

**Appendix I - Response-to-Comments**

**Temporary Shop and Services (Wooden Ware Retail Shop)  
for a Period of 5 Years in “Open Space” Zone,  
Various Lots in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long, New Territories**

**(Application No. A/YL-MP/385)**

- (i) The applicant would like to clarify that one will fulfil the approval conditions once the application has been approved by the Town Planning Board;
- (ii) The applicant would also like to provide an updated layout plan to reflect the current situation at the application site (**Appendix II**); and
- (iii) A Response-to-Comments table:

Departmental Comments	Applicant’s Responses
<b>1. Comments from the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) (Contact Person: Mr. Y.C. WONG; Tel: 2443 3474)</b>	
<p>(a) DLO(YL) has reservation on the application; and the following irregularities covered by the subject planning application have been detected by his office:</p> <p><u>Unauthorised structure(s) within the said private lot covered by the planning application</u></p> <p>LandsD has reservation on the planning application since there is/are unauthorised structure(s) or uses on the Lot No. 2911 RP in D.D. 104 which is already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD.</p>	<p>Noted. The applicant will submit Short Term Waiver (STW) and Short Term Tenancy (STT) applications to rectify the structure(s) erected on the concerned lots and Government Land (GL) after planning approval has been obtained from the Board. No structure is proposed for domestic use.</p>
<p>(b) <u>Unlawful occupation of government land (GL) adjoining Lots No. 2907 S.C RP, 2908 RP and 2911 RP in D.D. 104 with unauthorised structure(s) covered by the planning application</u></p> <p>The GL within the application site (about 240.7m<sup>2</sup> as mentioned in the application form) has been fenced off/unlawfully</p>	

	<p>occupied with unauthorised structure(s) without any permission. Any occupation of GL without government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice.</p>	
(c)	<p>If the application is approved, the lot owner(s) shall apply to his office for a Short Term Waiver (STW) and/or Short Term Tenancy (STT) to permit the structure(s) erected within the said private lot(s) and the occupation of the GL. The application(s) for STW/STT will be considered by the government in its capacity as a landlord and there is no guarantee that the STW/STT will be approved. The application(s) for STW/STT, if approved, will be subject to such terms and conditions including the payment of waiver fee/rent and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered.</p>	