



INV 創新土地規劃顧問有限公司

Innovative Land Use Planning Consultancy Co. LTD

Planning Statement

S.16 Application for the

Proposed Temporary Open Storage of Scrap Metals

With Ancillary Workshop and Office

And

Associated Filling of Land

for

A Period of 3 Years

At

Lots 663 s.A RP (part), 664s.A, 681 S.A RP (part), 685(part), 686(part),

687 RP (part)

and Adjoining Government Land

in

DD 90

Lin Ma Hang, Ta Kwu Ling

1. Background

1.1 Introduction

- 1.1.1 The applicant 『德暉電子有限公司』 seeks planning permission for the temporary open storage of scrap metals with ancillary workshop and office and associated filling of land for a period of 3 years. The applicant's previous site for the same use (see photos at Annex 3) was located at DD 125 Lot 677 in Ha Tsuen, Yuen Long. The previous site at Ha Tsuen is falling within Hung Shui Kiu/Ha Tsuen New Development Area (HSK-HT NDA). Location of applicant's previous site falls within the HSK-HT NDA is shown on Plan 4 for the consideration of the Town Planning Board (TPB).
- 1.1.2 The applicant was the lessee of Lot 677 in D.D 125. The latest tenancy agreement between the applicant 『德暉電子有限公司』 and the owner of Lot 677 in D.D. 125 was supposed to be valid up to 9/2027 (Annex 1). The discontinuation of the tenancy agreement was due to the land resumption of the development of HSK-HT NDA. The applicant's previous site (about 3000m²) as mentioned above at Ha Tsuen has been resumed /cleared by the Government for the Stage II development of HSK-HT NDA (Annex 4 – letter of Clearance Team, NDA Section, Lands Department dated 8.4.2025). The said 3000m² (about) of land formed part of Lot 677. Now only a small portion of Lot 677 is left (i.e Lot 677 RP – 60 m²). With this small area of land in Lot 677 RP, it is not able for the applicant to continue their operation. The applicant then has gone through a series of land search for the relocation of their warehouse for the storage of scrap metals and ancillary facilities. Without finding a suitable site, the site in Ha Tsuen cannot be relocated. Attention is drawn to the clearance division of Lands Department (Annex 5).
- 1.1.3 After a series of painful site search (11 alternative sites) in Yuen Long and Lin Ma Hang, the applicant has found the subject Site which is the most suitable

among the 11 alternative sites. Details of the site search are illustrated in paragraphs 4.1.3 -4.1.13 below. The Plans showing the location of all 11 alternative sites are attached at Annex 2.

1.1.4 The subject Site falls within “Agriculture” “AGR” zone on the draft Man Kam To Outline Zoning Plan No. S/NE-MKT/6 (the OZP) (Plan 1). According to the Notes of the Plan, the proposed use is neither a Column 1 nor 2 use in “AGR” zone. However, the covering Notes of the Plan 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 the TPB notwithstanding that the use or development is not provided for under the Notes of the Plan.

1.1.5 Previous application (A/NE-MKT/25) for the temporary warehouse and open storage for construction materials at the site (i.e Lot 664 S.A in D.D.90) similar to the current application site was submitted and rejected by the TPB with the following reasons:

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

(b) the development does not comply with TPB PG-No. 13G for “Application for Open Storage and Port Back-up Uses” in that no previous approval has been granted to the Site and there are adverse departmental comments and local objections; and

(c) the applicant fails to demonstrate in the submission that the development

would not generate adverse traffic, drainage and environmental impacts on the surrounding areas.

- 1.1.6 After the site search, the subject Site is found suitable to the relocation of the applicant's use previously located in Ha Tsuen. The applicant then would like to submit the subject planning application for the consideration of the TPB.

2. The Site and Its Surroundings

2.1 Site

The subject Site falls within "Agriculture" "AGR" zone on the draft Man Kam To Outline Zoning Plan No. S/NE-MKT/6 (the OZP)(Plan 1). The area of the Site is 2,832m² including Government land of 400m². The Site is currently vacant and partially hard paved (with depth of concrete filling of 0.2m) and partially fenced off. The Site is divided into two portions bisected by a stream course. A 2.1m(L) x 4m(W) platform was built and decked over the stream course. The Site is accessible via Lin Ma Hang Road to the south.

2.2 Its Surroundings

There are several temporary warehouses in the vicinity of the subject Site which were approved by the TPB on temporary basis for a period of 3 years. Details of the approved temporary warehouses will be illustrated in Paragraph 4.3 below. Man Kam To Boundary Control Point and Ma Kam To Livestock Monitoring Station are located to the northwest and southwest of the Site respectively

3. Proposal (Plan 3)

- 3.1 The area of the subject Site is 2,832m² including Government Land of 400m². A provision of loading and unloading area (about 122 m²) is proposed for the medium heavy vehicle (9 tons) with trip rate of maximum 1 OUT and 1 IN per

day, a workshop/open storage area of about 390 m², a mobile toilet and the ingress/egress area are proposed at the southern portion of the Site. Three storage areas with cover (211 m², 230 m² and 211 m²) separated with a 2m wide opened lane, an on-site office of 50 m² are proposed in the northern portion of the Site. For your information, the existing cover in the northern portion of the Site will be demolished and replaced by the above mentioned three storage areas with cover.

3.2 Two 3m non-storage/vacant area are also proposed to be located immediately adjacent to the north and south of the existing stream course as shown on Plan 3 which will be used as non-storage/vacant area in order to accord with the requirement of the Drainage Services Department in the consideration of the existing stream course which bisects the subject Site.

3.3 There will have maximum of only one medium heavy vehicle (9 tons) entering and leaving the Site per day for loading and unloading. The dimension of the loading and unloading area is shown on Plan 3 with a total area of 122 m². There is no overnight parking of private cars or medium heavy vehicles to be parked within the subject Site. Therefore, parking space is not available within the Site.

3.4 The proposed concrete platform connecting the southern and northern portion is not for vehicular access. The proposed loading and unloading area is located in the southern portion of the Site. All scrap metals will be loaded in the loading and unloading area in the southern portion of the Site. After sorting out of scrap metals by workers in the proposed workshop, the scrap metals with same materials will be trolleyed manually via the proposed platform and stored in the storage area in the northern portion under cover. The loading activity for the sorted scrap metal will not be taken place every day.

3.5 The swept path analysis with ingress/egress arrangement of the medium heavy

vehicles (11m(L) x2.5m(W)) is illustrated in Plan 5 for the consideration of the Transport Department or of the TPB. No drop bar will be installed at the ingress and egress of the Site in order to avoid the queue back of traffic on Lin Ma Hang Road. The medium heavy vehicle will turn left entering from and turning left leaving the Site onto Lin Ma Hang Road. There will have signage of “No parking” to be erected at the ingress/egress of the Site to avoid illegal parking entering the Site. Flashing lights with alarms will be provided at the ingress/egress to alert other vehicles/pedestrians when the medium heavy vehicle leaving the Site.

- 3.6 The operation of the workshop starts at 9:00 am to 6:00 pm during Mondays to Saturdays. There is no operation on Sundays and public holidays.
- 3.7 To facilitate the Site for the proposed open storage of scrap metals, a drainage proposal plans at Plan 6 is proposed for the consideration of the Drainage Services Department or of the TPB.

4. Planning Justifications

4.1 Site Selection Process

4.1.1 The applicant had gone through a series of site selection in identifying a suitable site for his affected warehouse in Ha Tsuen. The site selection was difficult as land within Categories 1 and 2 areas of the TPB Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13 G) are either too small, narrow site configuration, lack of proper ingress/egress and etc.

4.1.2 Eleven alternative sites (Annex 2) in North District and Yuen Long have been reviewed and were found to be unsuitable due to various shortcomings such as ‘too small for relocation’, ‘no proper access’, ‘too narrow configuration for the

maneuvering of trucks/medium heavy vehicle', 'traffic concerns' and etc. The details of alternative sites for the relocation of applicant's business and reasons of not feasible are shown in the following paragraphs 4.1.3-4.1.13 below:

4.1.3 Alternative Site 1: DD 129 Lot 66 Shum Wan Road, Lau Fau Shan, Yuen Long

Area: 590 m² (about)

Zoning: "Coastal Protection Area" "CPA" (Planning application is required)

Site Constraints: No proper access, too small site area, not sufficient space for maneuvering of truck/medium heavy vehicle

Conclusion: Not Suitable

4.1.4 Alternative Site 2 – DD 129 Lot 67 Shum Wan Road, Lau Fau Shan, Yuen Long

Area: 345m² (about)

Zoning: "Coastal Protection Area" "CPA" (Planning application is required)

Site Constraints: No proper access, too small site area, not sufficient space for maneuvering of truck/medium heavy vehicle

Conclusion: Not Suitable

4.1.5 Alternative Site 3 - DD 80 Lot 501s.B , Lin Ma Hang, North District

Area: 395 m²

Zoning: "Recreation" ("REC") (Planning application is required)

Site Constraints: Site Constraints: No proper access, too small site area, not sufficient space for maneuvering of truck/medium heavy vehicle

Conclusion: Not Suitable

4.1.6 Alternative Site 4- DD 80 Lot No. 538RP, Lin Ma Hang, North District

Area 1440 m²

Zoning: “Recreation” (“REC”) (Planning application is required)

Site Constraints: Site Constraints: No proper access, too small site area, not sufficient space for maneuvering of truck/medium heavy vehicle

Conclusion: Not Suitable

4.1.7 Alternative Site 5- DD 86 Lot No. 72, Lin Ma Hang, North District

Area: 780 m²

Zoning: “Agriculture” (“AGR”)

Site Constraints: Ingress and egress of the site not facilitate the turning right onto the site

Conclusion: Not Suitable

4.1.8 Alternative Site 6- DD 82 Lot No. 792, Ping Che Road, North District

Area: 1350 m²

Zoning: “Recreation” (“REC”) (Planning application is required)

Site Constraints: Check

Conclusion: Not Suitable

4.1.9 Alternative Site 7: DD 92 Lot 1197 Kam Chui Road , North District

Area: 2120 m²

Zoning: “Green Belt” (“GB”) (Planning application is required)

Site Constraints: No proper access, too small site area, not sufficient space for maneuvering of truck/medium heavy vehicle

Conclusion: Not Suitable

4.1.10 Alternative Site 8: DD 90 Lot535, Lin Ma Hang, North District

Area: 1960 m²

Zoning: “Agriculture” (“AGR”) (Planning application is required)

Site Constraints: Site configuration too narrow, no proper access, not sufficient space for maneuvering of truck/medium heavy vehicle

Conclusion: Not Suitable

4.1.11 Alternative Site 9: DD 90 Lot829, Lin Ma Hang, North District

Area: 842 m²

Zoning: "Agriculture" ("AGR") (Planning application is required)

Site Constraints: Site configuration too narrow, no proper access, too small site area, not sufficient space for maneuvering of truck/medium heavy vehicle

Conclusion: Not Suitable

4.1.12 Alternative Site 10: DD 90 Lot567, Lin Ma Hang, North District

Area: 256 m²

Zoning: "Agriculture" ("AGR") (Planning application is required)

Site Constraints: Site configuration too narrow, no proper access, too small site area, not sufficient space for maneuvering of truck/medium heavy vehicle

Conclusion: Not Suitable

4.1.13 Alternative Site 11: DD 86 Lot 84, Lin Ma Hang, North District

Area: 1020 m²

Zoning: "Agriculture" ("AGR") (Planning application is required)

Site Constraints: no proper access, interface problem with pig farm

Conclusion: Not Suitable

4.1.14 The subject Site is considered suitable for relocation. It is accessible from Lin Ma Hang Road with proper access. The site area is sufficient enough for the maneuvering of truck/medium heavy vehicle. The swept path of the medium heavy vehicle with dimension of (11m(L)x 2.5m(W)) entering the site and the location of the loading/unloading area are illustrated in Plan 5 for the consideration of Transport Department or of the TPB.

4.2 Unsuitable for Agricultural Rehabilitation

The application site has long been rehabilitated for agricultural activities. Various temporary warehouses as per planning applications (A/NE-MKT/34, 35 and 37) along Lin Ma Hang Road were approved by the TPB with the consideration similar to the subject application (i.e. uses in previous locations were affected by the New Development Areas).

4.3 Similar Applications

4.3.1 A/NE-MKT/34

The planning application for proposed temporary warehouse for storage of construction materials for a period of 3 years and associated filling of land in “Agriculture” Zone in Lin Ma Hang, Ta Kwu Ling was approved with conditions by the TPB taking into account the previous site of the applicant was affected by the Yuen Long South (YSL) NDA, sympathetic consideration by the TPB is then given and the proposed use at the relocation site was therefore tolerated for a period of 3 years by the TPB.

4.3.2 A/NE-MKT/35

The planning application for proposed temporary warehouse (Timber and Other Associated Materials) for a period of 3 years and associated filling of land in “Agriculture” Zone in Lin Ma Hang , Ta Kwu Ling was approved with conditions by the TPB taking into account the previous site of the applicant was affected by the Kwu Tung North (KTN) NDA, sympathetic consideration by the TPB is then given and the proposed use at the relocation site was therefore tolerated for a period of 3 years by the TPB.

4.3.3 A/NE-MKT/37

The planning application for the temporary warehouse for storage of food provisions for a Period of 3 Years and associated filling of land in “Agriculture” Zone in Lin Ma Hang, Ta Kwu Ling was approved with conditions by the TPB taking into account the previous site of the applicant was affected by the Yuen Long South (YLS) NDA, sympathetic consideration by the TPB is then given and the proposed use at the relocation site was therefore tolerated for a period of 3 years by the TPB.

4.4. **Not Jeopardize the planning intention of “AGR” zone**

As the subject Site is applied for temporary use for a period of 3 years, the long-term planning intention of “AGR” zone would not be jeopardized.

4.5 **No Adverse Traffic Impacts**

There is only one medium heavy vehicle entering and leaving the subject Site for loading and unloading per day. The traffic arising from the proposed temporary development to Lin Ma Hang Road and its surroundings is therefore considered insignificant. The operation of the proposed temporary use at the Site starts at 9:00 am to 6:00 pm during Mondays to Saturdays. There is no operation on Sundays and public holidays.

4.6 **Proper Traffic Management**

No drop bar will be installed at the ingress and egress of the Site in order to avoid the queue back of traffic on Lin Ma Hang Road. The medium heavy vehicle will turn left entering and leaving the Site. There will have signage of “No parking” to be erected at the ingress/egress of the Site to avoid illegal parking entering the

Site. Flashing lights with alarms will be provided at the ingress/egress to alert other vehicles/pedestrians when the medium heavy vehicle leaving the Site.

4.7 **No Adverse Environmental and Visual Impacts**

There is no noise generated from the proposed temporary storage. The subject site is well fenced off except the ingress/egress area. Therefore, there will not have any adverse environmental and visual impacts to the surroundings.

4.8 **No adverse Drainage Impacts**

The proposed drainage plan at Plan 6 is submitted under this application. Should the Drainage and Services Department (DSD) require, the applicant is willing to submit a more detail drainage proposal to and carry out the implementation of drainage works at the Site to the satisfaction of DSD upon the subject application being approved by the TPB.

4.9 **The Proposed Development is not incompatible to the Surrounding Environment**

Since there are several warehouses/open storages along Lin ma Hang Road as mentioned in Paragraph 4.3.1-4.3.3 above were tolerated and approved by the TPB on temporary basis for 3 years, the proposed temporary warehouse at the Site for the period of 3 years should not be incompatible with the surrounding as it would not jeopardize the long term planning intention of the “AGR” zone in the area.

4.10 **No Undesirable Precedent**

Like other applications (i.e. A/NE-MKT/34, 35 and 37), the subject application has the similar situation as the above applications. The relocation needs are due to



the uses being affected by YLS, KTN and HSK/HT NDAs. Approval of this application would not create an undesirable precedent.

Plans and Annexes

Plan 1 – Location Plan

Plan 2 – Site Plan

Plan 3 – Layout Plan

Plan 4 – Location of Previous Site of applicant's Warehouse for Scrap Metal at Ha Tsuen

Plan 5 – Swept Path Plan

Plan 6 – Drainage Proposal and Plans

Plan 7.1 to Plan 7.2 – Site photo view points and Site photos

Plan 8 – Plan showing the proposed filling of land

Annex 1 -Tenancy Agreement of applicant with owner of Lot 677 in D.D 125 in Ha Tsuen, Yuen Long)

Annex 2- Site location/boundary of 11 alternative sites

Annex 3 – Pictures of scrap metals stored in applicant's Ha Tsuen site

Annex 4 – Land resumption letter of Lands Department dated 8.4.2025

Annex 5 – Applicant's request for the extension of time for site clearance