

CONTROLLING OFFICER'S REPLY**DEVB(PL)328****(Question Serial No. 5337)**

Head: (91) Lands Department

Subhead (No. & title): (-) Not Specified

Programme: (1) Land Administration

Controlling Officer: Director of Lands (Thomas CHAN)

Director of Bureau: Secretary for Development

Question:

Regarding matters on squatter structures, please specify: (a) the respective numbers of applications for repairing non-domestic squatter structures received, approved and refused by the Government in each of the past five years (2014-15 to 2018-19); if there were refused applications, the reasons for that; (b) the respective numbers of applications for issuance of Letter of Approval received, approved and refused by the Lands Department in each of the past five years (2014-15 to 2018-19); if there were refused applications, the reasons for that. Are there other means currently available for farmers to apply for erecting agricultural structures? (c) the average and longest time taken to process applications in the past five years (2014-15 to 2018-19); and the reasons for that.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 2053)

Reply:

- (a) Information on applications for repairs of surveyed non-domestic squatter structures processed by the Lands Department (LandsD) during the period from 2014 to 2018 is tabulated below:

Year	Number of applications received	Number of applications approved	Number of applications rejected / withdrawn	Reasons for rejection
2014	2	2	0	
2015	6	6	0	
2016	10	9	1	One applicant failed to provide documents to prove that he/she was the occupier of the surveyed squatter structure.

Year	Number of applications received	Number of applications approved	Number of applications rejected / withdrawn	Reasons for rejection
2017	13	12	1	One applicant failed to obtain consent of the registered owner of the private agricultural land for repairs of the surveyed squatter structure.
2018	6	6	0	

(b) Information on applications for Letters of Approval for Agricultural Structures on private agricultural land processed by LandsD during the period from 2014 to 2018 is tabulated below:

Year	Number of applications received	Number of applications approved	Number of applications rejected/ withdrawn	Reasons for rejection
2014	21	10	3	The applicants failed to provide sufficient information, failed to meet planning requirements, or unauthorised structure(s) was (were) found on the lot(s) under application.
2015	27	12	3	The applicants failed to provide sufficient information.
2016	30	8	3	The applicants failed to provide sufficient information and/or unauthorised structure(s) was(were) found on the lot(s) under application.
2017	23	14	23	Unauthorised structure(s) was(were) found on the lot(s) under application.
2018	63	24	25	The applicants failed to provide sufficient information or unauthorised structure(s) was(were) found on the lot(s) under application.

Note: Since it takes time to process an application, the applications approved and rejected during the above-mentioned periods may not correspond to the applications received during the same period. According to our records,

39 applications are still being processed. Most of the cases are pending supplementary information to be provided by the applicants. District Lands Offices can only continue processing the application upon receipt of the required information.

Apart from a Letter of Approval for Agricultural Structures, a land owner may also submit to LandsD an application for a Short Term Waiver (STW) to build other non-domestic facilities on private agricultural land. When the application is received, LandsD will seek advice from relevant government departments and post a notice on the application site. If the application for an STW is approved, the applicant has to pay the relevant fees to the Government.

- (c) In the past five years (i.e. 2014 to 2018), the average time taken to process applications for repairs of surveyed non-domestic squatter structures was around 17 days and the longest processing time was 100 days. Complicated cases, for example, where there are issues such as land title or boundary problems or requirements imposed by other regulatory authorities that need to be resolved, would require longer processing time than others.

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