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**Cheryl Tsz Man TSANG/PLAND**

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寄件者: AI TSANG <[REDACTED]>  
寄件日期: 2026年05月20日星期三 13:49  
收件者: Cheryl Tsz Man TSANG/PLAND  
主旨: Re: Planning Application No. A/NE-MKT/63 Proposed Temporary Warehouse (Storage of Construction Materials) with Ancillary Office and Associated Filling of Land for a Period of 3 Years  
附件: A\_NE\_MKT\_63\_layout plan for fencing.pdf; A\_NE\_MKT\_63\_Response to LD comment.pdf  
類別: Internet Email

Dear Madam,

This email supersedes the one sent on 19/5/2026.

Please find attached Response to LD comment and layout plan for fencing, the Applicant has clearly undertaken to:

- fully respect and comply with all requirements of the Lands Department;
- remove all unauthorised structures on Lots 101 and 103 in D.D. 86 as soon as possible;
- immediately cease all unlawful occupation of Government Land and remove the fence and all structures on GL;
- submit a Short Term Waiver (STW) application immediately upon planning approval; and
- not apply for Short Term Tenancy (STT) or erect any fencing on the local track on GL adjoining Lots 101 and 103.

Thanks

Carter Tsang  
[REDACTED]

## MKT-63. Response to LD comments

### Comment 1

he objects to the application;

the application site (the Site) comprises Old Schedule Agricultural Lots held under the Block Government Lease which contain the restriction that no structures are allowed to be erected without the prior approval of the Government. The proposed ingress/egress of the Site is required to pass through Government Land (GL) but no right of access via GL is granted to the Site;

### Response

We acknowledge and respect the stance of the Lands Department. This application seeks to secure the requisite approval at the planning stage. Irrespective of the outcome of the planning application, the applicant will comply with all requirements stipulated by the Lands Department.

### Comment 2

no consent is given for inclusion of Government Land (GL) (about 60m<sup>2</sup> as mentioned in the application form) in the Site;

### Response

We acknowledge and respect the stance of the Lands Department. This application seeks to secure the requisite approval at the planning stage. Irrespective of the outcome of the planning application, the applicant will comply with all requirements stipulated by the Lands Department.

**Comment 3**

Unauthorised structure(s) within Lots 100, 101 and 103 in D.D. 86 partly covered and partly not covered by the planning application

there is/are unauthorised structure(s) extended to Lot 101 in D.D. 86 from Lot 100 in D.D. 86 which is not covered by the subject planning application. There is/are also unauthorised structure(s) on Lot 103 in D.D. 86. The lot owner(s) should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice; and

**Response**

The applicant is willing to remove all the existing unauthorised structures within the lot 101 and 103 in D.D. 86 as soon as possible. The Short Term Waiver (STW) application will be submitted to the Lands Department (LD) immediately upon approval of the planning application.

The existing structure within Lot 100 in D.D. 86 is unrelated to this planning application and is not owned by the Applicant.

**Comment 4**

Unlawful occupation of GL adjoining Lots 100, 101 and 103 in D.D. 86 with unauthorised structure(s) partly covered and partly not covered by the planning application

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part of the GL within and outside the Site has been fenced off/illegally occupied with unauthorised structure(s) without any permission. Any occupation of GL without Government's prior approval is an offence under Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office objects to the planning applications since there is illegal occupation of GL which regularisation would not be considered according to the prevailing land policy. The lot owner(s) should immediately cease the illegal occupation of GL and remove the unauthorised structure(s) as demanded by LandsD. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

**Response**

The applicant will immediately cease all occupation of the Government Land and remove the fence together with all existing structures on the GL as soon as possible.

#### Comment 5

subject to the approval of the Town Planning Board (the Board) to the planning application which shall have reflected the rectification as aforesaid required, the lot owners apply to his office for Short Term Waiver (STW) to permit the proposed structures. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be on the whole lot basis and subject to such terms and conditions including the payment of waiver fees and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owners/applicant for any breach of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of GL. Besides, part of a local track on GL adjoining Lots 101 and 103 in D.D. 86 is included in the Site, this is not acceptable and no application for Short Term Tenancy will be considered;

#### Response

Noted. The Applicant will not apply for a Short Term Tenancy (STT) for the section of the local track on Government Land (GL) adjoining Lots 101 and 103 in D.D. 86, nor will the Applicant erect any fencing on this GL.

#### Comment 6 & 7

- f. unless and until the unauthorised structure(s) and the unlawful occupation of GL are duly rectified by the lot owner(s)/applicant, it should be taken as his office's objection to the application which must be brought to the attention of the Board when it considers the application; and
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- g. the lot owners should comply with all the land filling requirements imposed by relevant government departments. GL should not be disturbed unless with prior approval.

**Response**

Noted. We acknowledge and respect the stance of the Lands Department. This application seeks to secure the requisite approval at the planning stage. Irrespective of the outcome of the planning application, the applicant will comply with all requirements stipulated by the Lands Department.