

Responses-to-Comments

Temporary Private Vehicle Park for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Various Lots in D.D. 244, Ho Chung, Sai Kung, New Territories**(Application No. A/SK-HC/349)**

- (i) The application site (the Site) falls entirely within the ‘Village Environ’ of Ho Chung and is located within a fenced residential development formed by a group of New Territories Exempted Houses (NTEHs) (**Plan 1**). Furthermore, numerous previous S.16 planning applications for ‘NTEHs’ (Small House) were approved by the Town Planning Board (the Board) between 2004 and 2022, resulting in a higher demand for parking spaces to cater the needs of the local community in Ho Chung. Therefore, having assessed the nature and scale of the current application, it is considered not incompatible with the surrounding area and would better utilize the precious agricultural land to address the local demand for parking space.
- (ii) A set of revised development plans are provided (**Plans 1 to 7**).
- (iii) A RtoC Table:

Departmental Comments		Applicant’s Responses
1. Comments of District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD)		
(a)	The application site falls on 71 private lots and adjoining Government Land in D.D. 244. The private lots are Old Schedule Agricultural Lots held under the Block Government Lease. The use of the lots for private carpark purpose does not constitute a breach of the lease under which the lots are held.	Noted.
(b)	Structure including gate, guard house, toilet and fence wall were found erected at the application site and its vicinity on private agricultural land and adjoining Government land. No permission is given for occupation of Government land (about 55m ² subject to verification) including in the application site. Any occupation of GL without Government’s prior approval is not allowed. Land control and lease enforcement actions will be taken in accordance with the prevailing guidelines and priority setting. The applicant has to	The Government Land (GL) portion of the Site has been excluded from the current application (Plans 1 to 7). No structure will be erected on the Site.

	exclude the GL portion from the application site.	
(c)	The proposed vehicular ingress/egress of the application site from/to Nam Pin Wai Road will pass through a track on Government land. The applicant should clarify the access arrangement between the public road and the vehicular ingress/egress point for consideration by relevant departments. The applicant should note that there is no guarantee of a right of way over Government land to the application site.	Noted. The applicant will consult the relevant departments regarding the right of way over GL to the Site after planning approval has been granted from the Board.
2. Comments of the Director of Agriculture, Fisheries and Conservation (DAFC)		
(a)	The subject site falls within the “AGR” zone and is generally vacant. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available.	Although the Site falls within area zoned as “AGR”, there is no active agricultural use within the Site. The Site is also surrounded by areas occupied by village housings and residential developments, the proposed development is considered not incompatible with the surrounding area. Therefore, approval of the current application on a temporary basis of 3 years would better utilize precious agricultural land and would not jeopardize the long-term planning intention of the “AGR” zone. The applicant will reinstate the Site to a state that is suitable for agricultural use after the planning approval period.