

**Table 1: Responses to Comments from Government Departments on Planning Application No. A/NE-TKL/779 (8 November, 2024)**

COMMENTS	RESPONSES
<b>1. Lands Department</b>	
<p>(a) No objection to the application.</p> <p>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.</p> <p>No consent is given for inclusion of GL (about 91 m<sup>2</sup> mentioned in the application form) in the application site. The Applicant should be reminded that any occupation of GL without Government's prior approval is an offence.</p>	<p>(a) Noted. Upon approval of the last application (No. A/NE-TKL/721), the Applicant has applied for a Short Term Tenancy (STT) to include the adjoining Government land. The application is still under processing by the Lands Department.</p>
<p>(b) For direct grant of Short Term Tenancy (STT) of the adjoining GL to the Applicant for temporary uses, prior policy support from the relevant Bureau has to be obtained. As the application does not provide any details on the policy support, please seek comments from the relevant Bureau, especially the application highlights the existing business operation is affected by the Yuen Long South Development.</p>	<p>(b) The Application Site is the subject of a previous application (No. A/NE-TKL/721) which is a relocation of a brownfield operation being affected by First Phase development of the Yuen Long South Development (YLSD). According to the RNTPC Paper No. A/NE-TKL/721, the Secretary for Development stated that to facilitate smooth clearance for the YLSD and provide operating space for displaced brownfield operations still needed by the community, the application is supported from the policy perspective.</p> <p>The current application is the continuation of the previous application due to the compliance with approval conditions of the previous approved application (No. A/NE-TKL/721) being withheld as explained in our Planning Statement. The Short Term Waiver (STW) and STT applications</p>

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	<p>are still under processing by the Lands Department. There is no change in the nature of use and development parameters from the previous application.</p>
<p>(c) The lot owners submitted Short Term Waiver (STW) and Short Term Tenancy (STT) applications on 3.7.2024 in connection with the approved planning application No. A/NE-TKL/721 to permit the structures to be erected within the said private lots and the occupation of the GL. However, the consultant on behalf of the lot owners informed this office on 15.10.2024 that three of the subject application lots are processing the procedure for change of ownership. Therefore, the STW/STT applications could not be processed.</p>	<p>(c) Noted. The Applicant’s consultant will submit updated ownership status to the Lands Department for continue processing of the STW/STT applications.</p>
<p>(d) 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 lot covered by the planning application</u></p> <p>The GL within the application site 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>	<p>(d) Noted. Upon approval of the previous application (No. A/NE-TKL/721), the Applicant has applied for a STT to include the adjoining Government land. The application is still under processing by the Lands Department. The Applicant has fenced off the land for the previous application to delineate the application boundary for compliance with approval condition (i.e. provision of drainage facilities).</p>

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<p>(e) If the planning application is approved and subject to the availability of policy support as mentioned in paragraph 2 above, the lot owners shall apply to this office for STW and STT to permit the structures to be erected within the said private lots and the occupation of the GL. The applications for STW/STT will be considered on whole lot basis by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW/STT, if approved, will be subject to such terms and conditions including the payment of waiver fee/ back- dated rent from the first date of occupation of GL and administrative fee as considered appropriate by LandsD. LandsD reserves the right to take land control action for any unlawful occupation of Government land. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered.</p>	<p>(e) Noted.</p>
<p><b>2. Urban Design and Landscape Section, Planning Department</b></p>	
<p>(a) No objection to the application. Para. 4.6 – Tree species, <i>Bauhinia Blakeanna/ Ficus benjamina</i> are proposed. However, <i>Ecalyptus robusta/ Ficus benjamina</i> are stated in the Plant Schedule of Landscape Proposal (Figure 5). Please review and rectify for consistency.</p>	<p>(a) Noted. The proposed tree species are <i>Bauhinia Blakeanna/Ficus benjamina</i> (see revised Landscape Proposal in <b>Figure 5A</b>) which are some of the recommended species for use in planning application site for open storage and port back-up uses.</p>

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<p>The applicant is advised to revise the proposed tree species, e.g. <i>Ecalyptus robusta</i> 大葉桉 and <i>Ficus benjamina</i> 垂葉榕 with smaller attainable mature size suitable for growing within the site. Reference information published by the GLTM Section, DEVB of proper tree planting practice is available in the Handbook on Tree Management. (<a href="https://www.greening.gov.hk/en/tree-care/information-about-treemaintenance-for-private-pro/handbook-on-tree-management/index.html">https://www.greening.gov.hk/en/tree-care/information-about-treemaintenance-for-private-pro/handbook-on-tree-management/index.html</a>)</p>	
<p>(b) Landscape Proposal (Figure 5) - The applicant is advised to indicate the sizes of planting area with proposed soil depth. Please consider to provide continuous soil trench/planter with sizes not less than 1.2m (W) x 1.2m (L) x 1.2m (D) for each tree to sustain the growth of new trees.</p>	<p>(b) Noted. The proposed planting area and soil depth (not less than 1.2m (W) x 1.2m (L) x 1.2m (D)) have been included in the revised Landscape Proposal (see <b>Figure 5A</b>) with sufficient planting and growing space to sustain the growth of new trees.</p>
<p>(c) The applicant should be advised that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works.</p>	<p>(c) Noted.</p>