

Planning Statement

For

Section 16 Application

For

Proposed Temporary ‘Open Storage of Construction Materials

with Ancillary Site Office’

for a Period of 3 Years

At Lot Nos. 207 (Part) and 208 (Part) in Demarcation District (D.D.) 125,

Hung Shui Kiu, Yuen Long, New Territories, Hong Kong

Proposed by: Prudential Surveyors International Limited

Revision: -

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Executive Summary

The Planning Statement (the PS) is to seek planning permission from the Town Planning Board (the TPB) under Section 16 (the Application) of the Town Planning Ordinance (CAP. 131) for the Proposed Temporary Open Storage of Construction Materials with Ancillary Site Office for a Period of 3 Years at Lot Nos. 207 (Part) and 208 (Part) in Demarcation District (D.D.) 125, Hung Shui Kiu, Yuen Long, New Territories, Hong Kong (the Site).

The Site, with an area of about 3,219 sq.m, falls within an area zoned "Green Belt" ("GB") under the Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/2 (the OZP).

The Proposed Development parameters are:

| Major Development Parameters | Proposed Development |
|--------------------------------|--|
| Site area | About 3,219 sq.m. <i>Covered Area: about 38 sq.m (approx. 1.2%)</i> <i>Uncovered Area: about 3,181 sq.m (approx. 98.8%)</i> |
| Site Coverage | About 1.2% |
| Nos. of Temporary Structures | 1 nos. of Site Office <i>not exceeding 3m (H), 6m (L), 4.8m(W)</i> 1 nos. of Washroom (3 nos. of Portable Toilets) <i>not exceeding 3m (H), 3.67m (L), 2.4m(H)</i> |
| Parking Provision ¹ | 1 nos. Accessible Parking/Private Parking (Staff and Visitors) 2 nos. Private Parking 1 nos. Heavy Goods Vehicle Parking 1 nos. Heavy Goods Vehicle for loading/unloading |

As the Proposed Open Storage use is a temporary use not exceeding a period of three years, a planning permission from the TPB is required.

In Summary, the Application is justified on the following grounds that the Propose Use:

- is in line with Policy Address 2023;
- echoing the Broad Land Use of the North Metropolis (NM) Action Agenda;
- is in line with Town Planning Board Guideline No. 13G;
- facilitates the development of the Hung Shui Kiu/Ha Tsuen New Development Area;
- rectified the intended land use;
- would not frustrate the long-term planning intention;
- is compatible with the surroundings;
- allows efficient use of vacant land;
- would not result in adverse impacts to the surroundings; and
- would not set an undesirable precedent case.

A replacement site is required by the Applicant to continue its business operation upon land resumption by the Government in the same OZP. With the detailed information and justifications presented in the PS, we sincerely request the TPB to give favourable consideration to this planning application.

¹ Referenced to Hong Kong Planning and Standards Guidelines Chapter 8.

行政摘要

(內文如有差異，應以英文版本為準)

本規劃綱領根據城市規劃條例 (第 131 章) 第 16 條向城市規劃委員會 (城規會) 申請規劃許可。申請地點位於新界元朗洪水橋丈量約份第 125 號約地段第 207 號段(部份)及第 208 號段(部份)內，擬議用作存放臨時「露天貯物 (建築材料) 及附屬地盤辦公室」 (擬議用途)，為期三年。

申請地點 (該地點) 面積約 3,219 平方米，位處洪水橋及厦村分區計劃大綱核准圖編號 S/HSK/2 (大綱圖) 範圍，現劃作「綠化地帶」用途。

擬議用途發展參數如下：

| 主要發展參數 | 擬議發展 |
|--------------------|---|
| 地盤面積 | 約 3,219 平方米 有上蓋露天土地面積約 38 平方米 (約 1.2%) 露天土地面積約 3,181 平方米 (約 98.8%) |
| 上蓋面積比率 | 約 1.2% |
| 臨時構築物數目 | 1 個附屬地盤辦公室 (不超過 3 米高, 6 米長, 4.8 米闊) 1 個洗手間 (含 3 個流動廁格) (不超過 3 米高, 3.67 米長, 2.4 米闊) |
| 停車位數目 ² | 1 個暢通易達停車位/私家車車位 (員工及訪客適用) 2 個私家車車位 1 個重型貨車泊車位 1 個重型貨車上落客貨車位 |

由於該地點擬議的臨時用途為期不超過三年，須向城規會申請規劃許可。

總括而言，是次規劃申請有充分的理據支持：

- 符合 2023 年施政報告；
- 呼應北部都會區行動綱領的概括土地用途；
- 符合城規會規劃指引編號第 13G；
- 配合洪水橋及厦村新發展區發展；
- 整頓預定土地用途
- 不會對長遠規劃意向造成影響；
- 與周邊發展相容；
- 容許有效用地；
- 不會對周邊造成重大影響；及
- 不會造成不良先例。

由於申請人受政府於同區收地影響，唯有另覓土地繼續經營。基於本規劃綱領所提出的理據支持，我們懇請城市規劃委員會對這一規劃申請作出正面積極的考慮。

²根據《香港規劃標準與準則》第八章：內部運輸設施。

1. Introduction / Background

1.1 Introduction

- 1.1.1 Prudential Surveyors International Limited, on behalf of the Applicant, submitted this application to the Town Planning Board (TPB) under Section 16 of the Town Planning Ordinance (TPO). The application is for a temporary Open Storage of Construction Materials with Ancillary Site Office for a period of 3 Years at Lots 207 (Part) and 208 (Part) in Demarcation District (D.D.) 125, Hung Shui Kiu, Yuen Long, New Territories, Hong Kong (the Site) **[Figure 1.1]**.
- 1.1.2 The Site is zoned "Green Belt" ("GB") under the Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/2 (the OZP). The Proposed Use is neither a Column 1 nor Column 2 use in the "GB" zone. According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires permission from the TPB.
- 1.1.3 The purpose of this Planning Statement (PS) is to provide relevant details of the development proposal, justifications in support of this S16 Application and other necessary information for consideration of the Proposed Development.

1.2 Background

- 1.2.1 The Applicant operates a company that conducts selling and renting of metal scaffoldings as innovative technologies for construction projects. Its current operation is from 8:00a.m. to 6:00p.m. from Mondays to Saturdays. There is no operation on Sundays and Public Holidays.
- 1.2.2 The Applicant is subject to a relocation notice from the Lands Department (letter dated 10 November 2022 at Lot Nos. 280 (Part) and 681 (Part) in D.D. 125, New Territories for land resumption of the Hung Shui Kiu and Ha Tsuen New Development Area (NDA) **[Annex 1]**. The Applicant has been in operation in this site since early 2021 with an area of approximately 3,809 sq.m (about 41,003 sq. ft).
- 1.2.3 Upon notification for the resumption of the operation site, the Applicant has been conducting extensive site search of similar size over the past 12 months at his own resources which is suitable for its future operation needs. The proposed relocation site has been identified and it is the current Application Site.

2. Site Context

2.1 The Site and its Surroundings

- 2.1.1 The Site, with an area of about 3,219 sq.m., is located to the south of Fung Kong Tsuen with vehicular access from Fung Kong Tsuen Road and Kai Pak Ling Road, Northern part of Hung Shui Kiu and Ha Tsuen New Development Area (NDA), Yuen Long. To its further north in a larger context is Lau Fau Shan and further east is Tin Shui Wai. **[Figure 2.1]**

- 2.1.2 The Site is flat and levelled. It is hard-paved before the Draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/1. The Site is fenced off and is currently vacant. It is ready for open storage use. The entrance & exit point is in the southwestern part of the site via an unnamed local access road from Kai Pak Ling Road. The unnamed local access road is paved and extends southwest for about 150 meters to intersect with the Proposed Road D1 as shown in the Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/2 (the OZP). [Figure 2.2]
- 2.1.3 The Kai Pak Ling Road is a physical separation of the observed uses in the area. To the west of this separation are woodlands and graves and to the east is the port back-up, storage and workshop uses to the east of the road. [Figure 2.2]
- 2.1.4 The Site is mainly surrounded by graves and burial urns, temporary structures, yards and open storage, unnamed local road, Kai Pak Ling Road and woodlands. [Figure 2.1]. Details of the current context are as follows:
- to the north of the Site are some graves and burial urns;
 - to the further north are groups of temporary structures, yards and open storage;
 - to the east of the Site are some temporary structures and open storage;
 - to the south of the Site is an unnamed local road and groups of temporary structures and open storage;
 - to the west are some graves and Kai Pak Ling Road; and
 - to the further west are some graves and woodlands.

2.2 Site Survey

- 2.2.1 A site visit was conducted on 18.01.2024, followed by posting of site notices in May to June 2024. Site Photos can be found in **Figure 2.3**. The site is vacant. No Old and Valuable Tree (OVT), protected species or trees were identified within the Site, therefore, no tree survey was conducted. There will be no tree felling related to this application.

3. Planning Context

3.1 Statutory Planning Context

Town Planning Ordinance (TPO) (CAP. 131)

- 3.1.1 The site is accessible with an unnamed local access road to Kai Pak Ling Road. This road had been in existence before the first publication of Ha Tsuen Interim Development Permission Area Plan No. IDPA/YL-HT/1.
- 3.1.2 The Site and the surrounding area including the approximate location of the planning area of 39B and 39 C fell under area zoned "Green Belt" ("GB") on the Approved Ha Tsuen Outline Zoning Plan No. S/YL-HT/10. [Figure 3.1]
- 3.1.3 The Approved Ha Tsuen Outline Zoning Plan No. S/YL-HT/10 was subsequently replaced with the Draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/1. The Site retained the "GB" zone for unknown reasons despite the open storage use did not match with the planning intention. However, the planning area 39B and 39C was rezoned "Other Specified Uses" annotated "Port Back-up, Storage and Workshop Uses" ("OU(PBU&SWC)"). And a proposed Environmentally Friendly Transport Services (EFTS) was eared marked to the east of the Site.

- 3.1.4 The Site falls within an area zoned "Green Belt" ("GB") under the Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/2 (the OZP).
- 3.1.5 Following paragraph 9 (b) of the Notes of the OZP, *"temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission"* [Figure 3.2].
- 3.1.6 Per the Schedule of Uses of the OZP, the Planning Intention of the "GB" zone is *"primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone."* [Figure 3.3].

3.2 Non-Statutory Planning Context

Explanatory Statement of the Approved OZP

- 3.2.1 With reference to Paras. 11.11.1 and 11.11.2 of the Explanatory Statement (ES) of the OZP, the "GB" zone *"is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone... the "GB" zone covers land with mature vegetation, hilly terrain and the existing burial grounds."* [Figure 3.4]

Northern Metropolis (NM) Action Agenda: Broad Land Use Concept Plan for Lau Fau Shan (LFS)

- 3.2.2 With reference to the Enclosure 1 of the LC Paper No. CB(1)228/2024(03) from the Legislative Council Panel on the Development Proposal of Lau Fau Shan/Tsim Bei Tsui/Pak Nai area, the Site falls within an area for *"Modern Logistics Hub"* in the Broad Land Use Concept Plan for the Hung Shui Kiu /Ha Tsuen New Development Area (HSK/HT NDA). [Figure 3.5]

With reference to Para 4 of the LC Paper No. CB(1)228/2024(03), *"a modern logistics hub, with about 72 ha of land reserved in HSK/HT and Yuen Long South mostly for development of modern multi-storey industrial buildings"* is planned for the area.

Town Planning Board Guidelines No. 13G

- 3.2.3 With reference to the Town Planning Board Guideline No. 13G (TPB PG-No. 13G), the Site falls within the New Development Area (NDAs). The following criteria are:

“sympathetic consideration may be given to applications for relocation of the uses/operations affected by government projects to sites designated for development purpose in NDAs (including those planned for GIC and open space developments) as temporary use/development before these sites are required for NDA development There is a general presumption against such uses at sites with land use compatibility issue, e.g. in close proximity to existing residential dwellings which may be subject to environmental nuisances caused by the Open Storage and Port Back-up uses.”

Previous Planning Applications

- 3.2.4 There is no previous Planning Application pertaining to the Site.

Similar Planning Applications relevant to the Proposed Development

- 3.2.5 A desktop review was conducted on 14.3.2024 on the Town Planning Board Statutory Planning Portal 3 to identify previous similar planning cases in the past two years. A total of 19 approved applications were found for similar planning cases of similar uses on other zones on the same OZP.

| No. | Application No. | Applied Use | Location | Zone | Decision Date |
|-----|-----------------|---|---|--|---------------|
| 1 | A/HSK/500 | Temporary Open Storage of Construction Materials and Public Vehicle Park (Private Cars, Light Goods Vehicles and Medium/Heavy Goods Vehicles) for a Period of 3 Years | Lots 1824 S.B RP (Part) and 1824 S.C (Part) in D.D. 125, Ha Tsuen, Yuen Long, New Territories | "Residential (Group A) 3" and "Open Space" | 01/03/2024 |
| 2 | A/HSK/487 | Renewal of Planning Approval for Temporary Open Storage of Construction Materials and Construction Equipment for a Period of 3 Years | Various Lots in D.D. 124, Ping Shan, Yuen Long, New Territories | "Commercial (1)" and area shown as 'Road' | 27/10/2023 |
| 3 | A/HSK/485 | Temporary Open Storage of Construction Machinery, Construction Material and Ancillary Site Office for a Period of 3 Years | Various Lots in D.D. 125, Ha Tsuen, Yuen Long, New Territories | "Other Specified Uses" annotated "Logistics Facility" and "Open Space" | 27/10/2023 |
| 4 | A/HSK/483 | Renewal of Planning Approval for Temporary Warehouse and Open Storage of New Vehicles (Private Cars, Taxis, Light Goods Vehicles and Light Buses) for a Period of 3 Years | Various Lots in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long, New Territories | "Other Specified Uses" annotated "Enterprise and Technology Park" | 22/09/2023 |
| 5 | A/HSK/454 | Temporary Warehouse, Open Storage of Construction Materials and | Various Lots in D.D. 125, Ha Tsuen, Yuen | "Government, Institution or Community", | 23/06/2023 |

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Proposed Temporary 'Open Storage of Construction Materials with Ancillary Site Office' for a Period of 3 Years
At Lot Nos. 207 (Part) and 208 (Part) in Demarcation District (D.D.) 125, Hung Shui Kiu, Yuen Long, New Territories,
Hong Kong

| No. | Application No. | Applied Use | Location | Zone | Decision Date |
|-----|-----------------|---|---|---|---------------|
| | | Containers with Container Vehicles Park, Container Tractors Park and Logistics Yard with Ancillary Workshop (Including Compacting and Unpacking Workshop) for a Period of 3 Years | Long, New Territories | "Residential (Group A) 2", "Open Space", "Other Specified Uses" annotated "Parking and Operational Facilities for Environmentally Friendly Transport Services" and area shown as 'Road' | |
| 6 | A/HSK/433 | Temporary Open Storage of Infrequently Used Construction Materials for a Period of 3 Years | Lots 1824 S.A RP (Part), 1824 S.B RP (Part) and 1824 S.C (Part) in D.D. 125, Ha Tsuen, Yuen Long, New Territories | "Residential (Group A) 3" | 19/05/2023 |
| 7 | A/HSK/430 | Renewal of Planning Approval for Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years | Various Lots in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long, New Territories | "Residential (Group A) 3" | 17/03/2023 |
| 8 | A/HSK/418 | Temporary Vehicle Repair Workshop and Open Storage of Construction Materials for a Period of 3 Years | Lot 1617 (Part), 1618 RP (Part) and 1619 RP (Part) in D.D. 125 and Adjoining Government Land, Hung Shui Kiu, Yuen Long, New Territories | "Open Space" | 09/12/2022 |
| 9 | A/HSK/417 | Temporary Open Storage of Recyclable Materials (Including Metal and Plastics) | Lots 280 (Part), 282 (Part) and 285 (Part) in D.D.125 and Adjoining Government Land, Ha Tsuen, Yuen Long, New Territories | "Open Space" and Area Shown as 'Road' | 25/11/2022 |

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Proposed Temporary 'Open Storage of Construction Materials with Ancillary Site Office' for a Period of 3 Years
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Hong Kong

| No. | Application No. | Applied Use | Location | Zone | Decision Date |
|-----|-----------------|---|--|--|---------------|
| 10 | A/HSK/412 | Renewal of Planning Approval for Temporary Open Storage of Scrap Metal for a Period of 3 Years | Various Lots in D.D. 129, Ha Tsuen, Yuen Long | "Open Space", "Residential (Group B) 2" and Area Shown as 'Road' | 11/11/2022 |
| 11 | A/HSK/402 | Proposed Temporary Open Storage of Recyclable Materials (Metal) with Ancillary Workshop and Office for a Period of 3 Years | Lot 256 (Part) in D.D. 125, San Wai, Ha Tsuen, Yuen Long, New Territories | "Government, Institution or Community" and area shown as 'Road' | 14/10/2022 |
| 12 | A/HSK/399 | Proposed Temporary Open Storage of Construction Materials, Construction Machinery and Recyclable Materials (Plastic Bottle and Metal Waste) with Ancillary Workshop for a Period of 3 Years | Various Lots in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long | "Government, Institution or Community", "Open Space" and Area Shown as 'Road' | 23/09/2022 |
| 13 | A/HSK/398 | Proposed Temporary Open Storage of Construction Material and Metal Ware with Ancillary Workshop for a Period of 3 Years | Lots 48 S.A (Part), 48 S.B (Part) and 49 (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long, N.T. | "Residential (Group D)", "Government, Institution or Community" and Area Shown as 'Road' | 23/09/2022 |
| 14 | A/HSK/380 | Temporary Open Parking of Coaches/Buses, Private Cars and Open Storage of Tyres, Storage of Parts with Ancillary Workshop for a Period of 3 Years | Various Lots in D.D. 124 and Adjoining Government Land, Ha Tsuen, Yuen Long | "Government, Institution or Community" | 15/07/2022 |
| 15 | A/HSK/366 | Temporary Open Storage of Metal Ware for a Period of 3 Years | Various Lots in D.D.128, Ha Tsuen, Yuen Long | "Government, Institution or Community" and area shown as 'Road' | 06/05/2022 |
| 16 | A/HSK/365 | Temporary Open Storage of Metal Ware for a Period of 3 Years | Various Lots in D.D.128 and Adjoining Government Land, Ha Tsuen, Yuen Long | "Government, Institution or Community" and "Open Space" | 22/04/2022 |
| 17 | A/HSK/362 | Proposed Temporary Public Vehicle Park for Private Car and Goods Vehicle not exceeding 24 tonnes and Open Storage of Export Vehicle and Vehicle Parts for a Period of 3 Years | Lot 3323 S.B ss.1 in D.D. 129, Ha Tsuen, Yuen Long | "Residential (Group A) 3" | 01/04/2022 |

| No. | Application No. | Applied Use | Location | Zone | Decision Date |
|-----|-----------------|---|--|---|---------------|
| 18 | A/HSK/360 | Proposed Temporary Open Storage of Construction Materials and Logistics Centre for a Period of 3 Years | Lot 766 (Part) in D.D. 125, Ha Tsuen, Yuen Long | "Open Space" | 01/06/2022 |
| 19 | A/HSK/356 | Temporary Storage of Construction Materials and Containers, Logistics Centre and Ancillary Workshop for a Period of 3 Years | Various Lots in D.D. 125, Ha Tsuen, Yuen Long, New Territories | "Residential (Group A) 3", "Residential (Group A) 4", "Government, Institution or Community", "Open Space" and area shown as 'Road' | 10/06/2022 |

Table 4.1 Previously Approved Similar S16 Planning Applications

4. Land Status

- 4.1.1 The Site consists of Lot Nos. 207 (Part) and 208 (Part) in Demarcation District (D.D.) 125, North New Territories, Hong Kong [**Figure 4.1**]. No Government Land is involved.
- 4.1.2 The Applicant is not a “current land owner” of the Site but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notices and sending notice to Ha Tsuen Rural Committee by registered post.

5. Policy Context

- 5.1.1 Relevant points to the Proposed Development under the Chief Executive’s 2023 Policy Address are as follows: -

Promote the development of the construction industry

The Government would “provide funding for some 400 enterprises under the Construction Innovation and Technology Fund within 2024 to facilitate their adoption of various innovative technologies in construction projects, with a view to further enhancing productivity and built quality.” (Para. 46)

Move Ahead with the Northern Metropolis as the New Engine for Growth Strategic Location

“The Northern Metropolis is a new engine for Hong Kong’s future growth. Upon full development, it will provide about 500 000 new housing units and create 500 000 new jobs. Adopting an “industry-driven and infrastructure-led” approach as its key planning axle, the Northern Metropolis will forge a major hub for Hong Kong to integrate into the overall development of our country.” (Para. 78).

6. Proposed Development

6.1 Development Parameters

6.1.1 The Proposed Development is for a temporary Open Storage of Construction Materials with Ancillary Site Office for a period of 3 Years. The indicative layout is shown in **Figure 6.1**. The major development parameters are summarised in **Table 6.1**.

| Major Development Parameters | Proposed Development |
|--------------------------------|--|
| Site area | About 3,219 sq.m. <i>Covered Area: about 38 sq.m (approx. 1.2%)</i> <i>Uncovered Area: about 3,181 sq.m (approx. 98.8%)</i> |
| Site Coverage | About 1.2% |
| Applied Use | Temporary Open Storage of Construction Materials with Ancillary Site Office for a period of 3 Years |
| Nos. of Temporary Structures | 1 nos. of Site Office <i>(H: not exceeding 3m, L: not exceeding 6m, W: not exceeding 4.8m)</i> 1 nos. of Washroom (3 nos. of Portable Toilets) <i>(H: not exceeding 3m, L: not exceeding 3.67m, W: not exceeding 2.4m)</i> |
| Parking Provision ³ | 1 nos. Accessible Parking/Private Parking (Staff and Visitors) <i>(L: 5m, W: 3.5m)</i> 2 nos. Private Parking <i>(L: 5m, W: 2.5m)</i> 1 nos. Heavy Goods Vehicle Parking <i>(L: 11m, W: 3.5m)</i> 1 nos. Heavy Goods Vehicle for loading/unloading <i>(L: 11m, W: 3.5m)</i> |

Table 6.1 Proposed Development Parameters

6.1.2 The current application is to facilitate the relocation of an existing open storage operation at Lot Nos. 280 (Part) and 681 (Part) in D.D. 125, Hung Shui Kiu affected by the land resumption and clearance under the Stage 3 development of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) in the same OZP. The proposed current application (about 3,219 sq.m.) is of similar size as the area of the current operation (about 3,808 sq.m.). The number of structures for site office and toilet use has been kept to a minimum. There is only one entrance/exit point via local access road.

6.2 Proposed Operation

6.2.1 The Site would be use as a temporary open storage area for innovative construction materials (metal scaffoldings) to meet the needs of the local construction projects. In general, metal scaffoldings will be transported to the Site from suppliers to be stored at the Site to await for selling or renting by users. In sum, the materials/goods will be transported to the Site via goods vehicles for loading/unloading and storage. No container trailers/vehicles will be used.

6.2.2 The proposed operation will house about six full-time equivalent staffs. The operation hours will be from 8:00 a.m. to 6:00 p.m. from Mondays to Saturdays and no operation on Sundays and public holidays.

³ Reference to Hong Kong Planning and Standards Guidelines Chapter 8.

6.2.3 The Site is accessible via Kai Pak Ling Road. The daily entry of transport goods vehicles will be limited to 8 to 10 times. There will be no backing into the Site; or queuing along the access road will be anticipated.

6.3 Landscaping and Technical Aspects

6.3.1 Fences have been established around the Site. The Site is situated in a rural industries and character setting. There is no local dwellings/residents nearby or interface issues. No adverse visual impacts are anticipated.

6.3.2 The traffic in and out will be kept to minimal. No adverse traffic impacts are anticipated.

6.3.3 The Proposed Open Storage is a rather static operation. There is no workshop activity at the Site. No adverse significant environmental impact will be induced by the Proposed Development.

6.3.4 Due to the small scale operation, the Proposed Development will not cause any adverse impact on the existing sewerage and drainage system. It is proposed that portable toilets will be provided on site to collect the sewerage generated on site. The sewerage will be periodically collected and transported off the site for treatment by the Applicant. No adverse drainage impacts are anticipated.

7. Planning Justifications

7.1 In line with the Policy Address 2023

7.1.1 The Proposed Development is for the storage of innovative construction materials (metal scaffoldings) to meet the needs of the local construction projects. This will help support and promote the development of the construction industry by providing various innovative technologies to construction projects with a view to further enhancing productivity and built quality. Furthermore, the use and promotion of the metal scaffoldings would also meet the future growth and planned construction needs of the Northern Metropolis plan. Therefore, approval of the Proposed Development will allow the Applicant to continue with its operation to support and provide innovative technologies to the construction industry and support the construction works with the Northern Metropolis plan.

7.2 Echoing the Broad Land Use of the North Metropolis (NM) Action Agenda

The Proposed Development falls within an area for “*Modern Logistics Hub*” in the Broad Land Use Concept Plan for the Hung Shui Kiu /Ha Tsuen New Development Area (HSK/HT NDA). In fact, along with the surrounding area a total of about 72 ha of land reserved in HSK/HT and Yuen Long South is reserve for this use. Therefore the Proposed Development is merely echoing the prescribe broad land use of the Government for a modern logistic hub.

7.3 In Line with Town Planning Board Guideline No. 13G

The Proposed Development is a direct result of relocation of uses/operations affected by the government projects to sites designated for development purpose in NDAs. According to TPB PG-No. 13G, sympathetic consideration should be given to the Application as temporary use/development before these sites are required for NDA development. It should be noted that the Proposed Development is NOT in close proximity to existing residential dwellings and WILL NOT be subject to environmental nuisances caused by the Open Storage uses.

7.4 Facilitates the development of the Hung Shui Kiu and Ha Tsuen New Development Area

- 7.4.1 It is noted that the relocation of the existing operation is very crucial to the smoother clearance for the implementation of the Hung Shui Kiu/Ha Tsuen New Development Areas. The approval of the Proposed Development would allow the Applicant to vacate its current operations and to relocate to the new Site. This would ensure the timely development within the HSK/HT NDA and that targets for future population can be meet.

7.5 Rectify the intended land use

- 7.5.1 It is observed that Kai Pak Ling Road and the unnamed access road was in existence before the first exhibition of Ha Tsuen Interim Development Permission Area Plan No. IDPA/YL-HT/1. Kai Pak Ling Road served as a natural separation of the woodland and graves to the west and the port back-up, storage and workshop uses to the east. However for some unknown reason, the Site has remained as "GB" zone while the surrounding areas were rezoned "Other Specified Uses" annotated "Port Back-up, Storage and Workshop Uses" ("OU(PBU&SWC))" in the draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/1. This zoning misalignment or "missed item" poses a problem when considering the macro master plan perspective, which emphasises the efficient utilisation of existing infrastructures and making efficient future use of the Kai Pak Ling Road, the unnamed access road and the Proposed Road D1. The approval of this application would fulfil the intended functions and uses associated with the surrounding port back-up, storage, and workshop uses. Furthermore, the proposed development will contribute to generating the critical mass of the "OU(PBU&SWC)" use, thereby enhancing its overall significance. This application would consequently stimulate and bolster the local economy. Therefore the approval of this application would provide an opportunity to rectify to a more suitable land use for the Site and benefit/support the surrounding uses [refer to **Figure 2.2**].

7.6 Would not frustrate the long-term planning intention

- 7.6.1 There is a genuine need for the Applicant to relocate its operations as requested by DevB. The Site has been paved for many years. Even though the Proposed Development does not align with the long-term planning intention of the "GB" zone of the OZP, the Proposed Development is temporary in nature and would not frustrate the long-term planning intention of the "GB" zone.

7.7 Compatible to the Surroundings

7.7.1 Per Section 2.1.3 and Figure 2.1 of the PS, the Site is mainly surrounded by uses of similar nature. There are no interface issues between the Proposed Use and the surroundings. The Proposed Use would be self-contained behind a fenced area and it's not anticipated to cause any environmental nuisance. The Proposed Use is compatible with the surrounding land uses.

7.8 Allows Efficient Use of Vacant Land

7.8.1 Land is a valuable and scarce resources for Hong Kong. Given the land has been left idle, the Proposed Development on a temporary basis will a better utilisation of vacant land to meet the demand needs of the locality.

7.9 Would not Result in Adverse Impacts to the Surroundings

7.9.1 The Proposed Development is non-polluting in nature and there are no domestic structures or sensitive receivers nearby. The operation will only house about 6 full-time staff. Since the Applicant is experienced in its current operation of similar site area (size) and context, it is anticipated that there is no potential adverse traffic, environmental, sewerage and drainage impacts of the Proposed Development on the surrounding areas.

7.10 Would not set an undesirable precedent case

7.10.1 With reference to Para 3.2.4, a desktop review on similar cases found that several applications of similar uses were approved by TPB on temporary basis in the last 2 years. The Application has its individual merits of contributing to support and facilitate innovation in the construction industry and the development of the Hung Shui Kiu/Ha Tsuen New Development Areas. The Proposed Development will benefit the community in the long-run and would not set an undesirable precedent case.

8. Conclusion

8.1.1 The Applicant seeks approval from the TPB for the Proposed Temporary Open Storage of Construction Materials with Ancillary Site Office use. The application is justified on the grounds that the Proposed Use:

- is in line with Policy Address 2023;
- echoing the Broad Land Use of the North Metropolis (NM) Action Agenda;
- is in line with Town Planning Board Guideline No. 13G;
- facilitates the development of the Hung Shui Kiu/Ha Tsuen New Development Area;
- rectify the intended land use;
- would not frustrate the long-term planning intention;
- is compatible with the surroundings;
- allows efficient use of vacant land;
- would not result in adverse impacts to the surroundings; and
- would not set an undesirable precedent case.

- 8.1.2 A replacement site is required by the Applicant to continue its business operation upon land resumption by the Government and an extensive land search has been conducted at the Applicant's own time and resources. In view of the Strategic Planning and Policy Context, Statutory Planning and Non-statutory Planning Context, the Site conditions, as well as the justifications provided, the TPB is invited to give sympathetic consideration to approve this Section 16 Planning Application.

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