
SECTION 16 PLANNING APPLICATION

**PROPOSED TEMPORARY MEDIUM GOODS VEHICLE AND CONTAINER TRACTOR / TRAILER PARK
WITH ANCILLARY FACILITIES FOR A PERIOD OF 3 YEARS AND ASSOCIATED FILLING OF LAND**

**LOTS 9 S.A (PART), 9 S.B (PART), 10 S.A, 10 S.B (PART) AND 11 (PART) IN D.D. 84,
TA KWU LING, NEW TERRITORIES**

PLANNING STATEMENT

Applicant: Weisheng Transportation & Enterprises Company 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. 84, Ta Kwu Ling, New Territories* (the Site) for '**Proposed Temporary Medium Goods Vehicle and Container Tractor / Trailer Park with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land**' (the proposed development).
- The Site currently falls within an area zoned as "Agriculture" ("AGR") on the Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14. The Site occupies an area of 11,942 m² (about). One structure is proposed at the Site for site office, staff rest room, washroom and guardroom with total GFA of 1,094 m² (about), the remaining area are designated for parking spaces and circulation area.
- The Site is accessible from Ping Che Road via a local access. The operation hours of the Site are Monday to Saturday from 07:00 to 19:00. No operation on Sunday and public holiday.
- Justifications for the proposed development are as follows:
 - The applicant's original business premises are affected by the development of Kwu Tung North New Development Area (KTN NDA).
 - The applicant has spent effort in identifying suitable site for relocation.
 - The applied use is the same as the affected business premises in Kwu Tung.
 - The proposed development is not incompatible with surrounding land uses.
 - 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:

Application Site Area	11,942 m ² (about)
Covered Area	547 m ² (about)
Uncovered Area	11,395 m ² (about)
Plot Ratio	
	0.09 (about)
Site Coverage	
	5% (about)
Number of Structure	
	1
Total GFA	
- Domestic GFA	Not applicable
- Non-Domestic GFA	1,094 m ² (about)
Building Height	
	8 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 84 約多個地段的規劃申請，於上述地段作「擬議臨時中型貨車及貨櫃車拖頭／拖架停車場連附屬設施 (為期 3 年) 及相關填土工程」。
- 申請地點所在的地區在《坪輦及打鼓嶺分區計劃大綱核准圖編號 S/NE-TKL/14》上劃為「農業」地帶。申請地盤面積為 11,942 平方米 (約)。申請地點將設有 1 座構築物作場地辦公室、員工休息室、洗手間及保安室，構築物的總樓面面積合共為 1,094 平方米 (約)，其餘地方將預留作停車位及流轉空間。
- 申請地點可從坪輦路經一條小路前往。擬議發展的作業時間為星期一至六上午七時至下午七時，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政府古洞北新發展區發展影響。
 - 申請人已致力尋找合適的地方搬遷。
 - 擬議發展與申請人在古洞受影響的處所用途一致。
 - 擬議發展與周邊地方的用途並非不協調。
 - 擬議發展屬臨時性質，不會影響「農業」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：	11,942 平方米 (約)
上蓋總面積：	547 平方米 (約)
露天地方面積：	11,395 平方米 (約)
地積比率：	0.09 (約)
上蓋覆蓋率：	5% (約)
樓宇數目：	1 座
總樓面面積	1,094 平方米 (約)
住用總樓面面積：	不適用
非住用總樓面面積：	1,094 平方米 (約)
構築物高度：	8 米 (約)
構築物層數：	2 層

1) INTRODUCTION

Background

- 1.1 **R-riches Property Consultants Limited** has been commissioned by *Weisheng Transportation & Enterprises Company Limited*¹ (the applicant) to make submission on its behalf to the Board under S.16 of the Ordinance in respect to *Lots 9 S.A (Part), 9 S.B (Part), 10 S.A, 10 S.B (Part) and 11 (Part) in D.D. 84, Ta Kwu Ling, New Territories* (the Site) (**Plans 1 to 3**).
- 1.2 The applicant seeks planning permission from the Board to use the Site for '**Proposed Temporary Medium Goods Vehicle and Container Tractor / Trailer Park with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land**' (proposed development). The Site currently falls within an area zoned as "AGR" on the Approved Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/14 (**Plan 2**). According to the Notes of the OZP, 'container vehicle park' is not a column 1 nor 2 use within the "AGR" zone, hence, requires planning permission from the Board. Furthermore, filling of land within "AGR" zone also requires prior permission from the Board. 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 13, Appendices I and II**). Set of assessments to mitigate potential adverse impacts will be submitted, if required, at a later stage for the consideration of Government departments and members of the Board.

¹ The applicant, *Weisheng Transportation Enterprises Company Limited* is a subsidiary of *The Motor Transport Company of Guangdong and Hong Kong Limited* (i.e the applicant of the original business premises in Kwu Tung under S.16 planning application No. A/KTN/82)

2) JUSTIFICATIONS

Affected by the Implementation of KTN NDA

- 2.1 The current application is intended to facilitate the relocation of the applicant's affected business premises in Kwu Tung due to land resumption to pave way for the development of KTN NDA (**Plans 4 to 6**). The applicant had been operating at the business premises in Kwu Tung with valid planning permissions² since the 1990s. The latest application (No. A/KTN/82) for 'Temporary Medium Goods Vehicle and Container Tractor / Trailer Park' was approved by the Board on a temporary basis of 3 years in 2022.
- 2.2 The applicant's original premises currently falls within area zoned as "Residential (Group B)" ("R(B)"), 'Government, Institution or Community' ("GIC"), "Green Belt" ("GB") and area shown as 'Road' on the Approved KTN OZP No. S/KTN/4 (**Plan 5**). According to the implementation program of the development of KTN NDA, the applicant's original business premises fall within sites under the 'Remaining Phase Development' (**Plan 6**). As the land where the premises will be developed for road, residential and GIC uses upon the completion of the KTN NDA, the concerned parcel of land will be resumed and reverted to the Government in 2024. Therefore, the applicant desperately needs to identify a suitable site for relocation to continue its business operation.

Applicant's Effort in Identifying Suitable Site for Relocation

- 2.3 Whilst the applicant has spent effort to relocate their 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/big (**Appendix I and Plan 7**). After a lengthy site search process, the Site was identified for relocation due to its close proximity to the Heung Yuen Wai Highway, as well as it is only located at approximately 10.5 km from the original business premises in Kwu Tung (**Plans 1 and 7**).

Applied Use Is the Same as the Affected Business in Kwu Tung

- 2.4 The proposed development involves of parking of private car (PC), medium goods vehicle (MGV), container vehicle / tractor (CV/T) and container trailer (CT), as well as two low-rise structures to support the daily operation of the Site. The applied use is the same as the affected business premises in Kwu Tung, which is intended to alleviate the pressing demand for parking spaces for commercial vehicles, approval of the application would better facilitate cross-boundary trade between Mainland China and Hong Kong, China. The major development parameters of the Site (i.e. site area, gross floor area (GFA), number of parking spaces etc.) are similar to the applicant's original premises in Kwu Tung (**Plans 4 to 6 and Appendix II**).

² Approved S.16 planning applications Nos. A/DPA/NE-KTN/24, A/NE-KTN/64, A/NE-KTN/98, A/NE-KTN/118, A/NE-KTN/136, A/NE-KTN/157, A/KTN/16, A/KTN/53 and A/KTN/82

The Proposed Development is Not Incompatible with Surrounding Land Use

2.5 The Site is currently vacant and covered by vegetation. The Site is surrounded by open storage yards and sites occupied by temporary structures for warehouses, logistics centres and workshops, hence, the proposed development is considered not incompatible with the surrounding land uses.

Approval of the Application Would Not Frustrate the Long-Term Planning Intention of the "AGR" zone

- 2.6 Although majority of the Site falls within area zoned as "AGR" on the Approved Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/14, the proposed development is intended to facilitate the relocation of the affected business premises in Kwu Tung due to land resumption to pave way for the development of KTN NDA. The special background of the application should be considered on its individual merit, which approval of the current application on a temporary basis would not frustrate the long-term planning intention of the "AGR" zone and would better utilize deserted land in the New Territories.
- 2.7 Upon approval of the planning application, the applicant will make effort in complying with approval conditions related to fire service and drainage aspects, to minimize potential adverse impact arisen from the proposed development.

3) SITE CONTEXT

Site Location

3.1 The Site is in close vicinity of Ping Che Road. It is located at approximately about 2km south of the Heung Yuen Wai Highway; about 2.5km south of the Heung Yuen Wai Control Point; 7.4 km (about) north of the New Territories Circular Road and about 10.5km northeast from the original business premises in Kwu Tung (**Plan 7**).

Accessibility

3.2 The Site is accessible from Ping Che Road via a local access (**Plan 1**).

Existing Site Condition

3.3 The Site is currently unfenced, vacant and covered by vegetation. The site levels of the Site vary from +8.3 mPD to +8.9 mPD (about) (**Plan 11**).

Surrounding Area

3.4 The Site is mainly surrounded by open storage yards, sites occupied by temporary structures for warehouses, logistics centres, workshop, vacant/unused land covered by vegetation, land areas covered by hard-paving and woodland (**Plans 1 and 9**).

3.5 To its immediate north are some vacant land covered by vegetation. To its further north are some open storage yards, site occupied by temporary structures for workshop and vacant land covered vegetation and hard-paving.

3.6 To its immediate east are the local access connecting the Site to Ping Che Road and sites occupied by temporary structures for workshop and warehouses. To its further east are Ta Kwu Ling Playground, Ping Che Road and the office of the Ta Kwu Ling District Rural Committee.

3.7 To its immediate south are some vacant land covered by vegetation. To its further south are Tai Po Tin Village, land covered by vegetation and woodland.

3.8 To its immediate west is the existing Ping Yuen River. To its further west are some open storage yards, site occupied by temporary structures for workshops, warehouses, animal boarding establishment, vacant land covered by vegetations and woodland.

4) PLANNING CONTEXT

Zoning of the Application Site

- 4.1 The Site currently falls within an area zoned as "AGR" on the Approved Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/14 (**Plan 2**). According to the Notes of the OZP, 'container vehicle park' is not a column 1 nor 2 use within the "AGR", hence, requires planning permission from the Board.

Planning Intentions of the "AGR" Zone

- 4.2 This planning intention of the subject "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.*

Filling of Land Restrictions

- 4.3 According to the Remarks of the subject "AGR" zone, *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 Ping Che and Ta Kwu Ling Outline Zoning Plan No. S/NE-TKL/10 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.*

Previous Application

- 4.4 There is no previously approved S.16 application in respect of the Site.

Similar Application

- 4.5 There is no similar approved application for 'container vehicle park' within the same "AGR" zone.

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

- 4.6 According to the TPB PG-No. 13G on 'Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance', the applied use (i.e. container vehicle park) is a considered as port back-up uses, hence, this guideline is relevant.
- 4.7 Minor portion of the Site falls within category 2 area, while the remaining area of the Site falls within category 3 area (**Plan 8**). *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 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.

Land Status

- 4.8 The Site falls on Lots 9 S.A (Part), 9 S.B (Part), 10 S.A, 10 S.B (Part) and 11 (Part) in D.D. 84, with total land area of 11,942 m² (i.e. Old Schedule Lots held under the Block Government Lease) (**Plan 3**). The subject private lots are owned by Tso Tong, individuals and company, the ownership details are shown at **Table 1** below:

Table 1 - Land Ownership of the Private Lots

Private Lot in D.D. 84		Ownership
1	9 S.A	Tso Tong
2	9 S.B	Company
3	10 S.A	Individuals
4	10 S.B	
5	11	

- 4.9 Since there is the restriction that no structure is allowed to be erected at the Site without the prior approval of the Government, the applicant will submit Short Term Waiver (STW) application to the Lands Department to make way for erection of the proposed structures at the Site. No structure is proposed for domestic use.

5) DEVELOPMENT PROPOSAL

Development Details

- 5.1 The Site occupies an area of 11,942 m² (about) (**Plan 3**). Details of development parameters are shown at **Table 2** below.

Table 2 - Major Development Parameters

Application Site Area	11,942 m ² (about)
Covered Area	547 m ² (about)
Uncovered Area	11,395 m ² (about)
Plot Ratio	
	0.09(about)
Site Coverage	
	5 % (about)
Number of Structure	
	1
Total GFA	
- Domestic GFA	Not applicable
- Non-Domestic GFA	1,094 m ² (about)
Building Height	
	8 m (about)
No. of Storey	
	2

- 5.2 One 2-storey structure is proposed at the Site for site office, staff rest room, washroom and guardroom with total GFA of 1,094 m² (about), the remaining area is designated for parking spaces for PC, MGV, CV/T and CT and circulation area (**Plan 10**). Details of structures are shown at **Table 3** below:

Table 3 – Details of Structures

Structure	Use	Covered Area	Gross Floor Area	Building Height
B1	Site Office, Staff Rest Room and Washroom	547 m ² (about)	1,094 m ² (about)	8 m (about) 2-Storey
Total		547 m² (about)	1,094 m² (about)	-

Filling of Land at the Site

- 5.3 The Site is proposed to be filled wholly with concrete of not more than 1.9 m (in depth) with site levels of +10.2mPD for site formation of structures, parking spaces and circulation area. As heavy loading of structures and vehicles would compact the existing soiled ground, concrete site formation is required to support the operational needs and the extent of filling has been kept to minimal. The applicant will strictly follow the proposed scheme and reinstate the Site

to an amenity area after the planning approval period.

Operation mode

- 5.4 The Site will be used as vehicle park for parking of the company's fleets (i.e. MGV, CV/T and CT) to support the cross-boundary trade. The operation hours of the proposed development are Monday to Saturday from 07:00 to 19:00. No operation on Sunday and public holiday.
- 5.5 It is estimated that the Site would be able to accommodate not more than 40 staff. The site office is intended to provide indoor workspace for administrative staff, while the staff rest room is intended to provide covered resting area for drivers³. As no shopfront is proposed at the Site, visitor is not anticipated at the Site.

No Adverse Traffic Impact

- 5.6 The Site is accessible from Ping Che Road via a local access (**Plan 1**). One 9 m ingress/egress is proposed at the southeast part of the Site (**Plan 10**). A total of 48 parking spaces are provided at the Site, details of spaces are provided at **Table 5** below:

Table 4 - Parking Provisions

Type of Space	No. of Space
Private Car Parking Space - 2.5 m (W) x 5 m (L)	7
MGV Parking Space - 3.5 m (W) x 11 m (L)	16
CV/T Parking Space - 3.5 m (W) x 16 m (L)	15
CT Parking Space - 3.5 m (W) x 16 m (L)	10
Total:	48

- 5.7 Sufficient space is provided for vehicles to smoothly manoeuvre within the Site to ensure that no vehicle will turn back onto the local access (**Plans 12 and 13**). Staff will be deployed to station at the ingress/egress of the Site to direct incoming/outgoing vehicles to enhance pedestrian safety. As traffic generated and attracted by the proposed development is minimal (as shown at **Table 5** below), adverse traffic impact should not be anticipated.

³ No indoor space is proposed for domestic/residential use.

Table 5: Trip Generation and Attraction of the Proposed Development

Time Period	Trip Generation and Attraction						
	PC		MGV		CV/T		2-Way Total
	In	Out	In	Out	In	Out	
Trips at <u>AM peak</u> per hour (07:00 – 08:00)	3	0	0	7	0	5	15
Trips at <u>PM peak</u> per hour (16:00 – 17:00)	2	1	6	1	6	1	17
Traffic trip per hour (average)	2	2	1	1	0.5	0.5	7

- 5.8 For staff who are commuting to the Site by public transport services, the nearest bus stop is located at approximately 300m south of the Site at Ping Che Road with frequent bus services. Details of public transport serving the Site are shown at **Table 6** and below:

Table 6: Public Transport Serving the Site

Route No.	Termination Points		Frequency
Franchised Bus			
79K	Ta Kwu Ling (Tsun Yuen Ha)	Sheung Shui Terminus	20 to 30 minutes

Source: HKeMobility

No Environmental Impact

- 5.9 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 strictly 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.
- 5.10 During the construction stage, the applicant will follow the good practices stated in *Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PNs) 2/23* to minimize the impact to 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.
- 5.11 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 sewage system with the Site, i.e. the use of soakaway system for sewage treatment. The applicant will submit and implement relevant proposals to the satisfaction of Director of Environmental Protection after planning permission has been obtained from the Board.

- 5.12 2.5m high solid metal wall with thickness of 5mm will be erected along the site boundary by the applicant. The boundary wall will be installed properly by licensed contractor to prevent misalignment of walls, to ensure that there is no gap or silt on boundary wall. In addition, maintenance will be conducted by the applicant on a regular basis.

Minimal Landscape Impact

- 5.13 No old and valuable tree or protected species has been identified at the Site.

Minimal Drainage Impact

- 5.14 The applicant will submit a drainage proposal to minimize drainage impact 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 Drainage Services Department/the Board.

Fire Safety Aspect

- 5.15 The applicant will submit a fire service installations (FSIs) proposal after planning approval has been granted from the Board. 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 proposed development is intended to facilitate the relocation of the applicant's original business premises affected by the remaining phase of the KTN NDA development. Whilst the applicant has tried to relocate its premises to a number of alternative sites in New Territories, those sites were considered not suitable or impracticable. The location of the Site is considered suitable for relocation as it is located at approximately 10.5 km from the applicant's affected premises in Kwu Tung and is in close vicinity of Heung Yuen Wai Control Point and Heung Yuen Wai Highway.
- 6.2 The applied use is the same as the affected business premises in Kwu Tung. Although majority of falls within area zoned as "AGR", there is no active agricultural use within the Site. 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 utilize deserted agricultural land in the New Territories. Given that the application is intended to facilitate the development of KTN NDA, approval of the current application would speed up and echo with government's development strategies in the New Territories.
- 6.3 The proposed development is also considered not incompatible with surrounding land uses which is dominated by open storage yards and sites occupied by temporary structures for logistics centre, warehouse and workshop. Although the Site falls within category 3 area under TPB PG-No. 13G, the applicant's original premises will be resumed by the Government to facilitate the implementation of KTN NDA, approval of the current application would not set an undesirable precedent within the subject category 3 area and should be considered on an individual merit given its special background of the Site.
- 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, FSIs proposals etc. to mitigate any adverse impact arising from the proposed development after planning permission has been obtained from the Board. 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.
- 6.5 In view of the above, the Board is hereby respectfully recommended to approve the subject application for '**Proposed Temporary Medium Goods Vehicle and Container Tractor / Trailer Park with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land**'.

R-riches Property Consultants Limited

April 2024