### **SECTION 16 PLANNING APPLICATION**

PROPOSED TEMPORARY WAREHOUSE (EXCLUDING DANGEROUS GOODS GODOWN) WITH ANCILLARY FACILITIES FOR A PERIOFD OF 3 YEARS IN "RECREATION" ZONE,

VARIOUS LOTS IN D.D. 78 AND ADJOINING GOVERNMENT LAND, LIN MA HANG, NEW TERRITORIES

**PLANNING STATEMENT** 

**Applicant** 

**Luck Great Global Engineering Limited** 

**Consultancy Team** 

Planning Consultant: Tai Wah Development Consultants Limited

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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)(the Ordinance) to use Various Lots in D.D. 78 and Adjoining Government Land (GL), Lin Ma Hang, New Territories (the Site) for 'Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years'.
- The Site falls within an area zoned as "Recreation" ("REC") on the Approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2. The Site area is 24,446 m² (about), including 4,150 m² (about) of Government Land (GL). A total of two 2-storey structures are proposed at the Site for warehouses (excluding dangerous goods godown), site offices and washrooms with total GFA of 23,758 m² (about), the remaining area is reserved for vehicle parking and loading/unloading (L/UL) spaces and circulation area.
- The Site is accessible from Lin Ma Hang Road via a local access. The operation hours of the proposed development are Monday to Saturday from 07:00 to 20:00.
   No operation on Sunday and public holiday.
- Justifications for the proposed development are as follows:
  - The applicant's original premises are affected by land resumption for the development of Northern Link Main Line
  - The applicant has spent effort in identifying suitable site for relocation.
  - The applied use is the same as the applicant's original premises.
  - No significant adverse impact is anticipated from the proposed development.
  - The proposed development is only on a temporary basis, approval of the application will not frustrate the long-term planning intention of the "REC" zone.
- Details of development parameters are as follows:

Application Site Area	24,446 m <sup>2</sup> (about),	
	incl. 4,150 m <sup>2</sup> (about) of GL	
Covered Area	11,879 m <sup>2</sup> (about)	
Uncovered Area	12,567 m <sup>2</sup> (about)	
Plot Ratio	0.97 (about)	
Site Coverage	49% (about)	
Number of Structure	2	
Total GFA	23,758 m <sup>2</sup> (about)	
- Domestic GFA	Not applicable	
- Non-Domestic GFA	23,758 m <sup>2</sup> (about)	
Building Height	15 m (about)	
No. of Storey	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打鼓嶺丈量約份第78約多個地段及毗鄰政府土地的規劃申請,於上述地點作「擬議臨時貨倉(危險品倉庫除外)連附屬設施(為期3年)」。
- 申請地點所在的地區在《打鼓嶺北分區計劃大綱核准圖編號 S/NE-TKLN/2》上劃為「康樂」用途地帶。申請地盤面積為 24,446 平方米(約),包括 4,150 平方米(約)的政府土地。申請地點將設有 2 座兩層高的構築物作貨倉(危險品倉庫除外)、辦公室及洗手間,構築物的總樓面面積合共為 23,758 平方米(約),其餘地方將預留作車輛上/落貨及停泊位及流轉空間。
- 申請地點可從蓮麻坑路經一條地區道路前往。擬議發展的作業時間為星期一至六上午七時至下午八時。星期日及公眾假期休息。
- 擬議發展的申請理據如下:
  - 申請人原來的經營處所受到北環線主線發展收地影響。
  - 申請的用途與申請人先前受影響的發展場地用途一致。
  - 申請人曾經致力尋找合適的搬遷地點。
  - 擬議發展不會對周邊地區帶來重大負面影響。
  - 擬議發展只屬臨時性質,批出規劃許可則不會影響「康樂」用途地帶的長遠 規劃意向。
- 擬議發展的詳情發展參數如下:

申請地盤面積:	24,446 平方米(約)
	(包括 4,150 平方米(約)的政府土地)
上蓋總面積:	11,879 平方米(約)
露天地方面積:	12,567 平方米(約)
地積比率:	0.97 (約)
上蓋覆蓋率:	49% (約)
樓宇數目:	2 座
總樓面面積	23,758 平方米(約)
住用總樓面面積:	不適用
非住用總樓面面積:	23,758 平方米(約)
構築物高度:	15 米(約)
構築物層數:	2 層

### 1. INTRODUCTION

# Background

- 1.1 Tai Wah Development Consultants Limited has been commissioned by Luck Great Global Engineering Limited¹ (the applicant) to make submission on their behalf to the Board under the S.16 of the Ordinance in respect to Lots 1366 RP, 1412 RP, 1413 RP, 1415, 1416 RP, 1417 RP, 1418 RP, 1419 RP, 1422 RP, 1425 RP, 1426 RP, 1427 RP, 1429 RP, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1440, 1441, 1442 S.B, 1443, 1479 S.B ss. 1 RP, 1479 S.B ss. 3, 1480 S.B RP, 1481 S.B RP, 1482 S.B RP in D.D. 78 and Adjoining GL, Lin Ma Hang, New Territories (the Site)(Plans 1 to 3).
- 1.2 The applicant would like to use the Site for 'Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years' (proposed development). The Site currently falls within an area zoned as "REC" on the Approved Ta Kwu Ling North OZP No. S/NE-TKLN/2 (Plan 2). According to the Notes of the OZP, the proposed use, i.e. 'warehouse (excluding dangerous goods godown)' is not column one nor two uses within the "REC" zone. Therefore, planning permission is required to be obtained from the Board by the applicant to facilitate the proposed development at the Site.
- 1.3 In support of the proposal, a set of indicative development plans and drawings are provided with the planning statement (Plans 1 to 11 and Appendix I to III). Furthermore, a drainage impact assessment (DIA) is submitted to mitigate potential adverse impacts for the consideration of Government departments and members of the Board (Appendix III).

<sup>&</sup>lt;sup>1</sup> Luck Great Global Engineering Limited (the applicant) is authorized by YTAD Warehousing Logistics Co. Limited (the affected business operator) to facilitate the relocation of their existing business premises in Ngau Tam Mei. Details of the affected business operator are provided at Appendix I.

### 2. JUSTIFICATIONS

To facilitate the relocation of the applicant's business premises affected by the development of the Northern Link Main Line

- 2.1 The current application is intended to facilitate the relocation of the applicant's affected business premises in Ngau Tam Mei due to land resumption to pave way for the development of the Northern Link Main Line. The affected premises (i.e. Various Lots in D.D. 104 and Adjoining GL) had been occupied by 'storage' use since the late-1980s (**Plans 4** to **6**). Until early 2010, there was a significant demand for local warehouses due to the proliferation of e-commerce. As the original premises had been storing goods in an unorganized and exposed manner since the 1980s, the premises were later transformed into a 'warehouse' in 2015, in order to alleviate the pressing demand for the local warehousing and logistics industry. Since then, the Site has been used for the applied use with valid Short Term Waiver.
- 2.2 The affected premises currently falls within area zoned as "Residential (Group D)" ("R(D)") on the Draft Ngau Tam Mei OZP No. S/YL-NTM/13. Although 'warehouse' use is not a column one nor two use within the "R(D)" zone according to the Notes of the OZP, the Site has been used for 'storage' before the first gazettal of the Ngau Tam Mei Interim Development Permission Area Plan No. IPDA/YL-NTM/1 (i.e. 14/9/1990), hence, an "Existing Use" (Plan 5).
- 2.3 As land where the affected business premises are located will be developed for the Northern Link Main Line, the concerned parcels of land will be resumed and reverted to the Government in the future. Therefore, the applicant desperately needs to identify a suitable site for relocation to continue their business operations.

Applicant's effort in identifying suitable site for relocation

2.4 Whilst the applicant has spent effort to relocate its 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, accessibility or site area being too small (**Appendix II** and **Plan 7**). After a lengthy site search process, the Site was identified for relocation as it is relatively flat and easily accessible from Heung Yuen Wai Highway via Lin Ma Hang Road (**Plan 1**).

Applied Use Is the Same as the Affected Business in Ngau Tam Mei

2.5 The proposed development involves the operation of warehouse (excluding dangerous goods godown) with ancillary facilities to support the daily operation of the Site. The applied use is also the same as the affected business premises in Ngau Tam Mei.

- 2.6 Although the area of the Site (*i.e.* about 24,446 m²) and GFA (*i.e.* about 23,758 m²) are larger than the original premises, a significant portion of the Site (*i.e.* 12,567 m², 51%) is uncovered and designated for manoeuvring and parking of vehicles, in order to support the daily operation of the Site. According to the applicant, the original premises currently lack adequate circulation space, resulting in prolonged waiting times for vehicles for L/UL of goods. Therefore, a substantial amount of 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 impact to the surrounding road network.
- 2.7 The increase in development intensity from the original premises offers an excellent opportunity to enhance operational efficiency by providing additional space for the storage, bulk breaking, and packaging of goods. Higher development intensity would also better utilize land resources in the New Territories and provide opportunities to support the overall supply chain. The development of large-scale development in Lin Ma Hang also echoes with the Government's Northern Metropolis Strategy, which aims to transform the New Territories into a new economic engine for Hong Kong. The proposed development could alleviate burden on the city's core areas and diversify Hong Kong's economy by converting the northern part of the New Territories into a thriving economic centre.
- 2.8 The Site is also geographically close to the Mainland China with convenient access to Heung Yuen Wai Highway, facilitating the efficient movement of goods between the Mainland China and Hong Kong. The proposed development would attract investment from different industries looking to take advantage of Hong Kong's strong business environment and proximity to mainland China. This would ultimately promote greater economic growth and better integration between the Mainland China and Hong Kong.

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

- 2.9 Although the Site falls within area zoned as "REC" on the Approved Ta Kwu Ling North OZP No. S/NE-TKLN/2, there is no known long-term recreational development at the Site within the applied planning period. Therefore, approval of the current application on a temporary basis would not frustrate the long-term planning intention of the "REC" zone and would better utilize deserted land in the New Territories.
- 2.10 Despite the fact that the proposed development is not in line with planning intention of the "REC" zone, the special background of the application should be considered on its individual merit, which approval of the current application would therefore not set an undesirable precedent for the "REC" zone. Upon approval of the planning application, the applicant will make effort in complying with approval conditions related to fire services and drainage aspects, to minimize potential adverse impact arisen from the proposed development.

### 3. SITE CONTEXT

#### Site Location

3.1 The Site is located approximately 5 m west of Lin Ma Hang Road; 300 m west of Heung Yuen Wai Highway; 700 m south of Heung Yuen Wai Boundary Control Point; 2.6 km east of Man Kam To Boundary Control Point; 4.8 km north of Sheung Shui MTR Station; and 15.4 km northeast of the original premises in Ngau Tam Mei (**Plan 1**).

### Accessibility

3.2 The Site is accessible from Lin Ma Hang Road via a local access (**Plan 1**).

## Existing Site Condition

3.3 The Site is currently vacant and partially fenced off. The Site is generally flat, partially hard-paved and the remaining area consists of soiled ground (Plans 1, 3 and 8).

### Surrounding Area

- 3.4 The Site is mainly surrounded by vacant land, woodland, public roads, temporary structures and village houses (**Plans 1**, **3** and **8**).
- 3.5 To its immediate north is the local access connecting the western portion of the Site to Lin Ma Hang Road. To its further north are woodland, vacant land covered by vegetation, Heung Yuen Wai Highway and Heung Yuen Wai Boundary Control Point.
- 3.6 To its immediate east is Lin Ma Hang Road. To its further east across Lin Ma Hang Road are the application site of an approved S.16 planning application No. A/NE-TKLN/77 (i.e. vacant land covered by vegetation and woodland) and Heung Yuen Wai Highway.
- 3.7 To its immediate south are some village houses of Kau Liu Tsuen. To its further south are some vacant land covered by vegetation, woodland and Ping Yuen River
- 3.8 To its immediate west across a cluster of trees is Sham Chun River. To its further west are some residential blocks in Shenzhen.

### 4. PLANNING CONTEXT

### Zoning of the Application Site

4.1 The Site falls within an area zoned as "REC" on the Approved Ta Kwu Ling North OZP No. S/NE-TKLN/2 (**Plan 2**). According to the Notes of the OZP, 'warehouse (excluding dangerous goods godown)' use is not a column 1 nor column 2 use within the "REC" zone, which requires permission from the Board.

# Planning Intention

4.2 This planning intention of the subject "REC" zone is intended primarily for low-density recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the low-density recreational developments may be permitted subject to planning permission.

## Previous Application

4.3 There is no previous approved S.16 application in respect of the Site.

### Similar Application

4.4 There is one similar S.16 planning application within the same "REC" zone. The application (No. A/NE-TKLN/77) was for 'Temporary Logistic Centre, Warehouse (Excluding Dangerous Goods Godown) and Container Vehicle Park with Ancillary Facilities', which was approved by the Board on a temporary basis of 15/3/2024.

### Land Status of the Application Site

- 4.5 The Site falls mostly on private lots, i.e. Lots 1366 RP, 1412 RP, 1413 RP, 1415, 1416 RP, 1417 RP, 1418 RP, 1419 RP, 1422 RP, 1425 RP, 1426 RP, 1427 RP, 1429 RP, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1440, 1441, 1442 S.B, 1443, 1479 S.B ss. 1 RP, 1479 S.B ss. 3, 1480 S.B RP, 1481 S.B RP, 1482 S.B RP in D.D. 78 with total land area of 20,296 m² (about) of Old Schedule Lots held under the Block Government Lease (**Plan 3**). The remaining area, i.e. 4,150 m² (about) falls on GL (**Plan 3**).
- 4.6 Since there is the restriction that no structure is allowed to be erected without the prior approval of the Government, the applicant will submit Short Term Waiver (STW) and Short Term Tenancy (STT) applications to the Lands Department to make way for erection of the proposed structures and occupation of GL at the Site respectively 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 24,446 m² (about), including 4,150 m² of GL. Details of development parameters are shown at **Table 1** below.

Table 1: Development Parameters of the Proposed Development

24,446 m <sup>2</sup> (about),		
incl. 4,150 m <sup>2</sup> (about) of GL		
11,879 m <sup>2</sup> (about)		
12,567 m <sup>2</sup> (about)		
0.97 (about)		
49% (about)		
2		
23,758 m <sup>2</sup> (about)		
Not applicable		
23,758 m² (about)		
15 m (about)		
2		

5.2 A total of two 2-storey structures are proposed at the Site for warehouses (excluding dangerous goods godown), site offices and washrooms with total GFA of 23,758 m<sup>2</sup> (about), the remaining area is reserved for parking and L/UL spaces and circulation area (**Plan 9**). Details of structures are shown at **Table 2** below:

Table 2: Details of Proposed Structures

Structure	Use	Covered Area	Gross Floor Area	Building Height
B1	Warehouses (excluding D.G.G.), Site Offices and Washrooms	8,332 m <sup>2</sup>	16,664 m <sup>2</sup>	15 m (2-storey)
B2		3,547 m <sup>2</sup>	7,094 m <sup>2</sup>	(2-Storey)
Total		11,879 m² (about)	23,758 m² (about)	-

<sup>\*</sup>D.G.G. – Dangerous Goods Godown

Hard-Paving at the Site

5.3 The Site is proposed to be hard-paved wholly for site formation of structures, parking, L/UL spaces and circulation area. As majority of the Site currently consists of soiled ground, concrete site formation is required to provide a relatively flat surface for erection of structures and circulation purpose.

Therefore, hard-paving the Site is considered required and has been kept to minimal to meet the operational needs of the proposed development.

# Operation Mode

- 5.4 The Site will be used as warehouse (excluding dangerous goods godown) for storage of miscellaneous goods, including but not limited to packaged food, package beverage, apparel, footwear, electronic goods, etc.. The operation hours of the proposed development are Monday to Saturday from 07:00 to 20:00. No operation on Sunday and public holiday.
- 5.5 It is estimated that the Site would be able to accommodate not more than 30 staff. The site office is proposed to provide indoor office space for administrative staff to support the daily operation of the Site. As no shopfront is proposed at the Site, visitor is not anticipated at the Site.

### Minimal Traffic Impact

5.6 The Site is accessible from Lin Ma Hang Road via a local access (**Plan 1**). Two 15 m (about) wide ingress/egress are provided at the northern and western part of the Site (**Plan 9**). A total of 27 parking and L/UL spaces are provided at the Site, details of spaces are provided at **Table 3** below:

**Table 3**: Parking and L/UL Provisions

Type of Parking Space:	Number of Space	
Private Car (PC) Parking Space	12	
- 2.5 m (W) X 5 m (L)	12	
Container Vehicle (CV) Parking Space	4	
- 3.5 m (W) X 16 m (L)	4	
Type of L/UL Space:	Number of Space	
L/UL Space for Medium Goods Vehicle (MGV)	4	
- 3.5 m (W) X 11 m (L)	4	
L/UL Space for Container Vehicle (CV)	7	

5.7 Sufficient space is provided for vehicle to smoothly manoeuvere 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 (Plans 10 and 11). Staff is deployed to station at the ingress/egress of the Site to direct incoming/outgoing vehicle to enhance pedestrian safety.

### Minimal Environmental Impact

5.8 The applicant will strictly follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued by Environmental Protection Department (EPD) to minimise adverse environmental impacts and nuisance to the surrounding area. 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.
- 5.9 During the construction stage, the applicant will follow the good practices stated in Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PNs) 1/94 to minimize 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 rainstorm, to ensure that these facilities are always operational.
- 5.10 During the operation of the proposed development, the major source of wastewater will be sewage from toilets generated by staff. The applicant will implement good practices under ProPECC PN 1/23 when designing on-site drainage system with the Site. Licensed collectors will be employed by the applicant to collect and dispose of sewage regularly, and the location of portable toilets are located away from the watercourse in the vicinity.
- 5.11 2.5m high solid metal wall will be erected along the site boundary by the applicant to minimize noise nuisance to the surrounding area. The boundary wall will be installed properly by licensed contractor to prevent misalignment of walls, to ensure that there is no gap or slit on boundary wall. In addition, maintenance will be conducted by the applicant on a regular basis.

### Minimal Landscape Impact

5.12 No old and valuable tree or protected species has been identified at the Site. Due to proposed hard-paving works for circulation purpose, majority of the Site area will be disturbed. The remaining area will be affected by the erection of structures; consequently, all existing trees will be affected, and it is not proposed to retain any of the existing trees at the Site.

#### Minimal Drainage Impact

5.13 The applicant has submitted a DIA to review the drainage arrangements for the proposed development (**Appendix III**). The proposed hard-paving works has already been taken into consideration of the submitted DIA. The result of the DIA has shown that with the implementation of proposed drainage system and upgrade of existing downstream U-channels, <u>no</u> adverse drainage impact is anticipated.

### Fire Safety Aspect

5.14 The applicant will submit a fire service installations (FSIs) proposal to enhance

fire safety of the Site. The applicant will implement the proposed FSIs at the Site once the proposal is accepted by Fire Services Department/the Board.

### 6. CONCLUSION

- 6.1 The current application is intended to facilitate the relocation of the applicant's business premises in Ngau Tam Mei, which will be affected by the development of Northern Link Main Line (**Plans 4** to **6**). Whilst the applicant attempted to relocate their premises to a number of alternative sites in the New Territories, those sites were considered not suitable or impracticable (**Appendix II** and **Plan 7**). Since the applied use is the same as the affected business premises, approval of the application could facilitate relocation prior to land resumption, thereby minimizing the impact on the Northern Link implementation programme.
- 6.2 Although the Site is not in line with the long-term planning intention of the "REC" zone, there is no known long-term implementation programme of the "REC", which approval of the application on a temporary basis would better utilize deserted land in the New Territories. Furthermore, the application site of a similar S.16 planning application (No. A/NE-TKLN/77) is located approximately 15 m east of the Site. As the current application is in similar nature, approval of the current application is in line with the Board's previous decisions.
- 6.3 The Site is surrounded by vacant land and closely connected to nearby public road network; the proposed development is considered not incompatible with surroundings. Given that the application's special background is to facilitate the development of the Northern Link Main Line, approval of the current application would not set an undesirable precedent within the "REC" zone and should be considered on its own merits.
- 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 and FSIs proposals etc. to mitigate any adverse impact arising from the proposed development. The applicant will also strictly follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' by the EPD to minimize all possible environmental impacts on the nearby sensitive receivers.
- In view of the above, the Board is hereby respectfully recommended to approve the subject application for 'Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years'.

Tai Wah Development Consultants Limited July 2024