

Section 16 Planning Application

**Proposed Temporary Warehouse (excluding dangerous goods godown) and
Associated Filling of Land for a Period of 3 Years in “Agriculture” Zone,
Lot 1828 (Part) in D.D. 76, Ma Mei Ha, New Territories**

Planning Statement

June 2025

Executive Summary

(in case of discrepancy between English and Chinese versions, English version shall prevail)

This Application is submitted to the Town Planning Board (“**the Board**”) under Section 16 of the Town Planning Ordinance (“**the Ordinance**”) for proposed temporary warehouse (excluding dangerous goods godown) and associated filling of land for a period of 3 years (“**the Proposed Development**”) at Lot 1828 (Part) in D.D. 76, Ma Mei Ha, New Territories (“**the Application Site**”).

The Application Site, with a site area of 1,125 m² (about), falls within an area of “Agriculture” (“**AGR**”) zone on the Approved Lung Yeuk Tau & Kwan Tei South Outline Zoning Plan No. S/NE-LYT/19 (“**the OZP**”). Upon completion of the Proposed Development, it comprises one proposed structure for warehouse and one existing washroom. The proposed structure has a height of 2-storey/13m and footprint of 740m² (about) with a total gross floor area of 1,480m² (about). The existing washroom has a height 1-storey/3m and footprint of 12m² (about). Approximately 115m² of land is proposed to be filled with a concrete layer of about 0.3 metre in thickness.

The Site is located about 18 meters from Sha Tau Kok Road – Ma Mei Ha and is connected to it by a local road. The Proposed Development will operate from 9:00 am to 6:00 pm during weekday and occasionally on Saturday. There will be no operation on Sunday and public holidays.

Justification for the proposed development are as follows:

- This Application intends to provide warehouse to facilitate the relocation of the business operation affected by the Kwu Tung North/Fanling North New Development Area;
- The applicant has spent effort in identifying suitable sites for relocation;
- The Application Site does not fall within the Agricultural Priority Areas and the Proposed Development does not hinder the long-term planning intention of “AGR” zones. Similar applications in the “AGR” zones in the same OZP have also been considered and approved by the Board; and
- There will be no adverse traffic, visual, landscape, drainage and environmental impacts.

In view of the above justifications, we would sincerely seek the favourable consideration of the Board to approve this Application

內容摘要

(如內文與其英文版本有差異，則以英文版本為準)

本規劃申請根據《城市規劃條例》第 16 條，就新界馬尾下丈量約份第 76 約地段第 1828 號(部分) (“**申請地點**”) 的用地，向城市規劃委員會(城規會)申請作擬議臨時貨倉(不包括危險品)及相關填土工程(為期 3 年) (“**擬議發展**”)。

申請地點現時於《龍躍頭及軍地南分區計劃大綱核准圖編號 S/NE - LYT/19》 (“**大綱圖**”) 劃作「農業」地帶。擬議發展包括一個擬議構築物作臨時貨倉及一個現有洗手間。項目用地面積為 1,125 平方米(約)，擬建構築物高度為 2 層/13 米，覆蓋面積為 740 平方米(約)，總樓面面積為 1480 平方米(約)。現有洗手間高度為 1 層/3 米，覆蓋面積為 12 平方米(約)。擬議填土面積約為 115 平方米(約)，填土厚度約為 0.3 米的混凝土層。

該地點位於距離沙頭角公路 - 馬尾下約 18 米，並通過一條本地道路與其連接。擬議發展的作業時間為星期一至五上午九時至下午六時，並於星期六有偶爾的作業時間。星期日及公眾假期不會營業。

擬議發展的申請理據如下：

- 申請旨在提供貨倉以安置受古洞北及粉嶺北新發展區影響的作業；
- 申請人曾經致力尋找合適的搬遷地點；
- 申請地點並不屬於農業優先區範圍內。擬議發展不會妨礙「農業」地帶的長規劃意向，且於同一分區計劃大綱核准圖的「農業」地帶亦已有相關申請曾被批准；及
- 擬議發展亦不會對交通、視覺、景觀、渠務和環境造成不利影響。

鑒於以上提出的依據，我們真誠地尋求城規會批准該申請。

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1 INTRODUCTION

1.1 The Application

- 1.1.1 This planning application is submitted to the Town Planning Board (“**the Board**”) for Proposed Temporary Warehouse (excluding dangerous goods godown) and Associated Filling of Land for a Period of 3 years (hereinafter referred to as the “**Proposed Development**”) at Lot 1828 (Part) in D.D. 76, Ma Mei Ha (**Figure 1**) (hereinafter referred to as the “**Application Site**”) under Section 16 of the Town Planning Ordinance (“**the Ordinance**”).
- 1.1.2 The proposed development is intended to accommodate existing operation affected by the Kwu Tung North and Fanling North Development Area (**Appendix 1 - Letter from the Lands Department X14/143-150**). The affected business operator has authorized the applicant to handle relevant planning and land matters for the proposed development in the application site. Upon obtaining the necessary approval, the proposed development will serve the affected business operation (**Appendix 2 - Authorization Letter from International Marble Works Co., Ltd**). An enquiry form “Assistance to Brownfield Operations Affected by Government’s Land Resumption and Clearance for Government Project” has been submitted to the Development Projects Facilitation Office of the Development Bureau (Case Ref.: BF0304). According to DPFO/DevB’s replies on 14 February and 1 April 2025, in general, there are no major adverse comments on the proposed development from the preliminary consultation for departmental comments and DPFO/DevB has no objection on further plan to submit this planning application to the TPB for consideration. Details of the affected site can be found in **Appendix 3 - Details of the Affected Business**.
- 1.1.3 With the fast-paced development projects in the Northern Metropolis, the demand for supporting facilities has surged in the Northern Area of Hong Kong. Therefore, the Proposed Development caters to the government’s development plans in the area.
- 1.1.4 The Application Site, covering an area of about 1,125 m², falls within an area designated as “Agriculture” (“**AGR**”) zone on the Approved Lung Yeuk Tau & Kwan Tei South Outline Zoning Plan No. S/NE-LYT/19 (“**the OZP**”) (**Figure 5**). The Application Site is currently occupied by a temporary golf training centre, which is the subject of a previously approved application (No. A/NE-LYT/822) for a period of three years with a validity up to 26.3.2027. The Application Site does not fall within the proposed Agricultural Priority Areas (“**APA**”) (**Figure 7**) designated by the Agriculture Fisheries and Conservation Department (“**AFCD**”).
- 1.1.5 According to 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.

- 1.1.6 According to the Notes of the OZP for “AGR” zone, any filling of land, including that to effect a change of use to any of those specified or excluded in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

2 THE APPLICATION SITE AND DEVELOPMENT PROPOSAL

2.1 Site Location and Current Condition

- 2.1.1 The Application Site, located at the Ma Mei Ha area, covers an area of about 1,125 m². The Site is situated on the immediate east of Ma Mei Ha Leng Tsui the south of Sha Tau Kok Road – Ma Mei Ha, connecting to Ping Che Road and Heung Yuen Wai Highway. There is a brownfield operation to the east of the Site existed since year 1993 (**Figure 1**).
- 2.1.2 The Site is currently occupied by a temporary golf training centre, which is the subject of a previously approved application (No. A/NE-LYT/822) for a period of three years with a validity up to 26.3.2027.

2.2 Accessibility

- 2.2.1 The Site is located about 18 meters from Sha Tau Kok Road – Ma Mei Ha and is connected to it by a local road. It provides quick connections to Heung Yuen Wai Highway and Ping Che Road, which will form the backbone of the road network in NTN New Town. The existing ingress and egress point is provided on the northern side of the Application Site and is approximately 8 metres wide. There are bus and minibus stops on Sha Tau Kok Road – Ma Mei Ha, with a total of five routes to Fanling Station. These stops are within a 5-minute walking distance from the Application Site.

2.3 Land Status

- 2.3.1 The Application Site falls within the boundary of Lot No. 1828 in Demarcation District 76, Ma Mei Ha, Fanling (“**the Lot**”) (**Figure 2**).
- 2.3.2 The subject lot is held under Block Government Lease and demised as agricultural land with a lease term expiring on 30.06.2047. There is no user restriction in the lease apart from the standard non-offensive trade clause.
- 2.3.3 The Application Site had been approved for the use of temporary Golf Training Centre for a Period of 3 years from 2021. Before that, it had been erected with 2 single-storey structures for open storage for more than 10 years.

2.4 Surrounding Context

- 2.4.1 The surrounding area of the Site is located in an area of rural inland plain landscape character comprising village houses, temporary structures, open storage use and vegetated areas. To the further north across Sha Tau Kok Road is Ma Mei Ha Public Toilet and a refuse collection point. To the immediate west is a vacant land within the same “AGR” zone with an approved planning application (Case No. A/NE-LYT/748) for Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land. To the east is an approved Film Studios and Open Storage of Metals (Case No. A/DPA/NE-LYT/65). To the immediate south are agriculture greenhouse structure on hard paved land.

2.5 Proposed Site Configuration and Layout

- 2.5.1 The Application Site covers an area of about 1,125 m². The Proposed Development will consist of a proposed 2-storey (no more than 13m) structure for warehouse purposes with a footprint of about 740 m² and a total GFA of about 1,480 m². The Application Site also has an existing 1 storey (no more than 3m) washroom with a total GFA of about 12 m². The loading/unloading activities will be conducted within the Site. A total of two loading/unloading bays will be provided for Light Goods Vehicles. No workshop activities will be conducted within the Application Site.

| Parameters | Proposed Development |
|--|---------------------------------|
| Site Area | About 1,125 sq.m. |
| No. of Structures | 2 |
| Covered Area | About 740 + 12 = 752 sq.m. |
| Maximum Height of Structure | 13 m/ 2 storeys & 3m / 1 storey |
| Total GFA | About 1,480 + 12 = 1,492 sq.m. |
| Maximum Total Site Coverage | About 66.8% |
| Maximum Plot Ratio | About 1.3 |
| No. of Parking Spaces for Light Goods Vehicles | 2 |

- 2.5.2 The proposed structure will be built with aluminium frame and corrugated steel. Approximately 300 m² of land is proposed to be filled with a concrete layer of about 0.3 metre in thickness, in addition to the existing hard-paved area. The indicative layout plan of the Proposed Development is shown in **Figure 3** and the indicative land filling portion is shown in **Figure 4**.

2.6 Proposed Operation Arrangement

- 2.6.1 The Proposed Development will operate from 9:00 am to 6:00 pm from Monday to Friday and occasionally on Saturday. There will be no operation on Sunday and public holiday. During the operation hours, there will be an average of 2 staff on the Application Site, who will access the Application Site through public transportation.
- 2.6.2 The Proposed Development is intended solely for the storage of non-polluting and non-dangerous goods. No direct provision of goods and services will be conducted on the Application Site. No incoming visitors are anticipated. While the business operation in the affected site involves workshop activities, due to changing market conditions, the affected workshop activities has been relocated to Mainland China. The relocated business operation in the Application Site will be for storage purpose only and mainly serves Hong Kong market. While the affected site has a total GFA of about 1751 m², after extensive site search for relocation, the Application Site with a total site area of about 1,125m² is considered as the only viable option so far. To avoid significant impact on the business operation due to the reduction in gross floor area, it is proposed to have a 2-storey structure with a total GFA of 1,480m², in addition to the existing washroom structure, in the Application Site to accommodate the affected business operation.

- 2.6.3 Upon acquiring planning permission from the Board, the Applicant would strictly follow the relevant requirements in respect of fire safety, hygiene, drainage and noise nuisance.

3 PLANNING ASSESSMENT

3.1 Statutory Planning Context

- 3.1.1 The Application Site falls within an area designated as “Agriculture” zone on the Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan No. S/NE-LYT/19 (**Figure 5**) (also known as the “OZP”). The planning intention of “AGR” zone is “*intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes*”.
- 3.1.2 According to the covering notes of the OZP, temporary use not exceeding a period of three years within “AGR” zone requires planning permission from the Town Planning Board notwithstanding that the use is not provided for in terms of the Plan.

S/NE-LYT/19

AGRICULTURE

| Column 1 Uses always permitted | Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board |
|--|---|
| Agricultural Use Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office | Animal Boarding Establishment Barbecue Spot Burial Ground Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project |

Planning Intention

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.

(Source: Town Planning Board, HKSAR Government)

- 3.1.3 According to the Notes of the OZP for “AGR” zone, any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

- 3.1.4 Approval of this application on a temporary basis for a period of 3 years and associated filling of land would be complementary to the Northern Metropolis Development and would not jeopardize the long-term planning intention of the “AGR” zone. It also helps relocating existing operation to facilitate development process of the Kwu Tung North and Fanling North New Development Area.

3.2 Future Development in the New Territories North

- 3.2.1 According to “Hong Kong 2030+ Study”¹, the Northern Metropolis Development Strategy involves four major zones in the Northern area of Hong Kong namely ‘High-end Professional Services and Logistics Hub’, ‘I&T Zone’, ‘Boundary Commerce and Industry Zone’ and ‘Blue and Green Recreation, Tourism and Conservation Circle’ which contribute to integration between Hong Kong and other cities in Greater Bay Area, the economic growth, innovation and technology, tourism as well as expansion of transport infrastructure, etc. Being the second economic engine of Hong Kong, the expansion in business and investment opportunities in the Northern Metropolis ensures long-term growth and enhances the overall competitiveness of Hong Kong.
- 3.2.2 The Application Site is situated next to the New Territories North (NTN) New Town, which is a part of Northern Metropolis Development Strategy. In addition to housing development in NTN New Town, a diverse range of economic activities has been proposed, such as industrial uses, innovative and technology, commercial/business and modern logistics. It is expected to accommodate an approximate population of at least 200,000 and generate about 130,000 job opportunities. The vision for the New Town entails creating a thriving and dynamic hub that accommodates various sectors, which fosters economic growth and urbanization in the New Territories North area.
- 3.2.3 The future development in the Northern area of Hong Kong indicates a change in the land use pattern as well as reconfiguration of the built environment, promoting urban-rural integration of the Northern area of Hong Kong. In regard to the future development of NTN, it is important to make efficient use of land to provide warehouses, with a view to supporting the anticipated storage/logistic needs arising from such development.

3.3 Similar Approved Applications for Warehouse and Open Storage

- 3.3.1 There are 4 similar applications (including renewal of planning approvals) approved by the Town Planning Board from 2017 to 2025 which fall within “AGR” zone of the Lung Yeuk Tau & Kwan Tei South Outline Zoning Plan for Temporary Warehouse uses.

| Application No. | Applied Use | Decision |
|-----------------|--|---|
| A/NE-LYT/631 | Temporary Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years | Approved with condition(s) on a temporary basis on 14 July 2017 |

¹ Planning Department as at October 2021

https://www.pland.gov.hk/pland_en/p_study/comp_s/hk2030plus/document/2030+_booklet.pdf

| Application No. | Applied Use | Decision |
|-----------------|--|--|
| A/NE-LYT/804 | Renewal of Planning Approval for Temporary Warehouses (excluding Dangerous Goods Godown) for a Period of 3 Years | Approved with condition(s) on a temporary basis on 27 October 2023 |
| A/NE-LYT/731 | Renewal of Planning Approval for Temporary Warehouses (excluding Dangerous Goods Godown) for a Period of 3 Years | Approved with condition(s) on a temporary basis on 18 September 2020 |
| A/NE-LYT/816 | Proposed Temporary Warehouse and Open Storage of Construction Materials for a Period of 3 Years | Approved with condition(s) on a temporary basis on 16 January 2024 |

3.4 Drainage Consideration

- 3.4.1 The Application Site is served by an existing drainage system running along the site. The existing drainage condition and pattern of the area will not be altered. The surface run-off of the Application Site will be discharged directly into the existing drainage including catch pits and U-channels of in the site.
- 3.4.2 Considering the intended use is solely for the intended purposes, the proposed development is not anticipated to have any detrimental effects on drainage. Thus, the Proposed Development will not cause any adverse drainage impact onto the area.

3.5 Traffic Consideration

- 3.5.1 The Proposed Development comprises a total of 2 LGV loading/unloading bay. Sufficient manoeuvring space will be provided to ensure sufficient turning space for LGVs (see **Figure 6 - Swept Path Plan**). Only an average of 2 staff members will be arriving at the Application Site for operation. They will commute by public transport. There are bus and minibus stops on Sha Tau Kok Road – Ma Mei Ha, containing a total of 5 routes to Fanling Station, is within 5 minutes walking distance from the Application Site.
- 3.5.2 The ingress/egress (with a gate installed) located at the northern area of the Application Site is about 8.3m wide, which allows the vehicles to access to/from the local access road at the north of the site. Queuing up of vehicles at the ingress/egress is not anticipated with the provision of loading and unloading bays in the Application Site. Measures, such as opening of the gate prior to the arrival of vehicles, shall be implemented to avoid queuing of vehicles outside the Application Site.
- 3.5.3 It is estimated that there will only be 2 roundtrips of Light Goods Vehicle per peak operation hour for the commuting and delivery of materials purpose which will not cause a significant impact on trip generation and trip attraction within and around the site. Thus, it is not anticipated to have any adverse traffic impact to the existing roads.

| Type of Vehicle | Generation (per peak hour) | Attraction (per peak hour) |
|---------------------|-------------------------------|-------------------------------|
| Light Goods Vehicle | 2 | 2 |

Pedestrian Safety Measures

- 3.5.4 Appropriate road signs will be posted at the ingress/egress of the Application Site to remind drivers and road users to exercise extra caution and to be more attentive to surroundings, preventing potential traffic accidents.

3.6 Environmental Consideration

- 3.6.1 As the Proposed Development accommodates storage of non-polluting and non-dangerous goods, it is not expected to generate any contaminated waste or pollution.
- 3.6.2 The Applicant will follow the relevant mitigation measures and requirements in the latest *"Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites"* to minimize any potential environmental impact. There will be no heavy goods vehicle accessing the Application Site, and no dust generating activities will be happening. No adverse environmental impact is anticipated.
- 3.6.3 The Applicant will preserve the iron-sheet wall surrounded the Application Site to act as barrier to minimise any potential adverse environmental impact to nearby residents. In addition, the operation hour will be between 9:00 a.m. and 6:00 p.m. from Monday to Friday, with occasional operations on Saturday. There will be no operation on Sunday and public holiday.
- 3.6.4 The Proposed Development will preserve an existing washroom. The washroom was built some twenty years ago and a septic tank and soakaway system were constructed for sewage disposal. The washroom has been renovated in 2021 and regular maintenance will be provided to the existing septic tank to treat the sewage from the Application Site (see **Appendix 5 - Photos of Washroom and Septic Tank**).

3.7 Visual and Landscape Compatibility

- 3.7.1 The Application Site is situated in rural area which are surrounded by brownfield operation, residential dwellings and temporary structures. Nevertheless, there is a minimum distance of at least 60 meters between the Application Site and the nearest dwelling, ensuring no impact on the existing environment. In addition, there are two existing trees near the site entrance which help soften the building footprint of the proposed development. The existing iron-sheeted wall erected alongside the Application Site will be remained after the construction of the proposed warehouse. Therefore, no adverse visual impact is anticipated.

4 PLANNING MERITS & JUSTIFICATIONS

4.1 To facilitate the relocation of the business premises affected by the KTN/FLN NDA development

- 4.1.1 With the ongoing resumption projects in the Northern Metropolis area, a significant number of warehouse sites in Northern New Territories and North Eastern New Territories have been / will be resumed by the Government for development of New Development Areas/public works in the near future.

The shortage of warehouse sites has already become a key economic and logistics issue concerning the whole territory.

4.1.2 The current application intends to facilitate the relocation of the affected business premises in Kwu Tung North / Fanling North New Development Areas (formerly on Lots 758, 759 S.B, 761 S.B, and 762 S.B in D.D. 95, Kwu Tung, Sheung Shui, New Territories), which were reverted to the Government due to land resumption and to pave way for the development of the Kwu Tung North / Fanling North New Development Areas (KTN/FLN NDA). Further information of the affected business can be found in **Appendix 3 - Details of the Affected Business**. An enquiry form "Assistance to Brownfield Operations Affected by Government's Land Resumption and Clearance for Government Project" has been submitted to the Development Projects Facilitation Office of the Development Bureau (Case Ref.: BF0304). In general, there are no major adverse comments on the proposed development from the preliminary consultation for departmental comments and DPFO/DevB has no objection on further plan to submit this planning application to the TPB for consideration.

4.1.3 The affected business premises have been in operation for years in the New Territories. According to the implementation programme, the affected premises falls within the land resumption limit for the Remaining phase development of the KTN/FLN NDA. Therefore, the application can support the desperate relocation of affected business and the implementation of the Remaining phase development of the KTN/FLN NDA. While the workshop activities of the affected business has been relocated to Mainland China due to market conditions and business considerations, warehouse for storage of products in the application site is critical to the continuation of providing quality products to the local market.

4.2 Applicant's effort in identifying suitable site for relocation

4.2.1 Whilst the applicant has spent effort to relocate the affected business to alternative site. The alternative site is considered not suitable due to various issues. Comparison of the application site and alternative site is as follows:

| | Application Site | Alternative Site 1 | Alternative Site 2 | Alternative Site 3 |
|---------------|---|---|---|---|
| Location | Lot 1828 in D.D.76, Ma Mei Ha, New Territories | Various Lots in D.D.84, Hung Lung Hang, New Territories | Various Lots in D.D.83, Kwan Tei, New Territories | Lot 91 RP in D. D. 81, Man Uk Pin, New Territories |
| Site Area | About 1,125m ² | About 3,763m ² | About 945m ² | About 1,660m ² |
| Accessibility | Directly accessible from Sha Tau Kok Road (Ma Mei Ha) | Accessible from Ping Che Road via a local access | Connected to Sha Tau Kok Road - Lung Yeuk Tau through a local | Connected to Sha Tau Kok Road - Wo Hang through a local |

| | Application Site | Alternative Site 1 | Alternative Site 2 | Alternative Site 3 |
|----------------------------|--|--|---|---|
| | | | road. However, part of the access is occupied by squatter, affecting vehicle access | road |
| Outline Zoning Plan | Approved Lung Yeuk Tau & Kwan Tei South OZP No. S/NE-LYT/19 | Approved Hung Lung Hang OZP No. S/NE-HLH/11 | Approved Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/14 | Approved Man Uk Pin Outline Zoning Plan No. S/ME-MUP/11 |
| Zoning | "Agriculture" | "Agriculture" | "Open Storage" | "Agriculture" |
| Existing Condition | Generally hard-paved, fence-off and currently occupied by a temporary structure | Covered with vegetation and occupied by a temporary structure | Covered with vegetation and occupied by some squatters subject to land ownership dispute | Vacant and partly covered with vegetation |
| Surrounding Area | Mainly comprise village houses, temporary structures, open storage yards, active/fallow farmland and plant nursery | Mainly comprise tree clusters, woodland, active/fallow agricultural land and some temporary structures without brownfield operations | Mainly comprise village houses, temporary structures, open storage yards, active/fallow farmland and plant nursery | Mainly covered with trees and vegetation. To the immediate northwest of the subject site are residential dwellings. |
| Suitability for Relocation | <u>Suitable</u> for relocation - Not incompatible with the surrounding area - Easily accessible | <u>Not suitable</u> for relocation - Not compatible with the surrounding character | <u>Not suitable</u> for relocation - Not accessible to major road network - The site is subject to ownership dispute. | <u>Not suitable</u> for relocation - Not compatible with the surrounding character - Adverse traffic impact to local road |

- 4.2.2 Given the length site-searching process and considering various factors including land use compatibility, environmental concerns and accessibility, the Application Site is considered a more suitable option for the relocation of the affected business comparing to the alternative site.

4.3 Would not affect the Agricultural Priority Areas

- 4.3.1 The Proposed Development is not located within the proposed Agricultural Priority Areas (APAs) as delineated by the Agriculture, Fisheries and Conservation Department (AFCD) (**Figure 6**). To support the sustainable development and industrial upgrading of the local agriculture sector, AFCD has proposed to designate certain high-quality farmland as APAs. Although the Site is situated in close proximity to the proposed APAs, it has not been included within their boundaries, indicating that it is either not considered suitable for agricultural purposes at present or has not been prioritised for agricultural preservation. As such, the Site is not regarded as quality farmland and its development is unlikely to pose significant adverse impacts on farmland conservation in Hong Kong. According to the FEEH Panel Paper², for planning applications involving non-agricultural uses of farmland outside APAs, AFCD would generally not raise objections from an agricultural perspective.

4.4 Would Not Jeopardize the Long-term Planning Intention

- 4.4.1 Approval of the application on a temporary basis for a period of 3 years and associated filling of land would not jeopardize the long-term planning intention of the “AGR” zones. Optimizing the use of underutilized land resources for storage purposes can effectively cater the future development needs in the northern region.

4.5 The Application Site is Unsuitable for Agricultural Rehabilitation

- 4.5.1 Notwithstanding the Application Site falls within an area zoned “AGR”, the Application Site is unsuitable for agricultural rehabilitation. The Application Site has been used as open storage in the past for 13 years from 2005 to 2020, was later developed as temporary golf training centre from 2021 to 2024. The majority of the Application Site is either hard-paved or paved with artificial grass.
- 4.5.2 Having considered the long development history of the Application Site, the planning intention of “AGR” zone is hardly materialized at the current capacity until the surrounding characteristics are entirely required to be reverted back to agricultural uses. In contrast, the Proposed Development in the Application Site is deemed not incompatible and is able to flexibly meet the demand and operational needs of the brownfield operator affected by the government’s development plans.

² FSEH Panel Paper

<https://www.legco.gov.hk/yr2024/english/panels/fseh/papers/fseh20241210cb2-1591-1-e.pdf>

4.6 Supported by Approvals of Similar Applications

- 4.6.1 There were four similar applications of warehouse and/or open storage uses within the “AGR” zone of Lung Yeuk Tau & Kwan Tei South Outline Zoning Plan approved with conditions on a temporary basis by the Rural and New Town Planning Committee in the past years. With the proximity of these planning approval for similar warehouse / open storage uses, approval of this application is considered acceptable within the subject “AGR” zone and in line with previous decisions of the Board.

4.7 Compatible with the Surrounding Development with No Adverse Visual and Landscape Impact

- 4.7.1 The Proposed Development is visually compatible with the surrounding environment, which is mainly composed of New Territories Exempted Houses, warehouses and temporary structures. The proposed development, with operational restrictions and the exclusion of workshop activities within the Application Site, is not anticipated to result in any adverse impact on the existing suburban landscape character. Hence, no adverse visual and landscape impact is anticipated.

4.8 No Adverse Traffic Impact

- 4.8.1 The Proposed Development will not incur adverse traffic impact. The traffic volume generated by the proposed temporary public vehicle park is minimal with an estimation of less than 2 roundtrips per peak operation hour for Light Goods Vehicles. Therefore, it is expected that there will not be significant negative impacts regarding the traffic network of the area concerned.

4.9 No Adverse Environmental Impact

- 4.9.1 The Proposed Development will only accommodate storage of non-polluting and non-dangerous goods. No leakage of pollutant or contamination of water is anticipated.
- 4.9.2 The latest “Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses” issued by Environmental Protection Department will also be followed. Therefore, there will not be adverse environment impacts including noise and air quality.

4.10 No Adverse Drainage Impact

- 4.10.1 The Proposed New Development in the Application will continue to use the existing drainage system. The existing drainage condition and pattern of the area will not be altered. Thus, no adverse drainage impact is anticipated.

5 CONCLUSION

- 5.1.1 The current application is intended to facilitate the relocation of the business premises in Kwu Tung, which will be affected by the land resumption for the development of the KTN/FLN NDA. The application site, situated near the distributor road Sha Tau Kok Road and adjacent to the planned industrial cluster within the NTN New Town, is considered suitable for the proposed temporary warehouse use. The warehouse is expected to support future development in NTN New Town.
- 5.1.2 Despite the fact that the Application Site falls within the “AGR” zone, active agricultural activities are not found at the Application Site, and the Application Site does not fall within the Agricultural Priority Areas. The planning intention of “AGR” is hardly to be materialized in short term until the surrounding characteristics are entirely and compulsorily required to be reverted to agricultural activities. In contrast, the proposed development in the interim at the Application Site is deemed not unsuitable for temporary uses as the surrounding areas are currently accompanied with warehouses, open storage sites and temporary structures, in which no interface problems will be arisen out of the proposed development. It will encourage optimization of the valuable land resources due to its locational and geographical advantages.
- 5.1.3 Given that similar applications for the same applied use have been approved by the Board within the “AGR” zone on the same OZP, therefore, approval of the current application would not set an undesirable precedent within the “AGR” zone.
- 5.1.4 No adverse impacts on the surrounding are anticipated based on the above assessments and the proposed development is also supported by local representatives (see **Appendix 4 - Supporting Letter from the Indigenous Representative**).
- 5.1.5 In view of the above, we respectfully seek the Board Members’ favourable consideration on this planning application.