).
- (ii) No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities will be carried out within the Site at any time during the planning approval period.
- (iii) A RtoC Table:

Departmental Comments		Applicant’s Responses
1. Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD)		
(a)	The application site comprises Old Schedule Agriculture Lots held under the Block Government Lease which contains the restrictions 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. The applicant will submit Short Term Waiver (STW) application to rectify the applied use erected on the concerned lots after planning approval has been obtained from the Town Planning Board (the Board). The unauthorised structures erected on the concerned lots will be demolished by the applicant after planning approval has been obtained from the Board to facilitate the proposed scheme.
(b)	I must point out that the following irregularities covered by the subject planning application have been detected by this office: <u>Unauthorised structures within the said private lot covered by the planning application</u> There is unauthorised structure on Lot No. 9 S.B in D.D.84. As access is not available, the above mentioned unauthorised structures may not be exhaustive. The lot owners should immediately rectify the lease breaches and this office reserves the right to take necessary lease enforcement action against the breaches without further notice.	

(c)	<p>The following irregularities <u>not</u> covered by the subject application have been detected by this office:</p> <p><u>Unauthorised structures within the said private lot not covered by the planning application</u></p> <p>There are unauthorised structures within Lot Nos. 9 S.A and 9 S.B in D.D. 84, which are not covered by the subject planning application but covered by another planning application (No. A/NE-TKL/757) referred to this office for comments on 3 May 2024. The access is also not available, the above mentioned unauthorised structure may not be exhaustive. The lot owner 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>	Noted.
(d)	<p>The STW application (if submitted) referred in para.5 below will be considered on Lot basis. There is no information provided to show the subject planning is related to planning application (No. A/NE-TKL/757) mentioned in para.3 above. The graphical division of the lot submitted in the 2 separate planning application may create complication to the STW application(s) and the Applicant should resolve the complication in submitting the STW application(s).</p>	The applicant will consult the applicant of planning application (No. A/NE-TKL/757) to resolve the complication in submitting the STW application(s) after planning approval has been obtained from the Board.
(e)	<p>The lot owners shall <u>either</u> (i) remove the unauthorised structures or provide any evidence for these are tolerated structures; <u>or</u> (ii) include the unauthorised structures in the subject planning application for the further consideration by the relevant departments <u>and</u>, subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to this office for an STW to permit the structures erected/to be erected. The applications for STW will be considered by the Government in</p>	Noted. The applicant will apply for relevant approval to rectify the applied use accordingly.

	<p>its capacity as a landlord and there is no guarantee that they will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee/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 for any breach of the lease conditions, including the breaches already in existence or to be detected at any point of time in future. Besides, given the proposed use is temporary in nature, only erection of temporary structures will be considered.</p>	
(f)	<p>The applicant should comply with all the land filling requirements imposed by relevant Government department. GL should not be disturbed unless with prior approval.</p>	<p>Noted. The applicant will comply with all the land filling requirements imposed by relevant Government department. No GL will be disturbed.</p>

ROADS (WORKS, USE AND COMPENSATION) ORDINANCE (Chapter 370)
(Notice under section 14)

RESUMPTION OF LAND FOR
PWP ITEM NO. 7828CL
REMAINING PHASE OF SITE FORMATION AND
ENGINEERING INFRASTRUCTURE WORKS
AT KWU TUNG NORTH NEW DEVELOPMENT AREA AND
FANLING NORTH NEW DEVELOPMENT AREA
KWU TUNG NORTH NEW DEVELOPMENT AREA
(ROAD WORKS)

TAKE NOTICE that under powers delegated by the Chief Executive of the Hong Kong Special Administrative Region, the Deputy Director/Specialist, Lands Department has made an order under section 13(1) of the Roads (Works, Use and Compensation) Ordinance (Chapter 370) (hereinafter referred to as ‘the Ordinance’) directing that all those pieces or parcels of land in the New Territories more particularly described below:—

Lots Nos. 4 (Portion), 6 RP (Portion) [formerly known as 6 (Portion)], 8 RP [formerly known as 8 (Portion)], 12 RP [formerly known as 12 (Portion)], 14 S.B [formerly known as 14 (Portion)], 16 S.A ss.2 (Portion), 16 S.A ss.3 (Portion), 16 S.A ss.5 (Portion), 16 S.A ss.6 (Portion), 16 S.A ss.7 (Portion), 16 S.A ss.14 (Portion), 16 S.A RP (Portion), 28 (Portion), 29 (Portion), 31 (Portion), 32 (Portion), 33 (Portion), 34 (Portion), 37 (Portion), 38 S.A (Portion), 38 S.B (Portion), 38 RP (Portion), 39 S.A (Portion) [formerly known as 39 (Portion)], 41 (Portion), 44 (Portion), 45 (Portion), 48 (Portion), 49 (Portion), 50 (Portion), 51, 52 (Portion), 53 (Portion), 54, 55 (Portion), 56, 57, 58 (Portion), 59 (Portion), 60 S.A, 60 RP, 61 (Portion), 62 (Portion), 65 (Portion), 66 (Portion), 81 (Portion), 82 (Portion), 83 (Portion), 84 (Portion), 85 (Portion), 86 (Portion), 87 (Portion), 88 (Portion), 89 (Portion), 90 (Portion), 91 (Portion), 93 S.A RP, 94 S.A RP (Portion), 95 S.A RP (Portion), 96 S.A (Portion), 98 RP (Portion), 99 (Portion), 100 S.A (Portion) [formerly known as 100 (Portion)], 102 (Portion), 104 (Portion), 106 (Portion), 107, 108, 109, 110, 111 S.A (Portion), 111 S.B (Portion), 111 RP (Portion), 112 (Portion), 113, 114, 115, 116, 117, 118 (Portion), 119 (Portion), 120, 122 (Portion), 123 (Portion), 124 (Portion), 132 (Portion), 133 (Portion), 134, 136, 137, 138, 139 (Portion), 145 (Portion), 150 (Portion), 151 (Portion), 152 (Portion), 153 (Portion), 154 (Portion), 161 (Portion), 163 (Portion), 164 S.A (Portion), 165 S.A, 172 (Portion), 195 S.A RP (Portion), 197 S.A (Portion), 198 RP (Portion), 201 S.A (Portion), 202, 203 (Portion), 204 (Portion), 205 (Portion), 207 (Portion), 208 S.A (Portion), 208 S.B (Portion), 208 RP (Portion), 222 S.A RP (Portion), 231 S.B RP (Portion), 233 S.A (Portion), 234 S.A ss.1 (Portion), 235 S.A ss.1 (Portion), 236 S.A RP (Portion), 237 S.B (Portion) [also known as 237B (Portion); and also known as 237 (Portion)], 238 (Portion), 240 (Portion), 241 (Portion), 245 (Portion), 247 (Portion), 249 (Portion), 252 (Portion), 253 (Portion), 255 (Portion), 256 (Portion), 259 (Portion), 260, 268 (Portion), 270 (Portion), 271 S.A ss.1, 271 S.A RP (Portion), 271B [also known as 271(B); and also known as 271 S.B], 272 (Portion), 276 (Portion), 279, 280 (Portion), 283 (Portion), 289 (Portion), 292 S.A (Portion), 292 RP (Portion), 306 (Portion), 308 (Portion), 328 RP (Portion), 329 (Portion), 335 S.A (Portion), 335 RP (Portion), 337 (Portion), 346 S.A (Portion), 346 S.B (Portion), 349 (Portion), 719 RP (Portion), 720 RP (Portion), 722 RP (Portion), 725 RP (Portion), 726 RP (Portion), 727 RP (Portion), 728 S.G ss.1 RP, 728 S.G RP (Portion), 740 RP (Portion), 741 (Portion), 742 S.A (Portion), 742 RP (Portion), 745 RP (Portion), 751 (Portion), 752 (Portion), 755 S.D (Portion), 755 RP (Portion), 757 RP (Portion), 759 S.A (Portion), 759 S.C (Portion), 759 RP (Portion), 761 S.A (Portion), 761 S.C (Portion), 762 S.C (Portion), 774 S.A (Portion), 776 S.A RP (Portion), 815 RP (Portion), 816 S.A ss.1 (Portion), 816 S.A RP (Portion), 820 RP (Portion), 821 RP (Portion), 822 S.B ss.3 (Portion), 822 S.B RP (Portion), 824 (Portion), 825 (Portion), 827 (Portion), 829 (Portion), 830 (Portion), 831 S.A (Portion), 831 S.B (Portion), 841 (Portion), 851 (Portion), 852 RP (Portion), 853 (Portion), 856 S.B [formerly known as 856 (Portion)], 866 RP [formerly known as 866 RP (Portion)], 868 RP [formerly known as 868 RP (Portion)], 869 RP [formerly known as 869 (Portion)], 870 RP [formerly known as 870 (Portion)], 872 S.B (Portion) [formerly known as 872 (Portion)], 873 RP (Portion) [formerly known as 873 (Portion)], 874 RP (Portion) [formerly known as 874 (Portion)], 875 (Portion), 876 (Portion), 877 (Portion), 878 (Portion), 879 (Portion), 887 (Portion), 888 RP (Portion), 889 (Portion), 890 (Portion), 891 (Portion), 892 (Portion), 893 (Portion), 910 RP

(Portion), 914 (Portion), 916 (Portion), 917 (Portion), 927 (Portion), 930 (Portion), 931 (Portion), 933 (Portion), 934 (Portion), 939 RP (Portion), 966 RP (Portion), 1004 RP (Portion) [formerly known as 1004 (Portion)], 1005 (Portion), 1007 RP (Portion) [formerly known as 1007 (Portion)], 1008 (Portion), 1009 RP (Portion) [formerly known as 1009 (Portion)], 1010 RP [formerly known as 1010 (Portion)], 1013 RP [formerly known as 1013 (Portion)], 1014 S.B [formerly known as 1014 (Portion)], 1015 S.B [formerly known as 1015 (Portion)], 1016 (Portion), 1017 (Portion), 1018 RP (Portion), 1019 (Portion), 1971 (Portion) and 1994 (Portion) all in Demarcation District No. 95; and

Lots Nos. 834 RP (Portion), 839 S.B (Portion), 839 S.C ss.1 (Portion), 839 S.C RP (Portion) and 839 RP (Portion) all in Demarcation District No. 96.

and shown coloured orange on the Resumption Plan No. DNM5321 and Modification Resumption Plan No. DNM5353 annexed to the said order, which land was described in the scheme referred to in Government Notice No. 5385 published on 30 September 2022 and 7 October 2022 and as modified by Government Notice No. 7828 published on 29 December 2023 and 5 January 2024, shall be resumed.

The electronic version of this notice and the aforesaid Resumption Plan and Modification Resumption Plan may be viewed on the Lands Department website (<https://www.landsd.gov.hk/en/resources/gov-notices/acq.html>) under Government Notices after this notice is published in the *Gazette*. A copy of the said order, a copy of this notice, and the aforesaid Resumption Plan and Modification Resumption Plan may be inspected by members of the public, free of charge, at the following offices during the following hours when those offices are normally open to the public:—

<i>Offices</i>	<i>Opening Hours (except on public holidays)</i>
Central and Western Home Affairs Enquiry Centre, Ground Floor, Harbour Building, 38 Pier Road, Central, Hong Kong	Monday to Friday 9.00 a.m. to 7.00 p.m.
North Home Affairs Enquiry Centre, Ground Floor, North District Government Offices, 3 Pik Fung Road, Fanling, New Territories	
District Lands Office, North, 6th Floor, North District Government Offices, 3 Pik Fung Road, Fanling, New Territories	Monday to Friday 8.45 a.m. to 12.30 p.m. and 1.30 p.m. to 5.30 p.m.
District Lands Office, Yuen Long, 9th Floor, Yuen Long Government Offices, 2 Kiu Lok Square, Yuen Long, New Territories	

This notice was affixed on or near the said land on 11 January 2024.

The Deputy Director/Specialist, Lands Department has under section 13(2) of the Ordinance specified a period of notice of THREE MONTHS from the date upon which this notice was affixed on or near the said land.

It is hereby declared that upon expiry of that period at midnight on 11 April 2024, the land described above shall by virtue of section 13(3) of the Ordinance revert to the Government of the Hong Kong Special Administrative Region for the purposes of or incidental to the works or the use described in the said scheme. The date of reversion shall be 12 April 2024.

Any person entitled to compensation under the Ordinance may serve upon the Secretary for Transport and Logistics a written claim, which can be submitted *via* one of the following means, before the expiration of one year from the date of resumption:—

- (1) By post or by hand to the Transport and Logistics Bureau's Drop-in Box No. 6 located at the 2nd Floor Entrance, East Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong. The box is available for use between 8.00 a.m. and 7.00 p.m. from Monday to Friday (except public holidays);
- (2) By fax to (852) 2868 4643; or
- (3) By email to (gazettetlb@tlb.gov.hk).

Personal Information Collection Statement

Any information, including the personal data, submitted to the Secretary for Transport and Logistics in connection with any written claims served under section 29 of the Roads (Works, Use and Compensation) Ordinance (Chapter 370) will be used for the processing of the claims and other related purposes. The provision of the information, including the personal data, as required under section 29 of the Roads (Works, Use and Compensation) Ordinance (Chapter 370) is obligatory. If such information, including the personal data, as required under section 29 of the Roads (Works, Use and Compensation) Ordinance (Chapter 370) is not provided as requested, the claims may be rejected. Any information, including the personal data, so submitted may be disclosed to the relevant government departments and other organizations or agencies which are required to handle the claims and related matters. Persons who have so submitted their personal data have the rights to request access to and correction of their personal data in relation to their claims. Request for access to or correction of the personal data should be made in writing to the Personal Data Privacy Officer of the Transport and Logistics Bureau at 20th Floor, East Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong.

11 January 2024

Joanne LOU Chief Estate Surveyor/New Development Area