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**SECTION 16 PLANNING APPLICATION**

**PROPOSED TEMPORARY OPEN STORAGE OF CONSTRUCTION MATERIALS AND MACHINERY  
WITH ANCILLARY FACILITIES AND ASSOCIATED FILLING OF LAND  
FOR A PERIOD OF 3 YEARS IN “AGRICULTURE” ZONE,**

**LOTS 477 (PART), 492 (PART), 504 (PART), 505 RP (PART) AND 506 (PART) IN D.D. 128  
AND ADJOINING GOVERNMENT LAND, PAK NAI, YUEN LONG, NEW TERRITORIES**

**PLANNING STATEMENT**

Applicant

**Sum Wui Investment Limited**

Consultancy Team

**R-riches Planning Limited**

## **FILE CONTROL**

**FILE NAME** : *DD128 Lot 477 & VL - Planning Statement (20251103) Ver1.0*  
**FILE LOCATION** : *\\R-SERVER\Planning\Planning Application\DD128 Lot 477 & VL  
- OS in HTF (NDA)\Submission (Oct 25)\Planning Statement*  
**REVISION NO.** : *1.0*

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**APPLICANT** : *Sum Wui Investment Limited*  
**TYPE OF APPLICATION** : *S.16 Planning Application*  
**PROPOSED USE** : *Proposed Temporary Open Storage of Construction Materials  
and Machinery with Ancillary Facilities and Associated Filling of  
Land for a Period of 3 Years*  
**SITE LOCATION** : *Lots 477 (Part), 492 (Part), 504 (Part), 505 RP (Part) and 506  
(Part) in D.D. 128 and Adjoining Government Land, Pak Nai, Yuen  
Long, New Territories*

## **AMENDMENT RECORD**

<b>REVISION NO.</b>	<b>DESCRIPTION</b>	<b>APPROVED BY (Date)</b>	<b>PREPARED BY (Date)</b>
1.0	Final Report	MN (20251121)	CC (20251121)

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## EXECUTIVE SUMMARY

- The applicant seeks planning permission from the Town Planning Board (the Board) under Section (S.) 16 of the Town Planning Ordinance (Cap. 131) to use *Lots 477 (Part), 492 (Part), 504 (Part), 505 RP (Part) and 506 (Part) in D.D. 128 and Adjoining Government Land (GL), Pak Nai, Yuen Long, New Territories* (the Site) for **'Proposed Temporary Open Storage of Construction Materials and Machinery with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years'** (the proposed development).
- The Site falls within an area zoned "Agriculture" ("AGR") on the Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No.: S/YL-HTF/12. The Site occupies an area of 14,072 m<sup>2</sup> (about), including GL of 663 m<sup>2</sup> (about). A total of 5 temporary structures are proposed at the Site for ancillary warehouse, site office and washroom uses with total gross floor area (GFA) of 980 m<sup>2</sup> (about). The remaining area is reserved for area for open storage operations, vehicle parking and loading/unloading (L/UL) spaces and circulation area.
- The Site is accessible from Kai Pak Ling Road via Deep Bay Road and a local access. The operation hours of the proposed development are Monday to Saturday from 09:00 to 19:00. No operation on Sunday and public holidays.
- Justifications for the proposed development are as follows:
  - the affected business operator's premises (the original premises) is affected by Government's land resumption for the development of the Hung Shui Kiu/Ha Tsuen (HSK/HT) New Development Area (NDA);
  - the applicant has spent effort in identifying suitable sites for relocation;
  - the applied use is the same as the affected business premises;
  - the proposed development is considered not incompatible with surrounding land uses; and
  - the proposed development is only on a temporary basis, approval of the application will not frustrate the long-term planning intention of the "AGR" zone.
- Details of development parameters are as follows:

<b>Site Area</b>	14,072 m <sup>2</sup> (about) , including GL of 663 m <sup>2</sup> (about)
<b>Covered Area</b>	950 m <sup>2</sup> (about)
<b>Uncovered Area</b>	13,122 m <sup>2</sup> (about)
<b>Plot Ratio</b>	0.07 (about)
<b>Site Coverage</b>	7% (about)
<b>No. of Structure</b>	5
<b>Total GFA</b>	980 m <sup>2</sup> (about)
- Domestic GFA	Not applicable
- Non-Domestic GFA	980 m <sup>2</sup> (about)
<b>Building Height</b>	7 m - 12 m (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元朗白泥丈量約份第 128 約地段第 477 號(部分)、第 492 號(部分)、第 504 號(部分)、第 505 號餘段(部分)及第 506 號(部分)和毗連政府土地的規劃申請，於上述地點作「擬議臨時露天存放建築材料及器材連附屬設施及相關填土工程(為期 3 年)」(擬議發展)。
- 申請地點所在的地區在《廈村邊緣分區計劃大綱核准圖編號 S/YL-HTF/12》上劃為「農業」地帶。申請地盤面積為 14,072 平方米(約)，包括 663 平方米(約)的政府土地。申請地點將設 5 座臨時構築物作附屬貨倉、辦公室及洗手間用途，總樓面面積合共為 980 平方米(約)，申請地點的其餘地方將預留作露天貯物空間、車輛停泊／上落貨位及流轉空間。
- 申請地點可從雞伯嶺路經深灣路及一條地區道路前往。擬議發展的作業時間為星期一至六上午九時至下午七時，星期日及公眾假期休息。
- 擬議發展的申請理據如下：
  - 在地經營者原來的經營處所受到政府的「洪水橋／廈村新發展區」收地發展影響；
  - 申請人曾經致力尋找合適的搬遷地點；
  - 申請用途與受影響的經營處所用途一致；
  - 擬議發展與周邊地方的用途並非不協調；及
  - 擬議發展只屬臨時性質，批出規劃許可不會影響「農業」地帶的長遠規劃意向。
- 擬議發展的詳情發展參數如下：

申請地盤面積：	14,072 平方米(約)，包括 663 平方米(約)的政府土地
上蓋總面積：	950 平方米(約)
露天地方面積：	13,122 平方米(約)
地積比率：	0.07 (約)
上蓋覆蓋率：	7% (約)
樓宇數目：	5 座
總樓面面積	980 平方米(約)
住用總樓面面積：	不適用
非住用總樓面面積：	980 平方米(約)
構築物高度：	7 米至 12 米(約)
構築物層數：	1 至 2 層

## 1. INTRODUCTION

### *Background*

- 1.1 **R-riches Planning Limited** has been commissioned by **Sum Wui Investment Limited**<sup>1</sup> (the applicant) to make submission on their behalf to the Board under S.16 of the Ordinance in respect to *Lots 477 (Part), 492 (Part), 504 (Part), 505 RP (Part) and 506 (Part) in D.D. 128 and Adjoining GL, Pak Nai, Yuen Long, New Territories (Plans 1 to 3)*.
- 1.2 The applicant would like to use the Site for '**Proposed Temporary Open Storage of Construction Materials and Machinery with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years**'. The Site falls within an area zoned "AGR" on the Approved Ha Tsuen Fringe OZP No.: S/YL-HTF/12 (**Plan 2**). According to the Notes of the OZP, the applied use is neither Columns 1 nor 2 use within the "AGR" zone, which requires planning permission from the Board.
- 1.3 In support of the proposal, a set of indicative development plans/drawings (**Plans 1 to 11**), and supplementary information (**Appendices I and II**) are provided with the Planning Statement. Other assessments will be submitted, if required, at a later stage for the consideration of relevant government bureaux/departments and members of the Board.

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<sup>1</sup> **Sum Wui Investment Limited** 深滙投資有限公司, the applicant, is authorised by **K.Y.H. Steel Company Limited** 金源行鐵倉有限公司, the affected business operator, to facilitate the relocation of the original premises. The Memorandum of Understanding signed by both parties, as well as details of the affected business operator are provided at **Appendix I**.

## 2. JUSTIFICATIONS

*To facilitate the relocation of the original premises affected by the HSK/HT NDA development*

- 2.1 The current application is intended to facilitate the relocation of the business operators' premises in Ha Tsuen, i.e. various lots in D.D. 125 and adjoining GL, due to land resumption and to pave way for the development of the HSK/HT NDA. The original premises currently falls within an area zoned "Open Space" ("O"), "Other Specified Uses" annotated "Logistics Facilities" ("OU(LF)"), "OU" annotated "Petrol Filling Station" ("OU(PFS)") and area shown as 'Road' on the Approved Hung Shui Kiu and Ha Tsuen OZP No.: S/HSK/2 (**Plan 4**).
- 2.2 With reference to the implementation programme, the original premises mainly falls within the land resumption limit for the Second Phase and Remaining Phase Developments of the HSK/HT NDA (**Plan 5**). As portion of the original premises have been resumed and reverted to the Government, the applicant desperately needs to identify a suitable site for the relocation of the affected business operators in order to continue the business operation.
- 2.3 In September 2025, a planning application No. A/YL-HTF/1193 submitted by the same applicant was approved by the Board with policy support to facilitate the relocation of a fraction of the affected operator's business (**Plan 4**). In view of this, the current application would compensate for a significant portion of the original premises in order to maintain the affected operator's business. Details of the difference between the original premises and the Site are shown at **Table 1** below.

**Table 1** - Difference between the original premises and the Site

	<b>Original Premises (a)</b>	<b>Current application (b)</b>	<b>Difference (b) - (a)</b>
<b>Site Area</b>	24,237 m <sup>2</sup>	14,072 m <sup>2</sup>	-10,165 m <sup>2</sup> ; -42%

*Applicant's effort in identifying suitable site for relocation*

- 2.4 Whilst the applicant has spent effort to relocate the original premises to a number of alternative sites in the New Territories, those sites were considered not suitable or impracticable due to various issues such as land use incompatibility, environmental concerns, land ownership issue or accessibility (**Appendix II** and **Plan 6**). After a lengthy site-searching process, the Site is identified for relocation as it is relatively flat, easily accessible and not incompatible to surrounding land uses.

*Applied use is the same as the original premises*

- 2.5 The proposed development involves the operation of an open storage of construction materials and machinery with ancillary facilities to support the daily operation of the Site. The applied use is the same as the original premises in Ha Tsuen.



- 2.6 Circulation space is reserved at the Site in order to increase the Site's overall efficiency, as well as to minimise the potential adverse traffic impacts to the surrounding road network.

*Approval of the application would not frustrate the long-term planning intention of the "AGR" zone*

- 2.7 Although the Site situates in an area zoned "AGR" on the Approved Ha Tsuen Fringe OZP No.: S/YL-HTF/12, the Site is currently vacant without active agricultural activities (**Plans 2 and 8**). Therefore, approval of the current application on a temporary basis would not frustrate the long-term planning intention of the "AGR" zone and would better utilise deserted land in the New Territories.
- 2.8 Similar applications for 'open storage' use (Nos. A/YL-HTF/1133, 1150, 1155, 1166, 1179, 1182, 1185, 1190 and 1193) were approved by the Board between 2022 and 2025 within the "AGR" zone on the same OZP. All similar applications were approved on temporary basis for a period of 3 years. As such, the approval of the current application is line with the Board's previous decision and would not set an undesirable precedent within the "AGR" zone.
- 2.9 Despite the fact that the proposed development is not in line with the planning intention of the "AGR" zone, the special background of the application should be considered on its individual merit, of which the approval of the current application would therefore not set an undesirable precedent for the "AGR" zone.

*The proposed development is not incompatible with surrounding land uses*

- 2.10 The proposed development situates in a relatively remote area, which is far away from sensitive receivers (**Plans 1, 3 and 8**). The surrounding area is considered to be predominated by vacant/unused land and ponds intermixed with residential dwellings and areas for storage/open storage uses. The proposed development is considered not incompatible with surrounding land uses. Upon approval of the current application, the applicant will make effort in complying with approval conditions in relation to fire services and drainage aspects, so as to minimise potential adverse impacts arising from the proposed development.

### **3. SITE CONTEXT**

#### *Site Location*

- 3.1 The Site is located approximately 5.1 km west of Tin Shui Wai MTR Station; 8.9 km north of Siu Hong MTR Station; 9.0 km south of Shenzhen Bay Border Control Point; and 2.9 km west of the original premises.

#### *Accessibility*

- 3.2 The Site is accessible from Kai Pak Ling Road via Deep Bay Road and a local access (**Plan 1**).

#### *Existing Site Condition*

- 3.3 The Site is generally flat, fenced and covered with overgrown grass (**Plans 1, 3 and 8**).

#### *Surrounding Area*

- 3.4 The Site and its surrounding comprise of vacant/unused land, ponds, residential dwellings, temporary structures for various brownfield operations, and areas for storage/open storage uses (**Plans 1, 3 and 8**).
- 3.5 To its north is the site of an approved planning application No. A/YL-HTF/1193 for 'open storage' use submitted by the same applicant. To its further north is Deep Bay Road, across which are some ponds intermixed with vegetations and some temporary structures.
- 3.6 To its east is an open storage yard covered by valid planning permission under application No. A/YL-HTF/1166 under implementation.
- 3.7 To its south is vacant/unused land covered with vegetation and woodland.
- 3.8 To its west are ponds, a saw mill, and temporary structures for brownfield operations.

#### 4. PLANNING CONTEXT

##### *Zoning*

- 4.1 The Site falls within an area zoned “AGR” on the Approved Ha Tsuen Fringe OZP No.: S/YL-HTF/12 (**Plan 2**). According to the Notes of the OZP, the applied use is neither Columns 1 nor 2 use within the “AGR” zone, which requires planning permission from the Board.

##### *Planning Intention*

- 4.2 The planning intention of the “AGR” zone is *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.*

##### *Restriction on Filling of Land*

- 4.3 According to the Remarks of the “AGR” zone on the Approved Ha Tsuen Fringe OZP No.: S/YL-HTF/12, *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 or continued on or after the date of the first publication in the Gazette of the notice of the draft Ha Tsuen OZP No. S/YL-HT/6 without the permission from the Board under S.16 of the Ordinance.*

##### *Previous and Similar Applications*

- 4.4 Part of the Site was subject of a previous application (No. A/YL-HTF/1160) for ‘storage of metalware and tools’ and ‘private vehicle park’ uses, which is considered irrelevant to the current application.
- 4.5 Within the “AGR” zone on the same OZP, 9 similar applications (Nos. A/YL-HTF/1133, 1150, 1155, 1166, 1179, 1182, 1185, 1190 and 1193) for ‘open storage’ use were approved by the Board between 2022 and 2025. All similar applications were approved on temporary basis for a period of 3 years. As such, the approval of the current application is line with the Board’s previous decision and would not set an undesirable precedent within the “AGR” zone.

##### *Town Planning Board Guidelines (TPB PG-No.) 13G*

- 4.6 The Site mostly falls within Category 3 area, *which are those outside Category 1, 2 and 4 areas (Plan 7). Within these areas, “existing” and approved open storage and port back-up uses are to be contained and further proliferation of such uses is not acceptable. Applications falling within Category 3 areas would normally not be favourably considered*

*unless the applications are on sites with previous approvals (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant). In that connection, sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous applications and/or relevant technical assessments/proposals have been included in the fresh applications, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions, a planning permission could be granted on a temporary basis up to a maximum period of 3 years.*

- 4.7 The Site falls within Category 3 area of TPB PG-No. 13G and the proposed development would not generate significant adverse impacts on the surrounding areas (**Plan 7**). In addition, the original premises have been resumed by the Government to facilitate the HSK/HT NDA development. Approval of the current application is in line with TPB PG-No. 13G and would not set an undesirable precedent within the Category 3 areas. It should be considered on individual merits given the special background of the applicant.

#### *Land Status*

- 4.8 The Site falls mostly on private lots, i.e. *Lots 477 (Part), 492 (Part), 504 (Part), 505 RP (Part) and 506 (Part) in D.D. 128*, with total private land area of 13,409 m<sup>2</sup> (about) of Old Schedule Lot held under Block Government Lease (**Plan 3**). Apart from the private lots, the Site also comprises GL of 663 m<sup>2</sup> (about).
- 4.9 Given that there is restriction on the erection of structures and occupation of GL without prior approval from the Government, the applicant will submit applications for Short Term Waiver (STW) and Short Term Tenancy to the Lands Department (LandsD) to make way for the erection of the proposed structure and occupation of GL at the Site, after planning approval has been obtained from the Board. No structure is proposed for domestic use.

## 5. DEVELOPMENT PROPOSAL

### Development Details

- 5.1 The Site consists of an area of 14,072 m<sup>2</sup> (about), including GL of 663 m<sup>2</sup> (about). Details of the development parameters are shown at **Table 2** below.

**Table 2** - Development Parameters

<b>Site Area</b>	14,072 m <sup>2</sup> (about), including GL of 663 m <sup>2</sup> (about)
<b>Covered Area</b>	950 m <sup>2</sup> (about)
<b>Uncovered Area</b>	13,122 m <sup>2</sup> (about)
<b>Plot Ratio</b>	0.07 (about)
<b>Site Coverage</b>	7% (about)
<b>No. of Structure</b>	5
<b>Total GFA</b>	980 m <sup>2</sup> (about)
- Domestic GFA	Not applicable
- Non-Domestic GFA	980 m <sup>2</sup> (about)
<b>Building Height</b>	7 m to 12 m (about)
<b>No. of Storey</b>	1 - 2

- 5.2 A total of 5 temporary structures are proposed at the Site for ancillary warehouses (excluding dangerous goods godown (excl. D.G.G.)), site office and guardroom with total GFA of 980 m<sup>2</sup> (about). The remaining open area is reserved for area for open storage operations, vehicle parking and L/UL spaces, and circulation area (**Plan 9**). Details of the proposed structure are shown at **Table 3** below.

**Table 3** – Details of the Proposed Structure

Structure	Uses	Covered Area	GFA	Building Height
B1	Site office and washroom	30 m <sup>2</sup>	60 m <sup>2</sup>	7 m (about) (2-storey)
B2 to B5	Warehouse (excl. D.G.G.)	230 m <sup>2</sup> each	230 m <sup>2</sup> each	12 m (about) (1-storey)
<b>Total</b>		<b>950 m<sup>2</sup> (about)</b>	<b>980 m<sup>2</sup> (about)</b>	-

### *Filling of Land at the Site*

- 5.3 The Site is currently covered with asphalt (about 5,831 m<sup>2</sup>), concrete (about 3,590 m<sup>2</sup>), and soil (about 4,651 m<sup>2</sup>). The existing site levels range from +4.7 mPD to +10.7 mPD. The applicant intends to regularise the existing filling at the Site (**Plan 10**).
- 5.4 Further to the existing filling to be regularised, the entire Site is proposed to be filled with asphalt (about 11,900 m<sup>2</sup>), soil (about 1,222 m<sup>2</sup>), and concrete (about 950 m<sup>2</sup>) of not more than 1.2 m in depth for area for open storage operations, vehicle parking and L/UL spaces, site formation of structures, and circulation area. The proposed site levels after filling of land will range between +5.9 mPD and +11.2 mPD (**Plan 10**). The filling of land is considered required and has been kept to a minimum to meet the operational need. The applicant will reinstate the Site to an amenity area upon expiry of the planning permission.
- 5.5 The Site is located within the Fu Tei Au Site of Archaeological Interest (SAI) and Ngau Ham Sha SAI. Subject to final approval of the Drainage Authority, peripheral drainage u-channels within the layer of filling materials will be proposed along the site boundary to collect the run-off to minimise the adverse drainage impact to the surrounding area. Given that the scale of works and no excavation is required for the proposed drainage work is minimal, the potential adverse impact to the SAIs is not anticipated.

### *Operation Mode*

- 5.6 The Site will be used as open storage of construction materials and machinery with ancillary facilities. The area designated for open storage operation is 7,150 m<sup>2</sup> (about), which accounts for about 51% of the Site (**Plan 9**). The construction materials (e.g. steel beam, bricks, scaffold etc.) and machinery (e.g. mobile cranes etc.) will be openly stored at the designated area with stacking height of not more than 3 m. Depending on their nature, some construction materials and machinery which are prone to rain/water damage will be stored indoor within the proposed enclosed structures. The operation hours of the proposed development are Monday to Saturday from 09:00 to 19:00. There is no operation on Sunday and public holidays. No dangerous goods will be allowed to be stored within the Site.
- 5.7 It is estimated that the Site would be able to accommodate about 4 nos. of staff. The site office is intended to provide indoor workspace for administrative staff to support the daily operation of the Site. As no shopfront is proposed at the Site, visitor is not anticipated.

### *Minimal Traffic Impact*

- 5.8 The Site is accessible from Kai Pak Ling Road via Deep Bay Road and a local access (**Plan 1**). An 11 m-wide (about) vehicular ingress/egress is proposed at the northern tip of the Site. A total of 6 parking and L/UL spaces will be provided at the Site (**Plan 9**). Details of the parking and L/UL provision are shown at **Table 4** below.

**Table 4 – Provision of Parking and L/UL Spaces**

Type of Parking Space	No. of Space
Parking spaces for private car (PC) - 2.5 m (W) x 5 m (L)	4
Type of L/UL Space	No. of Space
L/UL Spaces for heavy goods vehicle (HGV) - 3.5 m (W) x 11 m (L)	2

- 5.9 Parking spaces are reserved for staff use only. HGV will be deployed for the transportation of materials into and out of the Site, which will only be conducted beyond peak hours between 10:00 and 18:00. Staff will be deployed to station at the ingress/egress of the Site to direct incoming/outgoing vehicles to enhance pedestrian safety. Sufficient space is provided for vehicle to manoeuvre smoothly within the Site to ensure that no vehicle will be allowed to queue back to or reverse onto/from the Site to the public road (**Plan 11**). The breakdown of the estimated trip generation/attraction are provided at **Table 5** below:

**Table 5 – Estimated Trip Generation/Attraction**

Time Period	Estimated Trip Generation/Attraction				
	PC		HGV		2-Way Total
	In	Out	In	Out	
Trips at <u>AM peak</u> per hour (09:00 – 10:00)	4	0	0	0	4
Trips at <u>PM peak</u> per hour (18:00 – 19:00)	0	4	0	0	4
Average trips per hour (10:00 – 18:00)	0	0	1	1	2

- 5.10 As the nos. of vehicular trip generated/attracted are expected to be minimal, adverse traffic impact to the surrounding road network should not be anticipated. No vehicle without valid licenses issued under the *Road Traffic (Registration and Licensing of Vehicles) Regulations* are allowed to be parked/stored at the Site at any time during the planning approval period.

#### *Minimal Environmental Impact*

- 5.11 The applicant will strictly follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued by the Environmental Protection Department (EPD) to minimise adverse environmental impacts and nuisance to the surrounding areas. The applicant will also 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.

- 5.12 During the construction stage, the applicant will follow the good practices stated in *Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN) 2/24* to minimise the impact on the nearby watercourse water quality. Surface run-off from the construction phase will be discharged into storm drains through appropriately designed sand/silt removal facilities such as sand traps, silt traps, and sediment basins. Silt removal facilities, channels, and manholes will be maintained, and the deposited silt and grit will be removed on a regular basis, at the start and end of each rain season, to ensure that these facilities are always operational.
- 5.13 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 ProPECC PN 1/23 when designing on-site drainage system within the Site. 2.5 m-high (about) solid metal fencing will be erected along the site boundary to minimise noise nuisance to the surrounding area. The boundary wall will be installed properly by a licensed contractor to prevent misalignment of walls, to ensure that there is no gap or slit on the boundary wall. In addition, maintenance will be conducted on a regular basis.

#### *Minimal Landscape Impact*

- 5.14 The Site is mainly covered with overgrown grass intermixed with temporary structures. Due to the proposed open storage operations and provision of vehicle parking, L/UL and circulation spaces, the majority of the Site will be disturbed. As such, it is not proposed to retain any of the existing vegetation at the Site.

#### *Minimal Drainage Impact*

- 5.15 The applicant will submit a drainage proposal to mitigate potential drainage impact generated from the proposed development after planning approval has been granted from the Board. The applicant will implement the proposed drainage facilities at the Site once the drainage proposal is accepted by the Drainage Services Department.

#### *Fire Safety Aspect*

- 5.16 The applicant will submit a fire service installations (FSIs) proposal for the consideration of the Director of Fire Services to enhance fire safety of the Site after planning permission has been granted from the Board. Upon receiving the STW and STT approvals from the LandsD for erection of the proposed structure and occupation of GL, the applicant will implement the accepted FSIs proposal at the Site.



## 6. CONCLUSION

- 6.1 The current application is intended to facilitate the relocation of the affected operator's business in Ha Tsuen, which will be affected by the HSK/HT NDA development (**Appendix I and Plans 4 and 5**). Planning approval with policy support has been previously granted to relocate a fraction of the original premises to the site of the planning application No. A/YL-HTF/1193. The current application would compensate for a significant portion of the original premises in order to maintain the affected operator's business. Whilst the affected business operator attempted to relocate the original premises to a number of alternative sites in the New Territories, those sites were considered not suitable or impracticable (**Appendix II and Plan 6**). Given that the relocation is to facilitate the HSK/HT NDA development, approval of the application can facilitate relocation prior to land resumption, thereby minimise the impact on the implementation programme of government development projects.
- 6.2 Although the Site is not in line with the long-term planning intention of the "AGR" zone, the Site is currently vacant without active agricultural activities. Hence, approval of the application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the "AGR" zone and better utilise deserted land in the New Territories.
- 6.3 The Site is surrounded by unused/vacant land, ponds, and sites occupied by various brownfield uses. The proposed development is considered not incompatible with the surrounding areas. Despite the fact that the Site falls within Category 3 areas under TPB PG-No. 13G, the special background of the application should be considered on its individual merit. Given that similar applications for the applied use have been approved by the Board within the same "AGR" zone on the OZP, approval of the current application would not set an undesirable precedent within the "AGR" zone.
- 6.4 The proposed development will not create significant nuisance to the surrounding areas. Adequate mitigation measures will be provided, i.e. submission of drainage proposal, fire service installations proposals etc., to mitigate any adverse impact that would have arisen from the proposed development. The applicant will also strictly follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' and relevant Practice Notes and guidelines issued by EPD to minimise all possible environmental impacts on nearby sensitive receivers.
- 6.5 In view of the above, the Board is hereby respectfully recommended to approve the subject application for '**Proposed Temporary Open Storage of Construction Materials and Machinery with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years**'.