

**Proposed Temporary Cold Store and Shop and Services (Fresh Provision Shop) and Associated Filling of Land for a Period of 3 Years at
Lots 510, 511, 512 & 524 S.A ss.1 S.A in D.D.90, Lin Ma Hang Road, Ta Kwu Ling, N.T.**

Section 1 Background

1.1 Introduction

- 1.1.1 This planning application is submitted by Kwong Lee Poultry Limited and Kin Sun Pigeon. Kwong Lee Poultry Limited was previously operation at Kwu Tung (Lot 23 in D.D.95) while Kin Sun Pigeon was previously operated at Hung Hui Kiu Lot 1315 RP (Part) in D.D.124).
- 1.1.2 The applicant seeks planning permission for proposed temporary cold store and shop & services (Fresh Provision Shop) and associated filling of land for a period of 3 years at Lots 510, 511, 512 & 524 S.A ss.1 S.A in D.D.90, Lin Ma Hang Road, Ta Kwu Ling, N.T. (**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 vacant.
- 1.1.3 The current application is to facilitate relocation of the storage of poultry business of Kwong Lee Poultry Limited at Lot 23 in D.D.95 and Kin Sun Pigeon at Lot 1315 RP (Part) in D.D.124 (**Figure 10**) (with planning permission A/HSK/300) from Kwu Tung and Hung Shui Kiu respectively which has been resumed by Government for the development. The proposed cold store would be occupied for the storage of iced poultry and the fresh provision shop would be occupied for selling of poultry. Thus, there is an imminent need for the applicant to secure a relocation site to continue the affected business operation.
- 1.1.4 The application site is abutting Lin Ma Hang Road.

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 502 RP in D.D.83 (**Figure 6**) – 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 1,800m² which is too large for the operation of the two applicants. The site is also not directly accessible to the main road. The access leading to the site would encroach onto private lot of which the right-of-way is not ascertain.
- 2.1.4 Alternative Site 2 – Lot 175 in D.D.84 (**Figure 7**) – Although the site is zoned “Category 2” area according to Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13G), the site is about 1,850m² which is more than enough for the operation of the two applicants. The site is also not directly accessible to the main road. The access leading to the site would encroach onto private lot of which the right-of-way is not ascertain.
- 2.1.5 Alternative Site 3 – Lot 1463 RP in D.D.118 (**Figure 8**) – 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 (**Figure 9**) – 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 3,300m² 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 Lin Ma Hang Road. The site area of the site at the application site (i.e. 1,500m²) is the most closely to the area of the original site at Kwu Tung and Hung Shui Kiu (i.e. 1,800m²).

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 not been rehabilitated for agricultural activities. In view of that warehouses have been found along Lin Ma Hang Road and most of them were relocated from other New Development Area, the proposal which is not incompatible with the surrounding uses would put scarce land resources into a better use.

2.3 Importance to Local Supply of Poultry

- 2.3.1 Kwong Lee Poultry Limited and Kin Sun Pigeon are suppliers of poultry in Hong Kong. Successful relocation of the Site would help sustain the stable supply of poultry for the citizens of Hong Kong.

2.4 No Adverse Traffic Impacts

- 2.4.1 Only medium/heavy goods vehicle will access to site to deliver the poultry 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 applicant has also submitted estimated traffic generation/attraction to support his application and the traffic generated and attracted to the site is negligible.
- 2.4.2 The proposed development is a cold store and fresh provision shop. The proposed cold store is not significant in size and it is only 470m² in size. 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 It is noted that some temporary structures were found to the west of the application site. However, 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 cold store. No workshop activities are proposed within the application site. Storage and shop & services uses are inert and static in nature so that it would not affect the nearby residents. More, the applicant proposed to cover the site with a 540m² cold store and shop & services including toilet. No operation use will be held at the application site which may generate noise or visually eyesore to the nearby residents. 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 noted that residential settlements were found to the west. The applicant will make the warehouse by the material with a density higher than 7kg/m². All the windows will be closed during the operation hours.

2.6 No Adverse Drainage Impacts

- 2.6.1 The applicant has submitted a drainage proposal in support of the current application and the result of the proposal demonstrated that the drainage impact of the proposed development would be minimal.

2.7 The Proposed Development is Compatible with the Surrounding Environment

- 2.7.1 The application site has consulted Development Bureau before submitting the current application. It is noted that the proposed development is not incompatible with the surrounding environment. It shows that the application site is versatile for the relocation of affected business in other parts of Hong Kong.
- 2.7.2 Although some residential settlements were found to the west, significant part of the proposed development would be covered and carried out within enclosed structures. Thus, the impact to the nearby residents is minimal.

2.8 No Undesirable Precedent

- 2.8.1 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 NDAs. Successful relocation of the operation would help to maintain a stable supply of construction 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.