

Previous Applications

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/KTN/14*	Temporary Public Vehicle Park (including Private Cars, Light Goods Vehicles and Medium Goods Vehicles) with Ancillary Rest Room, Storage Containers and Office for a Period of 3 Years	8.5.2015 (Approved on a temporary basis for 2 years) [Revoked on 8.2.2016]	A1 to A9
A/KTN/24*	Temporary Public Vehicle Park (including Private Cars, Light Goods Vehicles and Medium Goods Vehicles) with Ancillary Resting Room, Storage Containers and Office for a Period of 2 Years	22.4.2016 (Approved on a temporary basis for 1 year) [Revoked on 22.1.2017]	A1 to A9

* submitted by the same applicant

Approval Conditions:

- A1 No operation between 8:00 p.m. and 8:00 a.m.
- A2 No operation on public holidays
- A3 No heavy goods vehicle including container trailer/tractor as defined in the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period
- A4 No car washing, vehicle repair, dismantling, paint spraying or other workshop activities
- A5 No parking and reverse movement of vehicles is allowed on public road outside the site
- A6 Submission and implementation of drainage proposal
- A7 Submission and implementation of fire service installations proposal
- A8 Submission and implementation of landscape proposal
- A9 Revocation Clause

**Similar Application Within / Partly Within the same “OU(A)” Zone
and an area shown as ‘Road’ on the
Approved Kwu Tung North Outline Zoning Plan No. S/KTN/2**

Approved Application

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/KTN/26	Temporary Container Vehicle Park with Ancillary Office and Workshop for a Period of 3 Years	13.5.2016 (Approved on a temporary basis for 1 year) [Revoked on 13.2.2017]	A1, A2, A3, A4, A5, A6, A7 & A8

Remarks: 4 similar applications involving a similar site as Application No. A/KTN/26 for temporary container vehicle park were approved with conditions by the Committee when the concerning site was zoned “Comprehensive Development Area” at that time.

Approval Conditions :

- A1 No operation between 8:00 p.m. and 8:00 a.m. for the workshops
- A2 No operation on Sundays and public holidays for the workshops
- A3 Maintain those existing drainage facilities properly and rectify those facilities
- A4 Maintain the existing solid boundary wall
- A5 Submission and implementation of a drainage proposal
- A6 Submission and implementation of a fire service installations proposal
- A7 Submission and implementation of tree preservation and/or landscape proposals
- A8 Revocation Clause

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) the permission is given to the development under application. It does not condone any other development which currently exists on the Site but not covered by the application. The applicant should be requested to take immediate action to discontinue such development not covered by the permission;
- (c) to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” (CoP) issued by the Director of Environmental Protection;
- (d) to note the comments of the District Lands Officer/ Yuen Long, Lands Department (DLO/YL, LandsD) that the lot owners will need to apply to his office to permit the structures to be erected or regularize any irregularity on site. Such application will be considered by LandsD acting in the capacity of the landlord at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by LandsD;
- (e) to note the comments of the Chief Estate Surveyor/Acquisition, Lands Department (CES/A, LandsD) that the Site might be subject to land resumption at any time before the expiry of the planning permission;
- (f) to note the comments of the Commissioner for Transport (C for T) that the Site connects Castle Peak Road – Chau Tau via a local village track, which is not managed by Transport Department. In this regard, the land status of the access leading to the Site should be checked with the lands authority. The management and maintenance responsibilities of the access should also be clarified with the relevant lands maintenance authorities accordingly;
- (g) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that the existing vehicular access between Castle Peak Road (Chau Tau) and the Site falls on unallocated Government land (UGL) which is outside HyD’s maintenance purview. The applicant is required to sort out the maintenance responsibility of the affected UGL with DLO/YL, LandsD;
- (h) to note the advice of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) on the general requirements in the drainage proposal:
 - (i) surface channel with grating covers should be provided along the site boundary;
 - (ii) the details (invert level, gradient, general sections etc.) of the proposed drain/surface channel and catchpit shall be provided;
 - (iii) the cover levels of proposed channels should be flushed with the existing adjoining ground level;

- (iv) the details of the catchpit shall be provided and cover shall be provided to the catchpit;
 - (v) catch pits with sand trap shall be provided at the outlets of the proposed drainage system. Details of the catch pit with sand trap should be provided;
 - (vi) the applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. He should also ensure that the flow from the Site will not overload the existing drainage system;
 - (vii) the applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD;
 - (viii) the existing drainage facilities to which the applicant proposed to discharge the storm water from the Site is not maintained by DSD. The applicant should identify the owners of the existing drainage facilities to which the proposed connection will be made and obtain consent from the owners prior to commencement of proposed works;
 - (ix) the applicant is reminded that all existing flow paths as well as the run-off falling onto and passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works;
 - (x) the proposed drainage works, whether within or outside the site boundary, should be constructed and maintained by the applicant at his/her own expense;
 - (xi) for works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N and/or relevant private lot owners;
 - (xii) the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
 - (xiii) the applicant should construct and maintain the proposed drainage works properly and rectify the system if it is found to be inadequate or ineffective during operation;
 - (xiv) clear photos should be submitted showing the current conditions of the existing drainage from the discharge point(s) to the downstream and the existing drainage around the Site;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) as follows:
- (i) if the existing structures are erected on leased land without approval of the BD not being a New Territories Exempted House, they are Unauthorized Buildings Works (UBWs) under the Buildings Ordinance (BO) and should not be designated for any

approved use under the application;

- (ii) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise, they are UBWs. An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - (iv) the temporary converted containers for site office/ storage are considered as temporary buildings are subject to control under the Building (Planning) Regulations Pt. VII;
 - (v) the Site shall be provided with means of obtaining access thereto from a street under the Building (Planning) Regulation 5 and emergency vehicular access shall be provided under the Building (Planning) Regulation 41D;
 - (vi) if the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined under the Building (Planning) Regulation 19(3) at building plan submission stage;
 - (vii) detailed comments under the BO will be provided at the building plan submission stage;
- (j) to note the comments of the Director of Fire Services (D of FS) that Emergency Vehicular Access arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by BD. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (k) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the 'Code of Practice on Working near Electricity Supply Lines' established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

