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**SECTION 16 PLANNING APPLICATION**

**RENEWAL OF PLANNING APPROVAL FOR TEMPORARY RURAL WORKSHOP  
(TIMBER YARD AND SAWMILL) FOR A PERIOD OF 3 YEARS IN “AGRICULTURE” ZONE**

**LOTS 581 (PART), 582 (PART), 583 AND 584 RP IN D.D. 89 AND  
ADJOINING GOVERNMENT LAND, MAN KAM TO ROAD, SHA LING, NEW TERRITORIES**

**PLANNING STATEMENT**

Applicant

**Kinform Timber Company Limited**

Consultancy Team

Planning Consultant: **R-riches Property Consultants Limited**

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## EXECUTIVE SUMMARY

- The applicant seeks planning permission from the Town Planning Board (the Board) to use Lots 581 (Part), 582 (Part), 583 and 584 RP in D.D. 89 and Adjoining Government Land (GL), Man Kam To Road, Sha Ling, New Territories (the Site) for 'Renewal of Planning Approval for Temporary Rural Workshop (Timber Yard and Sawmill) for a Period of 3 Years' (proposed development).
- The Site falls within an area zoned as "Agriculture" ("AGR") on the Approved Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/18. The Site occupied an area of 4,164 m<sup>2</sup> (about), including 610 m<sup>2</sup> (about) of Government Land. A total of 2 structures are proposed at the Site for storage of timber/plywood/construction materials, sawmill workshop, site office and washroom with total GFA of 2,788 m<sup>2</sup> (about). The remaining area is reserved for parking, loading/unloading (L/UL) spaces and circulation area.
- The Site is accessible from Man Kam To Road via a local access. The proposed development will operate on Monday to Saturday from 08:00 to 18:30. No operation on Sunday and public holidays.
- Justifications for the proposed development are as follows:
  - To facilitate the renewal of planning application for the previous application No. A/NE-FTA/206
  - The applied use and operation of the current application is the same as the affected business in Ma Tso Lung and the previous application
  - Approval of the application would not frustrate the long-term planning intention of the "AGR" zone
  - The proposed development is not incompatible with surrounding land use and no adverse impact is anticipated to the surrounding area

- Details of development parameters are as follows:

<b>Application Site Area</b>	4,164 m <sup>2</sup> (about), including 610 m <sup>2</sup> (about) of GL
<b>Covered Area</b>	2,729 m <sup>2</sup> (about)
<b>Uncovered Area</b>	1,435 m <sup>2</sup> (about)
<b>Plot Ratio</b>	0.67 (about)
<b>Site Coverage</b>	66 % (about)
<b>Number of Structures</b>	2
<b>Total Gross Floor Area</b>	2,788 m <sup>2</sup> (about)
- Domestic GFA	Not applicable
- Non-Domestic GFA	2,788 m <sup>2</sup> (about)
<b>Building Height</b>	5m - 12m (about)
<b>No. of Storey</b>	1 - 2

**行政摘要** (內文如與英文版本有任何差異，應以英文版本為準)

- 申請人現根據《城市規劃條例》(第 131 章)第 16 條，向城市規劃委員會提交有關新界沙嶺文錦渡路丈量約份第 89 約地段第 581 號 (部分)、582 號 (部分)、583 號及 584 號餘段和毗鄰政府土地的規劃申請，於上述地段作**臨時鄉郊工場 (木園及鋸木廠)**的規劃許可續期 (為期 3 年)。
- 申請地點所在的地區在《虎地坳及沙嶺分區計劃大綱核准圖編號：S/NE-FTA/18》上劃為「農業」用途地帶。申請地盤面積為 4,164 平方米 (約)，當中包括 610 平方米 (約) 的政府土地。申請地點共設有 2 座構築物用作存放木材/夾板/建築材料、鋸木工場、場地辦公室及洗手間，總樓面面積為 2,788 平方米 (約)，其餘地方預留作停車位、上/落貨位及流轉空間的地方。
- 申請地點可從文錦渡路經一條地區道路前往。擬議發展的作業時間為星期一至六上午 8 時至下午 6 時 30 分，星期日及公眾假期休息。
- 擬議發展的申請理據如下：
  - 是次申請為先前申請 (編號：A/NE-FTA/206) 的規劃許可續期
  - 申請用途及營運模式與先前申請及位於馬草壟的受影響用途一致
  - 擬議發展屬臨時性質，不會影響「農業」用途地帶的長遠規劃意向
  - 擬議發展與周邊用途並非不協調及不會對周邊地區帶來重大負面影響
- 擬議發展的詳情發展參數如下：

申請地盤面積：	4,164 平方米 (約) (包括政府的土地約 610 平方米)
上蓋總面積：	2,729 平方米 (約)
露天地方面積：	1,435 平方米 (約)
地積比率：	0.67 (約)
上蓋覆蓋率：	66% (約)
構築物數目：	2 座
總樓面面積	2,788 平方米 (約)
住用總樓面面積：	不適用
非住用總樓面面積：	2,788 平方米 (約)
構築物高度：	5 米 - 12 米 (約)
構築物層數：	1 - 2 層

## **1. INTRODUCTION**

### *Background*

- 1.1 R-riches Property Consultants Limited has been commissioned by *Kinform Timber Company Limited* (the applicant) to make submission on its behalf to the Board under the Section (S.) 16 of the Town Planning Ordinance (Cap. 131)(the Ordinance) in respect to *Lots 581 (Part), 582 (Part), 583 and 584 RP in D.D. 89 and Adjoining GL, Man Kam To Road, Sha Ling, New Territories (Plans 1 to 3)*.
- 1.2 The applicant seeks permission from the Board for renewal of planning approval for **'Temporary Rural Workshop (Timber Yard and Sawmill) for a Period of 3 Years'**. The Site currently falls within an area zoned as "Agriculture" ("AGR") on the Approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/18 (**Plan 2**). According to the Notes of the OZP, the proposed use is not a column one nor two use within the "AGR" zone. Therefore, planning permission is required to be obtained from the Board by the applicant to facilitate the proposed development at the Site.
- 1.3 In support of the proposal, a set of indicative development plans and drawings are provided with the planning statement (**Plans 1 to 5**). Furthermore, a set of proposals, certificate and photographic records are provided to demonstrate that the proposed development will not induce adverse impacts to the surrounding area through providing adequate mitigation measures (**Appendices I to VI**).

## 2. JUSTIFICATIONS

*To Facilitate the Renewal of Planning Approval for the Previous Application No. A/NE-FTA/206*

- 2.3 The current application is intended to facilitate the renewal of planning approval for the previous S.16 planning application No. A/NE-FTA/206, which the permission of the application will lapse on 10/12/2024. When compared with the previous application No. A/NE-FTA/206, all the major development parameters and operation mode remain unchanged. During the planning approval period of the previous application (No. A/NE-FTA/206), the applicant has complied with all the planning approval conditions within the designated time period, details are shown at **Table 1**:

**Table 1:** Details of Compliance with Approval Conditions of the Previous Application

Approval Conditions of Application No. A/NE-FTA/206		Date of Compliance
(a)	<i>The Submission of a Drainage Proposal</i>	24/2/2022
(b)	<i>The Provision of Drainage Facilities</i>	17/4/2023
(c)	<i>The Implementation of Traffic Management Measures</i>	20/1/2023
(d)	<i>The Implementation of Proposals for Fire Service Installations (FSIs) and Water Supplies for Firefighting</i>	5/2/2024
(e)	<i>The Implementation of Proposals for Environmental Mitigation Measures</i>	25/5/2023

*The Applied Use and Operation of the Current Application is the Same as the Affected Business in Ma Tso Lung and the Previous Application*

- 2.4 The applied use involves timber yard and sawmill workshop activities with storage of timber/plywood/construction materials for distribution, as well as ancillary office to support the operation of the Site. The applied use is the same as the affected business in Ma Tso Lung and the previous application (No. A/NE-FTA/206). The area of the Site (i.e. about 4,164m<sup>2</sup>) is also smaller to the area resumed and reverted to the Government in Ma Tso Lung (i.e. about 4,761m<sup>2</sup>).

*Approval of the Application would not Frustrate the Long-Term Planning Intention of the "AGR" zone*

- 2.5 Despite the proposed development is not in line with planning intention of the "AGR" zone, the special background of the application should be considered on its individual merit. In addition, application for the same use was also approved by the Board previously. Therefore, approval of the current application is in line with the Board's previous decision and would not set an undesirable precedent for the "AGR" zone.
- 2.6 Although the Site falls within area zoned as "AGR" on the Approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/18, there is no active agricultural activities within and in close vicinity of the Site. The Site and its vicinity are currently covered by hard-paving. Approval of the current application on a temporary basis would not jeopardize the long

term planning intention of the "AGR" zone and would better utilize deserted agricultural land in the New Territories, especially for the relocation of business premises affected by the implementation of Kwu Tung North New Development Area (KTN NDA).

*The Proposed Development is not Incompatible with Surrounding Land Use and No Adverse Impact is Anticipated to the Surrounding Area*

- 2.7 The Site is located at an area predominated by construction sites, temporary structures for warehouses and workshops, vacant land and woodland. The proposed development is considered not incompatible with its surrounding land use. In support of the current application, the applicant has submitted the following proposals and photographic records to support the current application details are shown at **Table 2** and **Appendices I to VI**:

**Table 2:** Lists of Proposals, Certificate and Photographic Records to Support the Current Application

<b>Approval Conditions of Application No. A/NE-FTA/206</b>	
<b>Appendix I</b>	<i>The accepted drainage proposal of the previous application</i>
<b>Appendix II</b>	<i>Photographic records of the existing drainage facilities</i>
<b>Appendix III</b>	<i>The accepted traffic management measures</i>
<b>Appendix IV</b>	<i>The accepted FSIs proposal</i>
<b>Appendix V</b>	<i>A set of valid Certificate of Fire Service Installation and Equipment (F. S. 251)</i>
<b>Appendix VI</b>	<i>The accepted environmental mitigation measures</i>



### 3. SITE CONTEXT

#### *Site Location*

- 3.1 The Site is in close vicinity of Man Kam To Road. It is approximately 10 m west of Man Kam To Road; 1 km south of Man Kam To Immigration Control Point; 1.8 km east of Lo Wu MTR Station; and 4 km north of Sheung Shui MTR Station.

#### *Accessibility*

- 3.2 The Site is accessible from Man Kam To Road via a local access (**Plan 1**).

#### *Existing Site Condition*

- 3.3 The Site is currently fenced off, hard-paved and occupied by the applied use with valid planning permission (**Plan 3**).

#### *Surrounding Area*

- 3.4 The Site is mainly surrounded by warehouse, open storage, domestic structures, vegetated area, vacant and unused land.
- 3.5 To its immediate north is the local access connecting the Site to Man Kam To Road; to its further north across Man Kam To Road are Dongjiang Water Mains, vacant land covered by vegetation and woodland.
- 3.6 To its immediate and further east are occupied by some temporary structures and area covered by vegetation.
- 3.7 To its immediate and further south are some vacant lands covered by vegetation and land of soiled ground.
- 3.8 To its immediate west of the Site are area occupied by parking of vehicle, temporary structures for warehouse, logistics centre and workshop uses; to its further west across Man Kam To Road are occupied by an asphalt production plant and Dongjiang Water Mains.

#### 4. PLANNING CONTEXT

##### *Zoning of the Application Site*

- 4.1 The Site currently falls within an area zoned as "AGR" on the Approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/18 (**Plan 2**). According to the Notes of the OZP, 'Rural Workshop' use is neither a Column 1 nor Column 2 use within the "AGR" zone, which requires permission from the Board.

##### *Planning Intention of "AGR" Zone*

- 4.2 *The planning intention of this zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.*

##### *Previous Application*

- 4.3 The Site involves of two previously approved S.16 planning applications (Nos. A/NE-FTA/196 and 206) for 'Proposed Temporary Rural Workshop (Timber Yard and Sawmill)', which the latest application was approved with conditions on a temporary basis of 3 Years on 10/12/2021. The Site is currently occupied by the applied use with valid permission until 10/12/2024.

##### *Similar Application*

- 4.4 There is no similar application for temporary rural workshop use within the same "AGR" zone.

##### *Land Status*

- 4.5 The Site consist of 4 private lots, i.e. Lots 581 (Part), 582 (Part), 583 and 584 RP in D.D. 89 with total land area of 3,554 m<sup>2</sup> (about) of Old Schedule Lots held under the Block Government Lease, the remaining area falls on GL, i.e. 610 m<sup>2</sup> (about) (**Plan 3**). The ownership details are provided at **Table 3** below:

**Table 3:** Land Ownership of the Site

Lots in D.D. 89		Ownership
1	581	<i>Company</i>
2	582	
3	583	
4	584 RP	

- 4.6 Since there is the restriction that no structure is allowed to be erected without the prior approval of the Government on the public and private land portion of the Site, the

applicant has obtained the Short Term Waiver (STW) (i.e. No. 1611) and Short Term Tenancy (STT) (i.e. STTN0044) from the Lands Department for the erection of the existing structures and occupation of GL at the Site respectively. No structure is proposed for domestic use.

## 5. DEVELOPMENT PROPOSAL

### Development Details

- 5.1 The Site consists of an area of 4,164 m<sup>2</sup> (about), including 610 m<sup>2</sup> (about) of GL. The detailed development parameters are shown at **Table 4** below.

**Table 4:** Development Parameters of the Proposed Development

<b>Application Site Area</b>	4,164 m <sup>2</sup> (about), including 610 m <sup>2</sup> of GL (about)
<b>Covered Area</b>	2,729 m <sup>2</sup> (about)
<b>Uncovered Area</b>	1,435 m <sup>2</sup> (about)
<b>Plot Ratio</b>	0.67 (about)
<b>Site Coverage</b>	66% (about)
<b>Number of Structure</b>	2
<b>Total Gross Floor Area</b> - Domestic GFA - Non-Domestic GFA	2,788 m <sup>2</sup> (about) Not applicable 2,788 m <sup>2</sup> (about)
<b>Building Height</b>	5m - 12m (about)
<b>No. of Storey</b>	1 - 2

- 5.2 A total of 2 structures are proposed at the Site for storage of timber/plywood/construction materials, sawmill workshop, site office and washroom with a total GFA of 2,788 m<sup>2</sup> (about), the remaining area is reserved for parking and circulation area (**Plan 4**). Details of structures are shown at **Table 5** below:

**Table 5:** Details of Proposed Structures

Structure	Use	Covered Area	GFA	Building Height
B1	Storage of Timber/Plywood/Construction Materials, Sawmill Workshop	2,670 m <sup>2</sup> (about)	2,670 m <sup>2</sup> (about)	12 m (about) (1-storey)
B2	Site Office and Washroom	59 m <sup>2</sup> (about)	118 m <sup>2</sup> (about)	5 m (about) (2-storey)
<b>Total</b>		<b>2,729 m<sup>2</sup> (about)</b>	<b>2,788 m<sup>2</sup> (about)</b>	-

### Operation Mode

- 5.3 The proposed development will operate on Mondays to Saturdays from 08:00 to 18:30.

No operation on Sundays and public holidays. The existing site office is to provide indoor workspace for administrative staff to support the daily operation of the Site. It is estimated that the Site would be able to accommodate 8 nos. of staff.

- 5.4 As the Site is intended for 'rural workshop' use with no shopfront, no visitor is anticipated at the Site.

*No Adverse Traffic Impact*

- 5.5 The applicant has submitted the accepted traffic management measure of the previous application No. A/NE-FTA/206, to minimize traffic impact generated from the applied use (**Appendix III**).

- 5.6 The Site is accessible from Man Kam To Road via a local access (**Plan 1**). One 8 m (about) wide ingress/egress is provided at the northern part of the Site (**Plan 4**). A total of 3 parking and L/UL spaces are provided at the Site, details of spaces are provided at **Table 6** below:

**Table 6: Parking and L/UL Provisions**

Type of Parking Space:	No. of Space
Private Car Parking Space for Staff - 2.5 m (W) X 5 m (L)	2
Type of L/UL Space:	No. of Space
L/UL Space for Container Vehicle (CV) - 3.5 m (W) X 16 m (L)	1

- 5.7 Sufficient space is provided for vehicles to smoothly maneuver within the Site to ensure no vehicle will queue back to or reverse onto the nearby public road (**Plan 5**). Staff is deployed to station at the ingress/egress of the Site to direct incoming/outgoing vehicle to enhance pedestrian safety. As traffic generated and attracted by the proposed development is minimal (as shown at **Table 7** below), adverse traffic impact should not be anticipated.

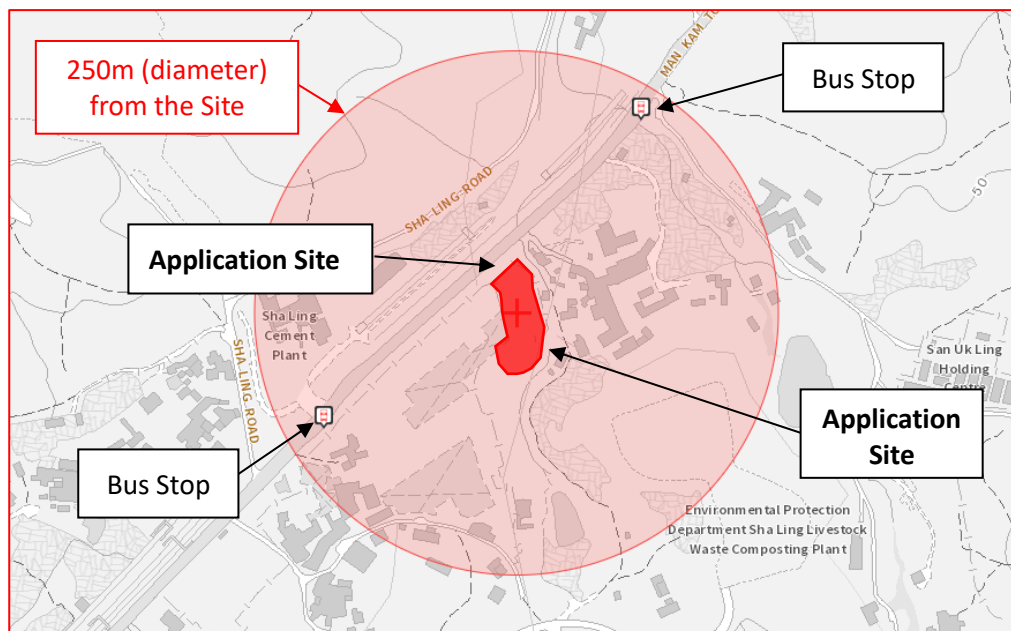
**Table 7: Trip Generation and Attraction of the Proposed Development**

Time Period	Trip Generation and Attraction				
	Private Car		CV		2-Way Total
	In	Out	In	Out	
Trip at <u>AM peak</u> per hour (08:00 – 09:00)	2	0	1	0	3
Trip at <u>PM peak</u> per hour (17:30 – 18:30)	0	2	0	1	3
Trip per hour (average)	0	0	1	1	3

- 5.8 For staff who are commuting to the Site by public transport, the nearest bus stop is

located approximately 200m southwest of the Site with frequent franchise bus services. Details of public transport services serving the Site (within 250m from the Site) are shown at **Figure 1 and Table 8** and below:

**Figure 1: Public Transport Services within 250m from the Site**



**Table 8: Public Transport Serving the Site**

Route No.	Termination Points		Frequency
Franchised Bus			
73K	Sheung Shui Bus Terminus	Man Kam To Bus Terminus	15 – 30 minutes

Source: HKEMobility (Transport Department)

*No Adverse Environmental Impact*

5.9 The applicant has submitted the accepted environmental mitigation measures proposal of the previous application No. A/NE-FTA/206 to support the current application (**Appendix VI**). The applicant will maintain the environmental mitigation measures at all times during the planning approval period.

5.10 The applicant will strictly follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued by Environmental Protection Department (EPD) to minimise adverse environmental impacts and nuisance to the surrounding area. The applicant will strictly comply with all environmental protection / pollution control ordinances, i.e. *Water Pollution Control Ordinance, Air Pollution Control Ordinance, Noise Control Ordinance* etc. at all times during the planning approval period.

5.11 During the operation of the proposed development, the major source of wastewater

will be sewage from the washroom generated by staff. The applicant will implement good practices under 'Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN) 1/23' when maintaining the on-site drainage system with the Site, i.e. the use of septic tank and soakaway system for sewage treatment. Licensed collectors will be employed by the applicant to collect and dispose of sewage regularly.

5.12 Workshop operation including cutting of timber/plywood, L/UL and parking would be carried out inside the fully enclosed structure (structure B1). Acoustic materials will be adopted in the Sawmill to minimize the noise impact. Openings including windows and doors of the fully enclosed structure would be closed during the operation unless the openings are located without direct line of sight from nearby domestic structures.

5.13 2.5m high solid metal wall has been erected along the site boundary by the applicant to minimize noise nuisance to nearby noise sensitive receivers. The boundary wall has been installed properly by licensed contractor to prevent misalignment of walls, to ensure that there is no gap or slit on boundary wall. In addition, maintenance of boundary wall will also be conducted by the applicant on a regular basis.

#### *No Adverse Landscape Impact*

5.14 No old and valuable tree or protected species has been identified at the Site.

#### *No Adverse Drainage Impact*

5.15 The applicant has submitted the accepted drainage proposal of the previous application No. A/NE-FTA/206 and a photographic record showing the existing drainage facilities within the Site, to minimize drainage impact generated from the applied use (**Appendices I and II**). The applicant will maintain the existing drainage facilities on the Site at all times during the planning approval period.

#### *Fire Safety Aspect*

5.16 The applicant has submitted the accepted FSIs proposal and a valid F. S. 251 to support the current application (**Appendices IV to V**).

## 6. CONCLUSION

- 6.1 The current application is intended to facilitate the renewal of planning approval of the previous S.16 planning application No. A/NE-FTA/206, which the permission of the application will lapse on 10/12/2024. When compared with the previous application No. A/NE-FTA/206, all the major development parameters and operation mode remain unchanged. The applicant has also complied with all planning approval conditions of the previous application. Therefore, given that the application's special background is to facilitate the development of KTN NDA and the applicant's effort to minimize impact to the surrounding area, approval of the current application is in line with the Board's previous decision and would not set an undesirable precedent within the "AGR" zone.
- 6.2 The proposed development is considered not incompatible with surroundings as the Site is surrounded by warehouse, open storage, domestic structures, vegetated area, vacant and unused land. Although the Site currently falls within an area zoned as "AGR" on the Approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/18, the Site is currently occupied by the applied use with no active agricultural use. Therefore, approval of the current application on a temporary basis of 3 years would not frustrate the long-term planning intention of the "AGR" zone and would better utilize deserted agricultural land in the New Territories.
- 6.3 The proposed development will not create significant nuisance to the surrounding areas. Adequate mitigation measures are provided, i.e. submission of the accepted drainage, FSIs, traffic mitigation measures and environmental mitigation measures proposals to mitigate any adverse impact arising from the applied use. The applicant will strictly follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' by the EPD to minimize all possible environmental impacts on the nearby sensitive receivers.
- 6.4 In view of the above, the Board is hereby respectfully recommended to approve the subject application for '**Renewal of Planning Approval for Temporary Rural Workshop (Timber Yard and Sawmill) for a Period of 3 Years**'.

**R-riches Property Consultants Limited**  
**September 2024**