

**Q1: Grateful for the Government's confirmation on the following:**

**Whether logistics, warehouse, or godown-type uses — particularly modern logistics facilities involving automation, fulfilment operations, and distribution/3PL functions — fall within the definition of (i) “Non-polluting Industrial Use” under Column 1 of the OU(E&T Park) zoning, or (ii) “Industrial Use (not elsewhere specified)” under Column 2 of the same zoning.**

**Specifically, we wish to confirm whether such uses:**

- 1. Are always permitted under Column 1, and therefore**
- 2. Do not require a Section 16 planning application, provided that no Dangerous Goods are handled or stored.**

A1: According to the Notes of the draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan (OZP) No. S/HSK/3, “Non-polluting Industrial Use (excluding industrial undertaking involving the use/storage of Dangerous Goods)” is a use always permitted under Column 1 within the “Other Specified Uses” annotated “Enterprise and Technology Park” (“OU(E&TP)”) zone.

According to the Town Planning Board's Definition of Terms, “Non-polluting Industrial Use” means “any industrial use which does not involve activities that are detriment to the occupants of the building and amenity of the area by reason of noise, waste water discharge, vibration, smell, fume, smoke, soot, ash, dust or grit”. It is also noted from the Town Planning Board Guidelines No. 22D that “Non-polluting Industrial Use (excluding industrial undertaking involving the use/storage of Dangerous Goods)” also “includes uses involving prototyping, production, design, research and development, alteration, testing, quality control, adaptation, repair, assembly, packaging, storage and distribution of goods and materials without generating environmental pollution and nuisance to neighbours” and “information technology support and training for the enhanced productivity and delivery of the goods and materials involved in the aforementioned processes” (paragraph 3.3).

Based on the information provided in the enquiry, please be advised that should the proposed operations primarily involve automation, fulfilment operations, and distribution/third-party logistics (3PL) functions in a non-polluting industrial process which are conducted indoors, use modern technology, do not generate

environmental nuisance and would comply with the relevant ordinances, such activities may be considered as “Non-polluting Industrial Use” and hence are always permitted under the “OU(E&TP)” zone provided that no use/storage of Dangerous Goods is involved. All other operations incidental to and all uses directly related and ancillary to the permitted uses within the same zone are always permitted.

Please note that the appropriate classification should be determined based on the core business function and characteristics of the proposed operations. The above interpretation is for reference only and each case will be considered based on its individual merits and detailed operational arrangements.