LANBASE
Surveyors Limited

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[redacted]

Our Ref.: YL/TPN/2697A/L07

28 August 2026

Secretary
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

By Post & Fax (2877-0245)

Dear Sir/Madam,

Proposed Temporary Open Storage of Construction Machinery, Construction Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years at Lot Nos. 1160 (Part), 1174RP (Part), 1175RP (Part) and 1176RP (Part) in D.D. 109, Kam Tin, Yuen Long, New Territories (Application No. A/YL-KTN/1238)

We refer to your decision letter dated 14 August 2026 regarding the captioned application.

We are instructed by the applicant to apply for a review of the decision under Section 17(1) of the Town Planning Ordinance.

Thank you for your attention on this matter.

RECEIVED
31 AUG 2026
Town Planning Board

Yours faithfully,
For and on behalf of
LANBASE SURVEYORS LIMITED

Anson Lee
AL/NC

c.c. Client (by Post & Email)
DPO/FSS&YLE - Mr. Jeffrey WONG (by Fax only (3168-4074))

From: Nora Choi [redacted]
Sent: Friday, September 4, 2026 4:57 PM
To: TPB Submission/PLAND <tpbsubmission@pland.gov.hk>
Cc: Jeffrey Po Kit WONG/PLAND <jpkwong@pland.gov.hk>; 'Anson Lee' [redacted]
Subject: Review of Application No. A/YL-KTN/1238 under Section 17 of the Town Planning Ordinance

To: TPB

Dear Sir/Madam,

We refer to the captioned planning application.

Further to our previous letter (Ref.: YL/TPN/2697A/L07) dated 28 August 2026, we attach herewith our written representation which set out the grounds for the review application under Section 17(1) of the Town Planning Ordinance for your action.

In the meantime, the letter and enclosure will be sent to your office by post. Thank you for your attention.

Best Regards,
Nora Choi

Lanbase Surveyors Limited
[redacted]

L A N B A S E
Surveyors Limited

宏 基 測 量 師 行

[redacted]

Our Ref.: YL/TPN/2697A/L08

4 September 2026

Secretary
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

By Post & Email

Dear Sir/Madam,

Section 17(1) Review of Decision
Proposed Temporary Open Storage of Construction Machinery, Construction Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years at Lots 1160 (Part), 1174RP (Part), 1175RP (Part) and 1176RP (Part) in D.D. 109, Kam Tin, Yuen Long, New Territories
(Application No. A/YL-KTN/1238)

We refer to the captioned planning application.

Further to our previous letter (Ref.: YL/TPN/2697A/L07) dated 28 August 2026, we attach herewith our written representation which set out the grounds for the review application under Section 17(1) of the Town Planning Ordinance for your action.

Should you have any queries, please feel free to contact the undersigned or our Ms. Nora Choi at [redacted] Thank you.

Yours faithfully,
For and on behalf of
LANBASE SURVEYORS LIMITED

Anson Lee
AL/NC

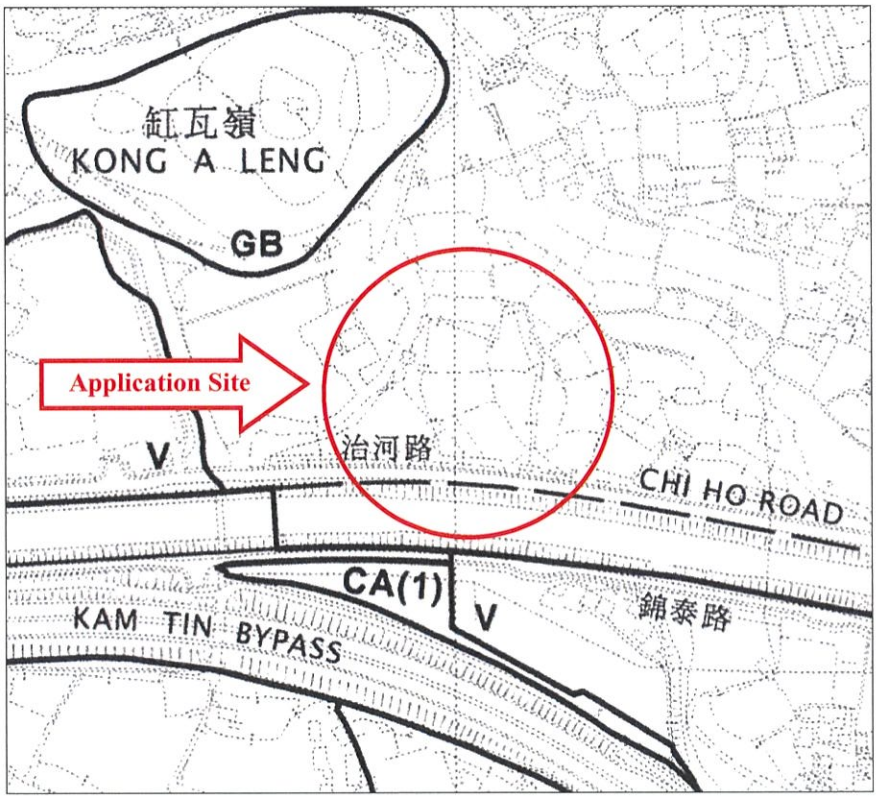
Encl.

c.c. Client (by Post & Email)
DPO/FSS&YLE - Mr. Jeffrey WONG (by Email only)

L | A | N | B | A | S | E

Review of Application No. A/YL-KTN/1238
under Section 17 of the Town Planning Ordinance
(Cap. 131)

Planning Application for Proposed Temporary Open Storage of Construction Machinery, Construction Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years at Lot Nos. 1160 (Part), 1174RP (Part), 1175RP (Part) and 1176RP (Part) in D.D. 109, Kam Tin, Yuen Long, New Territories



Prepared by

LANBASE Surveyors Limited

September 2026

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1. INTRODUCTION

1.1 On behalf of Lotti Construction Materials Limited, the Applicant, we write to make submission for a review application under Section 17 of the Town Planning Ordinance in respect of the Section 16 (s16) planning application No. A/YL-KTN/1238 for "Proposed Temporary Open Storage of Construction Machinery, Construction Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years" (the applied use) at Lots 1160 (Part), 1174RP (Part), 1175RP (Part) and 1176RP (Part) in D.D. 109, Kam Tin, Yuen Long, New Territories (the Site).

1.2 This Written Representation serves to describe the application background, to give details of the Town Planning Board (TPB)'s decision at the 792nd meeting of the Rural and New Town Planning Committee (RNTPC) held on 24 July 2026, and set out the grounds for review for TPB's consideration.

2. APPLICATION BACKGROUND

2.1 The subject application No. A/YL-KTN/1238 was submitted to facilitate the relocation of the Applicant's existing open storage operation at Lots 431 (Part), 432 (Part), 433 S.B (Part), and 1739 RP (Part) in D.D. 107 and adjoining government land in Fung Kat Heung, Yuen Long (the affected site) approved under Planning Application No. A/YL-KTN/848. The affected site will soon be handed over under a Short Term Tenancy to MTR Corporation Limited for the Northern Link Main Line project. In this regard, the Lands Department (LandsD) has requested the Applicant to vacate the affected site before May 2026. However, the acquisition, clearance, and rehousing arrangements are still pending, as the Applicant has encountered difficulties in securing a new site, causing delays in the land resumption process. To prevent significant adverse impacts on the business operations and local employment, LandsD has deferred its resumption actions to allow more time for the Applicant to secure a suitable relocation site. Therefore, an urgent need for a relocation site exists, and the subject Site is considered the best available option after a comprehensive site search.

2.2 The Site falls within an area zoned "Agriculture" ("AGR") on the approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/11 (the OZP), where planning permission from the TPB is required for the proposed temporary use and associated land filling within the "AGR" zone. The application involves land filling of the entire site (i.e. 1,944m^2) for open storage purposes with a total of seven structures, three light goods vehicle parking spaces, two private car parking spaces, and one loading/unloading bay.

3. TOWN PLANNING BOARD'S DECISION ON 24 JULY 2026

3.1 With reference to RNTPC Paper No. A/YL-KTN/1238, based on Planning Department (PlanD)'s planning considerations and assessments and having taken into account the public comments received during the public consultation period, PlanD recommended the decision of 'does not support' for consideration of the RNTPC of the TPB on 24 July 2026.

3.2 After deliberation of the RNTPC, the application was rejected on grounds that:

(a) the applied use with associated filling of land is not in line with the planning intention of the "Agriculture" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;

(b) the applied use with associated filling of land is not compatible with the surrounding land uses; and

(c) the applied use with associated filling of land does not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) in that no previous planning approval has been granted to the Site and there are adverse departmental comment and public objections.

4. GROUNDS FOR REVIEW

4.1 No Adverse Comments from Most of the Government Bureau/Departments

4.1.1 With reference to paragraph 10 of the RNTPC Paper, most government bureau/departments (including LandsD, Transport Department, Highways Department, Transport and Logistics Bureau, Drainage Services Department, Environmental Protection Department (EPD), Fire Services Department, Landscape Unit of Planning Department, Buildings Department, Home Affairs Department, Civil Engineering and Development Department, Water Supplies Department and Electrical and Mechanical Services Department) have no objection to or no comment on the application.

4.1.2 According to TPB PG-No.13G, sympathetic consideration may be given if relevant technical assessments/proposals have been included in the fresh applications, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. However, the subject application did not receive comments from relevant government departments requiring the Applicant to submit technical assessments/proposals to demonstrate the technical feasibility of the applied use. Based on Appendix IV (Government Bureau/Departments' General Comments) and Appendix V (Recommended Advisory Clauses) of the RNTPC Paper, the applied use would not create insurmountable environmental, traffic, fire safety, drainage and landscape impacts to the surrounding area.

4.1.3 According to paragraph 10.2 of the RNTPC Paper, Agriculture, Fisheries and Conservation Department (AFCD) was the only relevant government department who does not the support the application. Here is an extract of the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) :

(a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;

(b) the Site falls within the "AGR" zone. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water

source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.; and

(c) no comment on the application from nature conservation perspective.

4.1.4 After reviewing similar cases for temporary warehouses and/or open storage with associated filling of land within the same "AGR" zone in the vicinity of the Site in the past five years. it is believed that DAFC's comments could be addressed with approval conditions, with precedents of the RNTPC of the TPB approving cases with the same set of AFCD comments, which will be detailed in paragraph 4.2 below.

4.2 Precedents of Approving Applications with the Same Comments from AFCD

4.2.1 It is acknowledged that the adverse departmental comments from the AFCD were considered in the rejection of the subject application. However, in the past five years, there have been planning applications for similar temporary warehouse/open storage uses falling within Category 3 areas under TPB PG-No.13G and the same "AGR" zone in the vicinity of the Site that were approved despite not receiving support from the AFCD with the same adverse comments. Examples include planning application Nos. A/YL-KTN/959 (approved on 10 November 2023) and A/YL-KTN/1091 (approved on 19 September 2025). Additionally, it is noted that planning application No. A/YL-KTN/959 was also subject to adverse departmental comments from the EPD concerning potential environmental nuisance to nearby residential uses.

4.2.2 It is not uncommon for similar concerns raised by departments and local residents to be addressed through the implementation of appropriate approval conditions. Rejection of the subject application is considered not in line with the TPB's previous decisions.

4.3 Generally in Line with the TPB PG-No.13G

4.3.1 The Site falls within Category 3 areas under TPB PG-No.13G. Subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions,

planning permission could be granted on a temporary basis up to a maximum period of three years.

4.3.2 According to the minutes of the 792nd meeting of the RNTPC held on 24 July 2026, "the Site fell within Category 3 areas under TPB PG-No.13G, under which applications would normally not be favourably considered unless they were on Sites with previous planning approvals and policy support had been obtained from the Development Bureau". The Applicant has expressed its intention to seek policy support from the LandsD, the Northern Metropolis Coordination Office, and the Development Bureau in the 1st Further Information submission dated 25 June 2026 for the subject s16 planning application. As mentioned in paragraph 4.2 above, it is not uncommon for concerns raised by departments and local residents to be addressed through the implementation of approval conditions. Therefore, the TPB is earnestly requested to review the decision made by the RNTPC on 24 July 2026.

4.4 Willingness for Not Conducting Filling of Land

4.4.1 According to the Planning Statement submitted in May 2026 and the clarifications provided in the 3rd Further Information dated 9 July 2026 for the subject s16 planning application, the original proposal included filling the entire Site (i.e. 1,944m^2) with concrete of not more than 0.2m in depth to facilitate the applied use. Since only a piece of vacant land is required for the proposed open storage use and the subject Site is sufficiently flat, land filling may not be necessary for the operation of the applied use.

4.4.2 In consideration of public concerns regarding potential adverse drainage and environmental impacts on adjacent areas, and despite the relevant government departments having no objection or adverse comments from drainage and environmental planning perspectives, the Applicant proposes not to carry out land filling works at the Site. This approach aims to minimise environmental disturbance to both the Site and the surrounding areas. Furthermore, refraining from land filling will facilitate easier reinstatement of the Site to an amenity area after the temporary use terminates, allowing the land to be restored for agricultural purposes if the landowner wishes to do so in the future.

4.5 Willingness for Provision of Landscape Buffer

4.5.1 Regarding the other major assessment criteria for applications involving open storage and port back-up uses, the Applicant undertakes to provide adequate screening of the Site through landscaping and/or fencing to mitigate the visual impact of the proposed open storage use. The 1.5m tall peripheral fencing will remain erected along the Site boundary on all sides should the application be approved.

4.5.2 It is noted that there are active farmlands located to the northeast of the Site. To avoid environmental disturbance to those farmlands, the Applicant proposes to plant trees along the northeastern boundary of the Site as a buffer. Additionally, the Applicant is willing to provide landscape planting along the boundaries of the Site to minimise potential disturbance (if any) to the surrounding areas.

4.6 Not Incompatible with the Surrounding Land Uses

4.6.1 As mentioned in paragraph 3 above, the application was rejected partly due to incompatibility with the surrounding land uses. In particular, paragraph 12.3 of the RNTPC paper stated that "the applied use with associated filling of land is considered not compatible with the active farmland clusters in the surrounding areas".



Satellite image extracted from Google Maps on 4 September 2026

4.6.2 According to paragraph 8.1 of the RNTPC paper, the Site is said to be "located in the southern fringe of the "AGR" zone and forming part of the extensive clusters of active farmland to the further northeast". According to the Plan of the OZP, the

subject "AGR" zone is bounded by Chi Ho Road and Kam Tin River to the south. Hence, it is factually correct to say the Site lies at the fringe of the "AGR" zone. However, according to the satellite image extracted from Google Maps on 4 September 2026 and on-site observations on surrounding land uses, the Site is largely cleared of vegetation of mid-2026, which rehabilitation of agricultural use would unlikely happen shortly. Moreover, the Site is surrounded by vacant/vegetated areas, and extensive clusters of brownfield uses can be found along Chi Ho Road.

4.6.3 Yet, the attachment Plan A-3 of the RNTPC Paper which shows the aerial photo No. E246691C taken on 3 January 2025 failed to reflect the latest site conditions. It appears to be misleading to conclude the Site is part of the active farmland to the further northeast. Instead, the surrounding area is predominantly characterised by vacant/unused land interspersed with temporary structures, as well as areas used for warehouse/open storage uses. In particular, the immediate west of the Site is a temple with paving; to the east and west are storage yards and formed vacant land; the immediate north of the Site is a piece of vacant land under the same lot number as the subject Site; and the immediate south of the Site is an access road named Chi Ho Road. The said incompatibility with the surrounding land uses is therefore considered unjustified. With provision of buffer to separate the applied use and the surrounding active/fallow agricultural land as mitigation measures, interface problems arising from incompatible land-uses are not anticipated.

4.7 Temporary Approval Would Not Frustrate the Long-Term Planning Intention of the "AGR" Zone

4.7.1 According to DAFC's comments, the Site possesses potential for agricultural rehabilitation. Based on site photos, the Site has been cleared with minimal vegetation as of mid-2026. Under the current site conditions, the rehabilitation of agricultural use is unlikely to occur in the near future. In this regard, the Applicant is willing to immediately reinstate the Site and assist in restoring suitable conditions for agricultural use after the expiry of the planning approval period, which is three years later.

4.7.2 The Applicant undertakes that, if the review application is approved, they will not

submit a renewal application after the expiry of the relevant planning permission, as the use is intended solely for interim relocation upon land resumption.

5. CONCLUSION

5.1 We firmly believe that the TPB evaluates each planning application based on its individual facts and merits. Therefore, approval or rejection does not establish a binding precedent for similar applications in other zones or locations.

5.2 In light of the following justifications :

- no adverse comments from most of the government bureau/departments;
- precedents of approving applications with the same comments from AFCD;
- generally in line with TPB PG-No. 13G;
- willingness for not conducting filling of land;
- willingness for provision of landscape buffer;
- not incompatible with the surrounding land uses; and
- temporary approval would not frustrate the long-term planning intention of the "AGR" zone.

The TPB is earnestly requested to review its decision and give favourable consideration to the planning application for "Proposed Temporary Open Storage of Construction Machinery, Construction Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years" at Lots 1160 (Part), 1174RP (Part), 1175RP (Part) and 1176RP (Part) in D.D. 109, Kam Tin, Yuen Long, New Territories.