
SECTION 16 PLANNING APPLICATION

**RENEWAL OF PLANNING APPROVAL FOR TEMPORARY LOGISTICS CENTRE WITH ANCILLARY
PARKING OF CONTAINER VEHICLES AND OFFICE FOR A PERIOD OF 3 YEARS
AND FILLING OF LAND IN "AGRICULTURE" ZONE,**

**VARIOUS LOTS IN D.D. 82,
PING CHE ROAD, TA KWU LING, NEW TERRITORIES**

PLANNING STATEMENT

Applicant

Triumph Faith Limited

Consultancy Team

Planning Consultant: **R-riches Property Consultants Limited**

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EXECUTIVE SUMMARY

- The applicant seeks planning permission from the Town Planning Board to use *Various Lots in D.D. 82, Ping Che Road, Ta Kwu Ling, New Territories* (the Site) for ‘**Renewal of Planning Approval for Temporary Logistics Centre with Ancillary Parking of Container Vehicles and Office for a Period of 3 Years and Filling of Land**’ (proposed development).
- The Site falls within an area zoned as “Agriculture” on the Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14. The Site consists of an area of 4,023 m² (about). A total of 5 structures are proposed at the Site for logistics centres, site office and portable toilets with total GFA of 588m² (about), the remaining area is reserved for container vehicle park and circulation space.
- The Site is accessible from Ping Che Road via a local access. The operation hours of the Site are Monday to Saturday 9:00 to 18:00. No operation on Sunday and public holiday.
- Justifications for the proposed development are as follows:
 - The applied use and operation of the current application is the same as the previously approved S.16 planning application (No. A/NE-TKL/687)
 - The applicant has complied with all the planning approval conditions of the previous application
 - The proposed development is not incompatible with surrounding land use
 - No significant adverse impact is anticipated to the surrounding area
 - The proposed development is on a temporary basis, it will not frustrate the long-term planning intention of the “AGR” zone

- Details of development parameters are as follows:

Application Site Area	4,023m ² (about)
Covered Area	588m ² (about)
Uncovered Area	3,435m ² (about)
Plot Ratio	0.15 (about)
Site Coverage	15% (about)
Number of Structure	5
Total GFA	588 m ² (about)
- Domestic GFA	Not applicable
- Non-Domestic GFA	588 m ² (about)
Building Height	3.5 m – 5.5 m (about)
No. of Storey	1

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坪輦路丈量約份第 82 約多個地段的規劃申請，於上述地段作「臨時物流中心及附屬貨櫃車泊車位和辦公室 (為期 3 年) 以及進行填土工程的規劃許可續期」。
- 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」用途地帶。申請地盤面積為 4,023 平方米 (約)。申請地點將設有 5 座構築物作物流設施、場地辦公室及洗手間，構築物的總樓面面積合共為 588 平方米 (約)，其餘地方將預留作停車場及流轉空間。
- 申請地點可從坪輦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 9 時至下午 6 時，星期日及公眾假期休息。
- 擬議發展的申請理據如下：
 - 是次申請與先前已獲批的規劃申請 (編號：A/NE-TKL/687) 的用途及營運一致
 - 申請人已履行先前的規劃申請的所有規劃附帶條件
 - 擬議發展與周邊用途並非不協調
 - 擬議發展不會對周邊地區帶來負面影響
 - 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：	4,023 平方米 (約)
上蓋總面積：	588 平方米 (約)
露天地方面積：	3,435 平方米 (約)
地積比率：	0.15 (約)
上蓋覆蓋率：	15% (約)
樓宇數目：	5 座
總樓面面積	588 平方米 (約)
住用總樓面面積：	不適用
非住用總樓面面積：	588 平方米 (約)
構築物高度：	3.5 米 - 5.5 米 (約)
構築物數：	1 層

1. INTRODUCTION

Background

- 1.1 R-riches Property Consultants Limited has been commissioned by *Triumph Faith Limited* (the applicant) to make submission on its behalf to the Town Planning Board (the Board) under the Section (S.) 16 of the *Town Planning Ordinance (Cap. 131)*(the Ordinance) in respect to *Lots 1090 S.A RP (Part), 1090 S.B, 1090 S.C RP (Part), 1106 RP (Part), 1107 (Part), 1108 (Part) and 1109 (Part) in D.D. 82, Ping Che Road, Ta Kwu Ling, New Territories (Plans 1 to 3)*.
- 1.2 The applicant seeks permission from the Board for renewal of planning approval for '**Temporary Logistics Centre with Ancillary Parking of Container Vehicles and Office for a Period of 3 Years and Filling of Land**'. 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 (**Plan 2**). According to the Notes of the OZP, the applied use is not column one nor column two use within the "AGR" 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 7**). Furthermore, a set of proposal and photographic records are provided to demonstrate that the proposed development will not induce adverse impacts to the surrounding area through providing adequate mitigation measures (**Appendices I to VII**).

2. JUSTIFICATIONS

To Facilitate the Renewal of Planning Approval for the Previous Application No. A/NE-TKL/687

2.1 The current application is intended to facilitate the renewal of planning approval for the previous S.16 planning application No. A/NE-TKL/687, which the permission of the application will lapse on 24/12/2024. When compared with the previous application No. A/NE-TKL/687, all the major development parameters and operation mode remain unchanged. During the planning approval period of the previous application (No. A/NE-TKL/687), the applicant has complied with all the planning approval conditions within the designated time period, details are shown at **Table 1**:

Table 1: Details of Compliance with Approval Conditions of the Previous Application

	Approval Conditions of Application No. A/NE-TKL/687	Date of Compliance
(a)	<i>The submission of a drainage proposal</i>	3/4/2023
(b)	<i>The provision of drainage facilities</i>	11/10/2023
(c)	<i>The submission of run-in/out proposal</i>	11/8/2022
(d)	<i>The implementation of run-in/out proposal</i>	29/8/2023
(e)	<i>The implementation of proposals for FSIs and water supplies for firefighting</i>	16/2/2023
(f)	<i>The implementation of environmental mitigation measures</i>	24/8/2023

The Applied Use is the Same as the Affected Business in Kwu Tung North (KTN) and the Previous Application

2.2 The applied use involves of logistic activities with storage, packaging and consolidation of goods for distribution, as well as ancillary office and container vehicle park to support the operation of the Site. The applied use is the same as the affected business in KTN and the previous application (No. A/NE-TKL/687). The area of the Site (i.e. about 4,023m²) is also similar to the area resumed and reverted to the Government in KTN (i.e. about 4,500m²).

Approval of the Application would not Frustrate the Long-Term Planning Intention of the “AGR” zone

2.3 Despite the proposed development is not in line with planning intention of the “AGR”, the special background of the application should be considered on its individual merit. In addition, application for the same use was also approved by the Board previously, therefore, approval of the current application is in line with the Board’s previous decision and would not set an undesirable precedent for the “AGR” zone.

2.4 Although the Site currently falls within an area zoned as “AGR” on the Approved Tai Tong OZP No. S/NE-TKL/14, the Site has been occupied with temporary structures for

the applied use. Approval of the current application on a temporary basis of 3 years would not frustrate the long-term planning intention of the "AGR" zone and would better utilize deserted agricultural land in the New Territories, especially for the relocation of business premises affected by the implementation of KTN NDA.

The Proposed Development is Not Incompatible with Surrounding Land Use and No Adverse Impact is Anticipated

2.5 The surrounding areas of the Site are considered to be in semi-rural character and are predominately occupied by open storage/storage yards, vacant land and temporary structures, the proposed development is therefore considered not incompatible with surrounding land uses. In support of the current application, the applicant has submitted the following proposals and photographic records to support the current application, details are shown at **Table 2** and **Appendices I to VII**:

Table 2: Lists of Proposals and Photographic Records to Support the Current Application

Approval Conditions of Application No. A/NE-TKL/687	
Appendix I	<i>The accepted drainage proposal of the previous application</i>
Appendix II	<i>Photographic records of the existing drainage facilities</i>
Appendix III	<i>The accepted run-in/out proposal of the previous application</i>
Appendix IV	<i>Photographic records of the existing run-in/out</i>
Appendix V	<i>The accepted FSIs proposal of the previous application</i>
Appendix VI	<i>Revised FSIs proposal and A set of valid Certificate of Fire Service Installation and Equipment</i>
Appendix VII	<i>The accepted photographic records of the implementation of environmental mitigation measures</i>

3. SITE CONTEXT

Site Location

3.1 The Site is located at the Ping Che in the North District, New Territories. It is approximately 4.8km north of Fanling MTR Station; 3km north of San Wai Barracks; 1.6km south of Heung Yuen Wai Boundary Control Point; and 1km south of Heung Yuen Wai Highway (**Plan 1**).

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 hard-paved and fenced off. The Site is also occupied by low-rise temporary structures for the applied use (**Plans 1 and 3**).

Surrounding Area

3.4 The Site is mainly surrounded by vacant land covered by vegetation and hard-paving, open storage and workshop uses (**Plans 1 and 3**).

3.5 To its immediate north is vacant land covered by vegetation. To its further north are Tong Fong Tsuen, vacant land covered by vegetation and woodland.

3.6 To its immediate east are cluster of trees and a local access at the east of the northern portion of the Site. To its further east are some temporary structures for workshop use and woodland.

3.7 To its immediate south is vacant land covered by vegetation and the local access connecting the southern portion of the Site to Ping Che Road. To its further south are occupied by some temporary structures for workshop use and several GIC facilities, i.e. Caritas Nursery School and Caritas Fung Wong Fung Ting Home (RCHE).

4. PLANNING CONTEXT

Zoning of the Application Site

- 4.1 The Site 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, the applied use is not a column 1 nor column 2 use within the "AGR" zone, which requires permission from the Board.

Planning Intention

- 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 The Site is the subject of a previous approved S.16 planning application (No. A/NE-TKL/687) for the same use that was submitted by the applicant, which was approved by the Board on a temporary basis for 3 years on 24/12/2021.

Similar Application

- 4.5 Although there is no similar application for the applied use within in the same "AGR" zone, applications for similar open storage and port back-up uses were approved by the Board previously. The application site of the approved S.16 planning application (No. A/NE-TKL/743) for 'temporary open storage of construction machinery and materials' is located at approximately 25 m south of the Site, which the application was approved by the Board on a temporary basis of 3 years on 19/4/2024.

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

- 4.6 Majority of the Site falls within category 2 area, which are areas mostly without clear planning intention or fixed development programme; areas to be affected by major upcoming infrastructural projects; areas within or close to clusters of open storage, port back-up or other types of brownfield sites/ temporary uses. In addition, the areas should not be subject to high flooding risk. Technical assessments, where appropriate or if required, should be submitted to demonstrate that the proposed uses would not have 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 (**Plan 4**).
- 4.7 Only a minor portion of the Site falls within category 3 area, which are those outside the Category 1, 2 and 4 areas. 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 (**Plan 4**).

Land Status

- 4.8 The Site consists of seven private lots, i.e. Lots 1090 S.A RP, 1090 S.B, 1090 S.C RP, 1106 RP, 1107, 1108 and 1109 in D.D. 82 with total land area of 4,023m² (about) of Old Schedule Agricultural Lots held under the Block Government Lease (**Plan 3**). The ownership details are provided at **Table 3** below:

Table 3: Land Ownership of the Site

Private Land Lot	Ownership
Lots 1090 S.A RP, 1090 S.B, 1106 RP, 1107, 1108 and 1109 in D.D. 82	Company
Lot 1090 S.C RP in D.D. 82	Individual

- 4.9 Since there is the restriction that no structures are allowed to be erected without the prior approval of the Government on the private land portion of the Site. The applicant has obtained consent from the Lands Department for the erection of structures at the Site (i.e. Short Term Waiver approval). No structure is proposed for domestic use.

5. DEVELOPMENT PROPOSAL

Development Details

5.1 The area of the Site is 4,023 m² (about). Details of development parameters are shown at **Table 4** below.

Table 4: Development Parameters of the Proposed Development

Application Site Area	4,023m ² (about)
Covered Area	588m ² (about)
Uncovered Area	3,435m ² (about)
Plot Ratio	
	0.15 (about)
Site Coverage	
	15% (about)
Number of Structure	
	5
Total GFA	
- Domestic GFA	588 m ² (about)
- Non-Domestic GFA	Not applicable
	588 m ² (about)
Building Height	
	3.5 m – 5.5 m (about)
No. of Storey	
	1

5.2 A total of 5 existing structures are provided at the Site for logistics centres, site office and portable toilets with total GFA of 588m² (about), the remaining area is reserved for container vehicle park and circulation space (**Plan 5**). Details of structures are shown at **Table 5** below:

Table 5: Details of the Existing Structures

Structure	Use	Covered Area	Gross Floor Area	Building Height
B1	Logistic Centre	222m ² (about)	222m ² (about)	5.5m (about) (1-storey)
B2		222m ² (about)	222m ² (about)	
B3	Portable Toilets	18m ² (about)	18m ² (about)	3.5m (about) (1-storey)
B4	Site Office	108m ² (about)	108m ² (about)	
B5	Portable Toilets	18m ² (about)	18m ² (about)	
Total		588m² (about)	588m² (about)	-

Filling of Land at the Site

- 5.3 The Site has already been filled with concrete of not more than 0.1m (in depth) for site formation of structures, parking and L/UL spaces and circulation area (**Plan 6**). Concrete site formation for the whole site is required to meet the operation needs and the extent of filling has been kept to minimal. The applicant will reinstate the Site to an amenity area after the planning approval period.

Operation Mode

- 5.4 The proposed development will operate on Monday to Saturday from 9:00 to 18:00. No operation on Sunday and public holiday. Majority of the Site is reserved for logistics purposes, i.e. storage, packaging and consolidation of goods for distribution. No dangerous goods will be stored at the Site at any time during the planning approval period.
- 5.5 It is estimated that the Site would be able to accommodate not more than 15 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, no visitor is anticipated at the Site.

No Adverse Traffic Impact

- 5.6 The Site is accessible from Ping Che Road via a local access (**Plan 1**). Two 7.3 m (about) wide ingresses/egresses are provided at the Site (**Plan 5**). A total of 14 parking and L/UL spaces are provided at the Site, details of spaces are provided at **Table 6** below:

Table 6: Parking and L/UL Provisions

Type of Parking Space:	Number of Space
Private Car Parking Space for Staff - 2.5 m (W) X 5 m (L)	4
Light Goods Vehicle (LGV) Parking Space - 3.5 m (W) X 7 m (L)	2
Container Vehicle (CV) Parking Space - 3.5 m (W) X 16 m (L)	2
Type of L/UL Space:	Number of Space
L/UL Space for LGV - 3.5 m (W) X 7 m (L)	4
L/UL Space for CV - 3.5 m (W) X 16 m (L)	2

- 5.7 The applicant will continue to use the existing accepted run-in/out for vehicular access and the run-in/out will be well-maintained by the applicant during the planning

approval period (**Appendices III and IV**). Sufficient space is also provided for vehicle to smoothly manoeuvre within the Site to ensure that no vehicle will be allowed to queue back to or reverse onto/from the Site (**Plan 7**). Staff is deployed to station at the ingress/egress of the Site to direct incoming/outgoing vehicle to enhance pedestrian safety. As traffic generated and attracted by the proposed development is minimal (as shown at **Table 7** below), adverse traffic impact should not be anticipated.

Table 7: Trip Generation and Attraction of the Proposed Development

Time Period	Trip Generation and Attraction						
	Private Car		Light Goods Vehicle		Container Vehicle		2-Way Total
	In	Out	In	Out	In	Out	
Traffic trip at <u>AM peak</u> per hour (09:00 – 10:00)	4	0	0	0	2	0	6
Traffic trip at <u>PM peak</u> per hour (17:00 – 18:00)	0	4	0	0	0	0	4
Trip per hour (average)	0	0	1	1	1	1	4

5.8 For staff who are commuting to the Site by public transport services, the nearest bus stop is located approximately 160 m south of the Site with frequent bus services. Details of public transport services serving the Site (within 250m from the Site) are shown at **Table 8** and below:

Table 8: Public Transportation Serving the Site

Route No.	Termination Points	
Franchised Bus		
79K	Ta Kwu Ling (Tung Yuen Ha)	Fanling MTR Station
Green Minibus		
52K	Ping Che	Fanling MTR Station

Source: HKeMobility (Transport Department)

No Adverse Environmental Impact

5.9 The applicant will continue to maintain the implemented environmental mitigation measures to minimize nuisance to the surrounding areas (**Appendix VII**). 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 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 with the Site. Licensed collectors will be employed by the applicant to collect and dispose of sewage regularly. All logistic-related activities, i.e. storing, packaging and consolidating goods for distribution will be conducted inside enclosed structures only. Furthermore, t
- 5.11 The existing 2.5m and 4m high solid metal wall along the site boundary will be well-maintained by the applicant. The boundary wall are installed properly by licensed contractor to prevent misalignment of walls, to ensure that there is no gap or slit on boundary wall. Maintenance of the boundary fencing will be conducted by the applicant on a regular basis.

No Adverse Landscape Impact

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

No Adverse Drainage Impact

- 5.13 The applicant has submitted the accepted drainage proposal and photographic records of the existing drainage facilities of the previous application No. A/NE-TKL/687 (**Appendices I and II**). The existing drainage facilities will be well-maintained by the applicant during the planning approval period of the current application.

Fire Safety Aspect

- 5.14 The applicant has submitted the accepted FSIs proposal and a set of valid Certificate of Fire Service Installation and Equipment (F.S. 251) of the previous application No. A/NE-TKL/687 (**Appendices V and VI**). The existing FSIs will be well-maintained by the applicant during the planning approval period of the current application.

6. CONCLUSION

- 6.1 The current application is intended to facilitate the renewal of planning approval for the previous S.16 planning application No. A/NE-TKL/687, which the permission of the application will lapse on 24/12/2024. When compared with the previous application No. A/NE-TKL/687, all the major development parameters and operation mode remain unchanged. The applicant has also complied with all the planning approval conditions of the previous application. Therefore, given that the application's special background is to facilitate the development of KTN NDA and the applicant's effort to minimize impact to the surrounding area, approval of the current application is in line with the Board's previous decision and would not set an undesirable precedent within the "AGR".
- 6.2 The proposed development is considered not incompatible with surroundings as the Site is surrounded by open storage/storage yards, vacant land and sites occupied by temporary structures for warehouse. Although 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, the Site is currently occupied by the applied use with no active agricultural use. Therefore, approval of the current application on a temporary basis of 3 years would not frustrate the long-term planning intention of the "AGR" zone and would better utilize deserted agricultural land in the New Territories.
- 6.4 The proposed development will not create significant nuisance to the surrounding areas. Adequate mitigation measures are provided, i.e. submission of the accepted drainage, run-in/out and FSIs proposals, as well as photographic records of the implemented run-in/out, drainage facilities and environmental mitigation measures to mitigate potential impact arising from the proposed development (**Appendices I to VII**). The applicant will 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 'Renewal of Planning Approval for **Renewal of Planning Approval for Temporary Logistics Centre with Ancillary Parking of Container Vehicles and Office for a Period of 3 Years and Filling of Land**'.

R-riches Property Consultants Limited

August 2024