
SECTION 16 PLANNING APPLICATION

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

**LOTS 945 (PART), 946 S.A (PART), 946 S.B (PART), 946 S.C (PART), 946 S.D (PART), 946 S.E (PART),
946 S.F, 946 S.G, 946 S.H, 946 S.I, 946 S.J (PART), 946 RP (PART), 947 (PART), 948 (PART) AND 1120
(PART) IN D.D. 107, FUNG KAT HEUNG, KAM TIN, YUEN LONG, NEW TERRITORIES**

PLANNING STATEMENT

Applicant

Creation Prospect Construction Engineering Limited

Consultancy Team

R-riches Planning Limited

FILE CONTROL

FILE NAME : *DD107 Lot 945 & VL - Planning Statement (20260818) Ver1.0*

FILE LOCATION : *\\R-SERVER\Planning\Planning Application\DD107 Lot 945 & VL
- OS in KTN (NDA)\Submission (Aug 26)\Planning Statement*

REVISION NO. : *1.0*

APPLICANT : *Creation Prospect Construction Engineering Limited*

TYPE OF APPLICATION : *S.16 Planning Application*

PROPOSED USE : *Proposed Temporary OS of Construction Materials, Machinery
and Container Storage Yard and Associated Filling of Land for a
Period of 3 Years in "Agriculture" Zone, Various Lots in D.D. 107,
Fung Kat Heung, Kam Tin, Yuen Long, New Territories*

SITE LOCATION : *Lots 945 (Part), 946 S.A (Part), 946 S.B (Part), 946 S.C (Part), 946
S.D (Part), 946 S.E (Part), 946 S.F, 946 S.G, 946 S.H, 946 S.I, 946
S.J (Part), 946 RP (Part), 947 (Part), 948 (Part) And 1120 (Part) In
D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories*

AMENDMENT RECORD

REVISION NO.	DESCRIPTION	APPROVED BY (Date)	PREPARED BY (Date)
1.0	Final Report	MN (20260830)	CC (20260830)

CONTENT PAGE

EXECUTIVE SUMMARY	4
行政摘要	5
1. INTRODUCTION	6
<i>Background</i>	6
2. JUSTIFICATION	7
<i>To facilitate the relocation of the Original Premises affected by the HSK/HT NDA development</i>	7
<i>Applicant's effort in identifying suitable site for relocation</i>	7
<i>Applied use is similar to the Original Premises</i>	7
<i>Approval of the application would not frustrate the long-term planning intention of the "AGR" zone</i>	8
<i>The proposed development is not incompatible with surrounding land uses</i>	8
3. SITE CONTEXT	9
<i>Site location</i>	9
<i>Accessibility</i>	9
<i>Existing site condition</i>	9
<i>Surrounding area</i>	9
4. PLANNING CONTEXT	10
<i>Zoning</i>	10
<i>Planning intention</i>	10
<i>Restriction on filling of land</i>	10
<i>Previous and similar applications</i>	10
<i>TPB PG-No. 13G</i>	10
<i>Land status</i>	11
5. DEVELOPMENT PROPOSAL	12
<i>Development details</i>	12
<i>Filling of land</i>	13
<i>Operation mode</i>	13
<i>Minimal traffic impact</i>	13
<i>Minimal environmental impact</i>	14
<i>Minimal landscape impact</i>	15
<i>Minimal drainage impact</i>	15
<i>Fire safety aspect</i>	15
6. CONCLUSION	16

LIST OF APPENDICES

Appendix I	Details of the affected business premises
Appendix II	Details of the alternative sites for relocation

LIST OF PLANS

Plan 1	Location plan
Plan 2	Zoning plan
Plan 3	Land status plan
Plan 4	Original Premises – location and zoning
Plan 5	Original Premises – NDA phasing and resumption
Plan 6	Alternative sites for relocation
Plan 7	Aerial photo
Plan 8	TPB PG-No. 13G
Plan 9	Layout plan
Plan 10	Plan showing the filling of land
Plan 11	Swept path analysis

LIST OF TABLES

Table 1	Difference between the Original Premises and the Site
Table 2	Development parameters
Table 3	Details of the proposed structures
Table 4	Provision of the parking and L/UL spaces
Table 5	Estimated trip generation/attraction

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 *various lots in D.D. 107, Kam Tin, Yuen Long, New Territories* (the Site) for '**Proposed Temporary Open Storage of Construction Materials, Machinery and Container Storage Yard 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 Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11. The Site occupies an area of 3,423 m² (about). Two temporary structures are proposed at the Site for storage of construction materials and machinery, and site office uses with total gross floor area (GFA) of 306 m² (about). The remaining uncovered area is reserved for area for open storage of construction materials, machinery and containers, vehicle parking and loading/unloading (L/UL) spaces and circulation area.
- The Site is accessible from Fung Kat Heung Road via Mei Fung 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 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 uses are similar to those at the Original 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 the development parameters are as follows:

Site area	3,423 m ² (about)
Covered area	268 m ² (about)
Uncovered area	3,155 m ² (about)
Plot ratio	0.09 (about)
Site coverage	8% (about)
No. of structure	2
Total GFA	306 m ² (about)
- Domestic GFA	Not applicable
- Non-Domestic GFA	306 m ² (about)
Building height	4 m to 7 m (about)
No. of storey	1 to 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錦田逢吉鄉丈量約份第 107 約多個地段的規劃申請，於上述地點作「擬議臨時露天存放建築材料和機械及貨櫃存放場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《錦田北分區計劃大綱核准圖編號 S/YL-KTN/11》上劃為「農業」地帶，申請地盤面積為 3,423 平方米（約）。申請地點將設 2 座臨時構築物作存放建築材料、機械及辦公室用途，總樓面面積合共為 306 平方米（約），申請地點的其餘地方將預留作露天存放建築材料、機械及貨櫃、車輛停泊／上落貨位及流轉空間。
- 申請地點可從逢吉鄉路經尾逢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相近；
 - 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：	3,423 平方米（約）
上蓋總面積：	268 平方米（約）
露天地方面積：	3,155 平方米（約）
地積比率：	0.09（約）
上蓋覆蓋率：	8%（約）
樓宇數目：	2 座
總樓面面積	306 平方米（約）
住用總樓面面積：	不適用
非住用總樓面面積：	306 平方米（約）
構築物高度：	4 米至 7 米（約）
構築物層數：	1 層至 2 層

1. INTRODUCTION

Background

- 1.1 **R-riches Planning Limited** has been commissioned by **Creation Prospect Construction Engineering Limited**¹ (the applicant) to make submission on their behalf to the Board under S.16 of the Ordinance in respect to *Lots 945 (Part), 946 S.A (Part), 946 S.B (Part), 946 S.C (Part), 946 S.D (Part), 946 S.E (Part), 946 S.F, 946 S.G, 946 S.H, 946 S.I, 946 S.J (Part), 946 RP (Part), 947 (Part), 948 (Part) and 1120 (Part) In D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories (Plans 1 to 3).*
- 1.2 The applicant intends to use the Site for ‘**Proposed Temporary Open Storage of Construction Materials, Machinery and Container Storage Yard 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 Kam Tin North OZP No. S/YL-KTN/11 (**Plan 2**). According to the Notes of the OZP, the applied uses are neither Columns 1 nor 2 uses within the “AGR” zone, which require 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.

¹ **Creation Prospect Construction Engineering Limited** 創盛建築工程有限公司, the applicant, is authorised by **Jun Yat Construction Co., Limited** 駿逸建築有限公司, 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 Hung Shui Kiu, i.e. formerly various lots in D.D. 125, 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 "Residential (Group A)2" ("R(A)2") and "Open Space" ("O") on the Draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/3 (**Appendix I** and **Plan 4**).
- 2.2 With reference to the implementation programme, the Original Premises falls within the land resumption limit for the Second Phase Development and Remaining Phase Development of the HSK/HT NDA (**Appendix I** and **Plan 5**). As the majority 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.

Applicant's effort in identifying suitable site for relocation

- 2.3 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**; **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 similar to the Original Premises

- 2.4 The proposed development involves the operation of an open storage yard of construction materials, machinery and container, which are the same as those at the Original Premises. 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

	Original Premises (a)	Application Site (b)	Differences (b) - (a)
Site Area	2,347 m ²	3,423 m ²	+1,076 m ² , +46%

- 2.5 A significant portion of the Site (i.e. 3,155 m², about 92%) is uncovered and mainly designated for open storage use, and vehicle parking, L/UL and circulation area, in order to support the daily operation of the proposed development. According to the applicant, the Original Premises currently lacks adequate circulation space, which has been causing prolonged waiting times for L/UL activities of goods. As such, a substantial amount of circulation space is reserved at the Site with a view to increasing the overall efficiency of the

operation, as well as to minimise the potential adverse traffic impacts to the surrounding road networks.

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

- 2.6 Although the Site falls within an area zoned "AGR" on the Approved Kam Tin North OZP No. S/YL-KTN/11, the Site is generally flat and without active agricultural activities. 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.
- 2.7 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

- 2.8 The surrounding areas of the Site are considered to be in semi-rural character and are predominately occupied by sites with temporary structures for warehouse and workshop, open storage yards and unused/vacant land. The proposed development is therefore 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 safety and drainage aspects, so as to minimise the potential adverse impacts that would have arisen from the proposed development.

3. SITE CONTEXT

Site location

- 3.1 The Site is located approximately 400 m south of Fung Kat Heung Road; 1.1 km west of San Tam Road; and 12.7 km west of the Original Premises in Hung Shui Kiu.

Accessibility

- 3.2 The Site is accessible from Fung Kat Heung Road via Mei Fung Road and a local access (**Plan 1**).

Existing site condition

- 3.3 The Site is partially fenced off, generally flat and hard-paved (**Plans 1, 3 and 8**).

Surrounding area

- 3.4 The Site and its surrounding comprise some vacant/unused land, sites occupied by temporary structures for warehouse and workshop, open storage yards and animal boarding establishment.
- 3.5 To its north is the local access connecting the Site to Mei Fung Road. To its further north are sites occupied by temporary structures for warehouse and some open storage yards.
- 3.6 To its east is the site of the approved planning application No. A/YL-KTN/851 for temporary animal boarding establishment. To its further east are site occupied by temporary structures for warehouse, open storage yards and some vacant/unused land.
- 3.7 To its south is the site of the approved planning application No. A/YL-KTN/781 for temporary animal boarding establishment. To its further south are some vacant/used land and clusters of trees.
- 3.8 To its west is vacant/used land. To its further west are sites occupied by temporary structure for warehouse and workshop and Mei Fung Road.

4. PLANNING CONTEXT

Zoning

- 4.1 The Site falls within an area zoned “AGR” on the Approved Kam Tin North OZP No. S/YL-KTN/11 (**Plan 2**). According to the Notes of the OZP, the applied uses are neither Columns 1 nor 2 uses within the “AGR” zone, which require planning permission from the Board.

Planning intention

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

Restriction on filling of land

- 4.3 According to the Remarks of the “AGR” zone of the Approved Kam Tin North OZP No. S/YL-KTN/11, *on land previously falling within the “Agriculture” zone on the Kam Tin North Outline Zoning Plan No. S/YL-KTN/7, 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 Kam Tin North Outline Zoning Plan No. S/YL-KTN/5 without the permission from the Town Planning Board under section 16 of the Ordinance.*

Previous and similar applications

- 4.4 The Site was subject of a previous planning application No. A/YL-KTN/1081 for ‘Warehouse’ submitted by the same applicant, which was approved by the Board with conditions on a temporary basis of 3 years in 2025.
- 4.5 Several similar planning applications for ‘Open Storage’ were approved within the same “AGR” zone in the vicinity of the Site in the past five years. The latest approved planning application No. A/YL-KTN/1231 for ‘Warehouse’ and ‘Open Storage’ was approved by the Board with conditions on a temporary basis of 3 years in 2026.

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

- 4.6 The Site currently falls within Category 2 (i.e. about 10%) and Category 3 (i.e. about 90%) areas (**Plan 8**). Within Category 3 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 planning 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 planning 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, planning permission could be granted on a temporary basis up to a maximum period of 3 years.

- 4.7 Noting that the proposed development would not generate significant adverse impacts on the surrounding areas, and the current application is on site with previous planning permission, approval of the current application is therefore considered in line with TPB PG-No. 13G and shall not set an undesirable precedent within the Category 2 and Category 3 areas. Besides, the current application should be considered on its individual merits in connection with the special background of the affected business operator, of whom the Original Premises has been resumed by the Government to facilitate the implementation of the HKS/HT NDA.

Land status

- 4.8 The Site falls entirely on private lots, i.e. *Lots 945 (Part), 946 S.A (Part), 946 S.B (Part), 946 S.C (Part), 946 S.D (Part), 946 S.E (Part), 946 S.F, 946 S.G, 946 S.H, 946 S.I, 946 S.J (Part), 946 RP (Part), 947 (Part), 948 (Part) and 1120 (Part) In D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories*, with total private land area of 3,423 m² (about) of Old Schedule Lot held under Block Government Lease (**Plan 3**).
- 4.9 Given that there is restriction on the erection of structures without prior approval from the Government, the applicant will submit an application for Short Term Waiver (STW) to the Lands Department (LandsD) to make way for the erection of the proposed structures at the Site after planning permission 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 3,423 m² (about). Details of the development parameters are shown at **Table 2** below.

Table 2 – Development parameters

Site area	3,423 m ² (about)
Covered area	268 m ² (about)
Uncovered area	3,155 m ² (about)
Plot ratio	0.09 (about)
Site coverage	8% (about)
No. of structure	2
Total GFA	306 m ² (about)
- Domestic GFA	Not applicable
- Non-Domestic GFA	306 m ² (about)
Building height	4 m to 7 m (about)
No. of storey	1 to 2

- 5.2 Two temporary structures are proposed at the Site for storage of construction materials and machinery with ancillary site office with total GFA of 306 m² (about). A large portion of the Site (i.e. about 1,939 m²) is designated for open storage of construction materials (i.e. bricks, metal rods etc.), machinery (i.e. excavator, forklift, generator etc.) and containers, whilst the remaining area is reserved for vehicle parking, L/UL and circulation area (**Plan 9**). Details of the proposed structure are shown at **Table 3** below.

Table 3 – Details of the proposed structures

Structure	Uses	Covered area	GFA	Building height
B1	Storage of construction machinery (G/F) site office (1/F)	180 m ² (about)	218 m ² (about)	7 m (about) (2-storey)
B2	Storage of construction materials and machinery	88 m ² (about)	88 m ² (about)	4 m (about) (1-storey)
Total		268 m² (about)	306 m² (about)	-

Filling of Land

- 5.3 The Site has been entirely hard-paved of not more than 0.1 m in depth, as applied for under the previous application No. A/YL-KTN/1081, for the open storage operation, site formation of structures, and vehicle parking, L/UL and circulation space (**Plan 10**). The existing site level is at +11.8 mPD. The filling of land, which has been kept to a minimum, is considered necessary to provide a relatively flat and solid surface for the applied use. The applicant will strictly follow the proposed scheme. Upon expiry of the planning permission, the applicant will reinstate the Site into an amenity area.

Operation mode

- 5.4 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.
- 5.5 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

- 5.6 The Site is accessible from Fung Kat Heung Road via Mei Fung Road and a local access (**Plan 1**). A 7.3 m-wide (about) vehicular ingress/egress is proposed at the northern periphery of the Site. A total of 3 parking and L/UL spaces are proposed at the Site (**Plan 9**). Details of the parking and L/UL provision are shown at **Table 4** below.

Table 4 – Provision of the parking and L/UL Spaces

Type of space	No. of space
Parking spaces for private car (PC) - 2.5 m (W) x 5 m (L)	2
Type of space	No. of space
L/UL spaces for container vehicle (CV) - 3.5 m (W) x 16 m (L)	1

- 5.7 Parking spaces are reserved for staff use only. CV will be deployed for the transportation of construction materials, machinery and containers 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		CV		2-way total
	In	Out	In	Out	
Trips at <u>AM peak</u> per hour (09:00 – 10:00)	1	0	0	0	1
Trips at <u>PM peak</u> per hour (18:00 – 19:00)	0	1	0	0	1
Average trips per hour (10:00 – 18:00)	0	0	1	1	2

- 5.8 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 approval period of the planning permission.

Minimal environmental impact

- 5.9 No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities, and storage of dangerous and dusty goods will be allowed at the Site at any time during the approval period of the planning permission.
- 5.10 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 approval period of the planning permission.
- 5.11 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.
- 5.12 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

- 5.13 The Site was hard-paved as permitted under the previous planning permission under planning application No. A/YL-KTN/1081. No old and valuable tree or protected species has been identified thereon.

Minimal drainage impact

- 5.14 The applicant will submit a drainage proposal to mitigate potential drainage impact generated from the proposed development after obtaining relevant planning permission from the Board. The applicant will implement the proposed drainage facilities at the Site upon acceptance of the drainage proposal by the Drainage Authority.

Fire safety aspect

- 5.15 The applicant will submit a fire service installations (FSIs) proposal for the consideration of the Director of Fire Services (D of FS) to enhance the fire safety of the proposed development after obtaining relevant planning permission from the Board. Upon receiving relevant approval for STW from the LandsD for erection of the proposed structures (as mentioned in Section 4.9 above), the applicant will implement the accepted FSIs proposal at the Site and submit valid Certificate of Fire Service Installation and Equipment (FS 251) for the consideration of the D of FS.

6. CONCLUSION

- 6.1 The current application is intended to facilitate the relocation of the affected operator's business in Hung Shui Kiu, which will be affected by the HSK/HT NDA development. Whilst the affected business operator has attempted to relocate the Original Premises to a number of alternative sites in the New Territories, those sites were considered not suitable or impracticable. 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 Despite the proposed development is not in line with the long-term planning intention of the "AGR" zone, the Site and its surroundings are currently without active agricultural activities. Similar applications for the same applied use have also been approved by the Board within the same "AGR" zone. Hence, approval of the current application on a temporary basis would not frustrate the long-term planning intention of "AGR" zone and better utilise deserted land in the New Territories.
- 6.3 The Site is surrounded by unused/vacant land, sites occupied by temporary structure for warehouse and workshop and some open storage yards. The proposed development is considered not incompatible with the surrounding areas. In connection with the special background of the applicant to facilitate Government projects, 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, such as the submission of drainage and FSI proposals etc., to mitigate any adverse impact that would have arisen from the proposed development upon obtaining relevant planning permission from the Board. 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, Machinery and Container Storage Yard with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years**'.

R-riches Planning Limited

August 2026