Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of 3 Years at Lots 1813 S.A & 1829 S.B ss.3 (Part) in D.D. 76, Ma Mei Ha, Fanling, New Territories

Section 1 Background

1.1 Introduction

1.1.1 This planning application is submitted by Mao Shing Management Company Limited (茂成管理有限公司) who is the occupier of the Lots 1813 S.A & 1829 S.B ss.3 (Part) in D.D. 76, Ma Mei Ha, Fanling, New Territories. The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) and associated filling of land for a period of 3 years at Lots 1813 S.A & 1829 S.B ss.3 (Part) in D.D. 76, Ma Mei Ha, Fanling, New Territories (**Figure 1**) Although the proposed use is neither a Column 1 nor 2 use in the "AGR" zone, the covering Notes of the OZP stipulate that temporary use or development of any land or buildings not exceeding a period of 3 years within the zone requires planning permission from Town Planning Board notwithstanding that the use or development is not provided for under the Notes of the OZP. The Site is currently occupied by temporary structures.

1.1.2 The current application is to facilitate relocation of their construction materials and electronic goods trading business from Kung Um Road which has been identified as Yuen Long South New Development Area. The previous occupation falls within the Yuen Long South New Development Area (YLS NDA) and the concerned lots (i.e. Lots 747 (Part), 748, 749 (Part), 753 (Part), 754 (Part), 757 (Part), 758 (Part), 759 (Part), 760 S.A (Part), 760 S.B (Part), 761, 762, 763, 764 S.A (Part), 771 (Part), 793 (Part), 794, 795, 796, 797, 798 & 804 RP (Part) in D.D.117 & Adjoining Government Land, Kung Um Road, Yuen Long, N.T.) with previous planning permission No. A/YL-TYST/1169 as shown in **Figure 5** had already been resumed by the Government for the provision of sewage treatment plant and organic waste co-digestion facilities. Thus, there is an imminent need for the applicant to secure a relocation site to continue the affected business operation.

1.1.3 The applicant of this planning application has approached Development Bureau for seeking the advice for the relocation of his business to a suitable location. A preliminary consultation process has been conducted and Development Bureau agreed that the application site may be a suitable location for the relocation of applicant's business subject to the provision of appropriate technical proposals.

1.1.4 The application site is abutting a vehicular track leading from Sha Tau Kok Road – Ma Mei Ha Section.

Section 2 Planning Justifications

2.1 Thorough Site Selection Process

2.1.1 The applicant had undergone a thorough site selection process in identifying a suitable relocation site for their affected operation. The process had been difficult as land within Categories 1 and 2 areas of the Town Planning Board Guidelines for "Application for Open Storage and Port Back-up Uses" (TPB PG-No. 13G) were either unaffordable or have been occupied by other operators.

2.1.2 Four prospective sites in North districts has been reviewed and were found to be unsuitable due to various shortcomings such as too large for the relocation, high acquisition costs, traffic concerns and etc. The details of alternative sites for relocation of applicant's business and why they are not feasible is shown in the following:

2.1.3 Alternative Site 1 – Lot 1618 RP in D.D.125 – This site is an ideal site for the relocation of applicant's business because it has been approved for vehicle repair workshop on 9.12.2022 by Town Planning Board (TPB Ref.: A/HSK/418). However, this site will be resumed by Government shortly too so that it cannot guarantee the continuous operation of the applicant's business in the future. Another relocation may be necessary in the near future so that it would frustrate the potential of this site and extra money is required for the relocation of which the applicant cannot afford. Further, the acquisition cost of this site is not affordable by the applicant. Also, the site is adjacent to 'Village Type Development' ("V") zone and the vehicular access falls within the 'Village Type Development' zone which is incompatible to the adjacent uses.

2.1.4 Alternative Site 2 – Lot 1282 in D.D.124 – The size of the site is about 370m^2 only so that it would be too small for the relocation of applicant's business. The said site would not be adequate for the smooth manoeuvring of medium goods vehicle within the site after storage of construction materials which may generate adverse traffic impact to the nearby pedestrian and vehicle. The site will be resumed by Government shortly too so that it cannot guarantee the continuous operation of the applicant's business in the future. Another relocation may be necessary in the near future so that it would frustrate the potential of this site and extra money is required for the relocation of which the applicant cannot afford.

2.1.5 Alternative Site 3 – Lot 1463 RP in D.D.118 – The site is zoned "AGR" and "CA" according to the Approved Tai Tong Outline Zoning Plan No. S/YL-TT/18 of which the proposed development may not be compatible with the surrounding environment.

2.1.6 Alternative Site 4 – Taxlord Lot 464 S.A RP in D.D.83 – Although the site is zoned "OS" according to Approved Ping Che and Ta Kwu Ling Outline Zoning Plan No. S/NE-TKL/14, the site is about 3,300m^2 which is too large for the applicant. The said site is also unaffordable by the applicant because the seller

sells it at $2,600 per feet. The site is also covered with extensive structures of which site clearance cost is too expensive for the applicant together with the land cost.

2.1.7 The Site at the application site is deemed suitable for relocation as it is highly accessible and abutting vehicular track leading from Sha Tau Kok Road – Ma Mei Ha Section. The site area of the site at the application site (i.e. 2,300m^2) is the most closely to the area of the original site at Kung Um Road (i.e. 5,972m^2) which is available in the current property market.

2.2 The Site is Unsuitable for Agricultural Rehabilitation

2.2.1 The application site has been vacant for a long period of time and it has been rehabilitated for agricultural activities for a bobby farm since 2021. Although the land owner has put tremendous effort to rehabilitate the site for hobby farming, he cannot make his living with the hobby farm use. The proposal, which is not incompatible with the adjoining warehouse approved by Town Planning Board (TPB Ref. A/NE-LYT/852) would put scarce land resources into a better use especially that the applicant is the affected person due to the resumption of land for Government project.

2.3 Importance to Local Construction Industry

2.3.1 The applicant is a supplier of construction materials in Hong Kong. Successful relocation of the Site would help sustain the operation and help support the upcoming development projects, such as those in Northern Metropolis Development Strategy.

2.4 No Adverse Traffic Impacts

2.4.1 Only medium/heavy goods vehicle will access to site to deliver the construction materials and electronic goods to and from the application site. Also, the operation hours of the development will be limited to 9:00a.m. to 7:00p.m. from Mondays to Saturdays and no operation will be held on Sundays and public holidays. The operation will only bring negligible amount of traffic to the area. The approval of the current application would bring negligible amount of traffic because the site is intended for long term storage of construction materials and electronic goods.

2.4.2 The proposed development is a warehouse for storage of goods mainly for construction materials such as glasses and sanitary wares and electronic goods such as brand new tablets and mobile phones. No staff will station at the application site and no visitors will be allowed to visit the site. The proposed warehouse is not significant in size and it is only 2,000m^2 in size including the area for loading/unloading space and manoeuvring of vehicle within the site. As such, the approval of the current application would not bring significant amount of traffic to

the area.

2.5 No Adverse Environmental and Visual Impacts

2.5.1 The applicant undertakes that the operation hours of the development will be limited to 9:00a.m. to 7:00p.m. from Mondays to Saturdays and no operation will be held on Sundays and public holidays. That is to say no operation will be held during the sensitive hours. Secondly, the proposed development is a warehouse for storage. No workshop activities are proposed within the application site. Storage use is inert and static in nature so that it would not affect the nearby residents. More, the applicant proposed to cover the site with a 2,000m^2 warehouse to store the mainly construction materials and electronic goods within the warehouse. No operation use will be held at the application site which may generate noise or visually eyesore to the nearby residents. The loading and unloading of goods and maoeuvring of vehicle will also be housed within the proposed warehouse. Lastly, the applicant agreed to undertake the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Use" and the Professional Persons Environmental Consultative Committee Practice Notes No. 1/23 to upkeep the environment of the application site. The applicant is full of confidence that the proposed development would not generate environmental nuisance to the nearby residents.

2.5.2 The applicant will make the warehouse by the material with a density higher than 7kg/m^2. All the windows will be closed during the operation hours.

2.6 The Proposed Development is Compatible with the Surrounding Environment

2.6.1 The application site is abutting a vehicular track leading from Sha Tau Kok Road – Ma Mei Ha Section. A warehouse with planning permission No. A/NE-LYT/852 was found at the adjoining lot so that the proposed development is not the first of its kind in the area.

2.6.2 The proposed development would be fully covered and all activities (storage, loading/unloading and manoeuvring of vehicle) will be carried out within an enclosed warehouse. Thus, the impact to the nearby residents is minimal.

2.7 No Undesirable Precedent

2.7.1 The proposed relocation of the applicant's operation to the application site is a direct result of the Government's land resumption of land for the YLS NDA. Successful relocation of the operation would help to maintain a stable supply of metal materials in Hong Kong and should be considered unique from any other temporary development proposals in the subject "AGR" zone. Approval of the application would not create an undesirable precedent.

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Annex 1 Estimated Traffic Generation

1.1 The application site is accessible via a vehicular track leading from Sha Tau Kok Road – Ma Mei Ha Section. It is intended to serve the long term storage such as construction materials including sanitary ware and electronic goods sich as brand new tablets and mobile phones at the site so that the traffic generated by the proposed development is insignificant.

1.2 The proposed loading/unloading space at the application site would only be opened to staff and no visitors is allowed to visit the proposed development.

1.3 There will be 1 loading/unloading bay for medium/heavy goods vehicle. The estimated traffic generation/attraction rate is shown below:

Type of Vehicle	Average Traffic Generation Rate (pcu/hr)	Average Traffic Attraction Rate (pcu/hr)	Traffic Generation Rate at Peak Hours (pcu/hr)	Traffic Attraction Rate at Peak Hours (pcu/hr)
Medium/ heavy goods vehicle	0.2	0.2	0	0

Note:

1. The operation hours of the proposed development is from 9:00a.m. to 7:00p.m. from Mondays to Saturdays. No operation will be carried out on Sundays and public holidays.
2. The pcu of medium/heavy goods vehicle is taken as 2; &
3. Morning peak is defined as 7:00a.m. to 9:00a.m. whereas afternoon peak is defined as 5:00p.m. to 7:00p.m.

1.4 In association with the intended purpose, adequate space for manoeuvring would be provided within the application site. Sufficient space within the application site is provided so that no queueing up of vehicle would be occurred outside the application site.