

Responses to Departmental Comments

Departmental Comments		Responses
A.	District Lands Officer, Lands Department [Email dated 26.6.2026 & 6.7.2026] (Contact Person: Mr. LI Sai Kiu, Leo, Tel: 2443 3264)	
1)	The Government land (“GL”) within the application site (about 29m ² delineated as Existing Fishpond on the layout plan attached to the application form) has been illegally occupied with unauthorized structure(s) without any permission. Any occupation of GL without Government’s prior approval is an offence under Cap. 28. LandsD objects to the planning application since there is illegal occupation of GL which regularization would not be considered according to the prevailing land policy. The applicant should immediately cease the illegal occupation of GL and remove the unauthorized structure(s) as demanded by LandsD. This office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice.	With regard to LandsD's concerns about the decorative fish pond within the Application Site, the Applicant would like to point out that a Short Term Tenancy (STT) application submitted by the Applicant in 2022 was rejected by LandsD because, at that time, the Town Planning Board had not granted any planning approval. However, planning approval was obtained for a proposed OSA with a decorative fish pond at the same site on 28 July 2023 (Application No.: A/YL-ST/651) with no objection from LandsD. Should the Board approve this planning application, the Applicant will further liaise with LandsD to resolve the land administration matters. The Applicant will remove the decorative fish pond from the application site once requested by the LandsD and the vacant area (about 29m ²) concerned will not be used as Outside Seating Accommodation (“OSA”) purpose.
2)	The applicant shall immediately remove the unauthorized structure(s) and cease the illegal occupation of GL. Should the planning application be approved, and upon completion of the ratification works, the applicant has to apply to Food and Environmental Hygiene Department (“FEHD”) for Outside Seating Accommodation (“OSA”) and the Lands Department will consider the relevant OSA land license application referred from FEHD, subject to no adverse comments from the departments concerned. If such application is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by the Lands Department.	