

Previous Applications

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/NE-KTN/104	Temporary Warehouse of Construction Materials and Ancillary Workshop for a Period of 3 Years	5.12.2003 (revoked on 5.12.2004)	1 – 5
A/NE-KTN/112	Minor Amendments to an Approved Development Proposal for Temporary Warehouse of Construction Materials and Ancillary Workshop for a Period of 3 Years	26.11.2004	1, 3, 5
A/NE-KTN/132	Temporary Warehouses of Construction Materials and Ancillary Workshop for a Period of 3 Years	13.3.2009 (revoked on 13.9.2009)	1 - 6
A/NE-KTN/148	Renewal of Temporary Warehouse of Industrial and Construction Materials and Ancillary Workshop for a Period of 3 Years	18.11.2011	3, 4, 5, 6, 7
A/KTN/6	Renewal of Planning Approval for Temporary "Warehouse (excluding Dangerous Goods Godown) (Industrial and Construction Materials and Ancillary Workshop)" for a Period of 3 Years	12.9.2014 (approved for 2 years until 18.11.2016)	3, 4, 5, 6, 7
A/KTN/28	Renewal of Planning Approval for Temporary Warehouse of Industrial and Construction Materials and Ancillary Workshop for a Period of 3 Years	14.9.2016 (revoked on 18.2.2017)	3, 4, 5, 6, 7
A/KTN/34	Temporary Warehouse of Industrial and Construction Materials and Ancillary Workshop for a Period of 3 Years	Approved on Review by the Town Planning Board on 8.6.2018 (revoked on 8.6.2019)	3, 4, 5, 6, 7

Approval Conditions:

- 1 No heavy goods vehicle and container trucks was allowed to access to/from the application site along the access road leading from Castle Peak Road
- 2 The submission of proposals on & provision vehicular run-in/run-out, parking and

loading/unloading arrangement

- 3 The submission and implementation of landscaping proposals/ tree preservation and landscaping proposals/ to maintain all existing trees in healthy condition at all times
- 4 The submission of drainage proposals and the provision of drainage facilities/ to maintain the existing drainage facilities properly and rectify those facilities if they were found inadequate/ineffective / the submission of a condition survey with photographic records of the existing drainage facilities on site
- 5 Revocation clause
- 6 To maintain all existing fire service installations and equipment / to maintain all existing fire service installations and equipment in an efficient working order/ the submission and implementation of fire service installations and water supplies for fire fighting proposal
- 7 No operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, was allowed on the application site/ no operation on Sundays and public holidays, as proposed by the applicant, was allowed on the application site

Rejected Applications

Application No.	Uses/Developments	Date of Consideration	Rejection Reasons
Nil	Nil	Nil	Nil

Reject Conditions

Similar Application

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/KTN/31	Temporary Cold Store with Ancillary Storage and Office for a Period of 3 Years	3.3.2017 (revoked on 3.5.2019)	1 – 6

Approval Conditions:

- 1 No operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site/ No operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site
- 2 No medium/heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to enter/exit the site at any time
- 3 The submission and implementation of a drainage proposal
- 4 The submission and implementation of a landscape proposal
- 5 The submission and implementation of a proposal for fire service installations and water supplies for fire-fighting
- 6 Revocation clause

Rejected Applications

Application No.	Uses/Developments	Date of Consideration	Rejection Reasons
Nil	Nil	Nil	Nil

Reject Conditions

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 use/development under application. It does not condone any other use/development which currently exists on the Site but not covered by the application. The applicant should take immediate action to discontinue such use/development not covered by the permission;
- (c) shorter compliance periods for approval conditions are imposed to monitor the progress of the compliance with the approval conditions. Should the applicant fails to comply with the approval condition(s) again resulting in the revocation of the planning permission, sympathetic consideration may not be given by the Committee to any further application;
- (d) to note that the Site might be subject to land resumption at any time before expiry of the planning permission;
- (e) to note the comments of the Chief Estate Surveyor/Acquisition, Lands Department (CES/A, LandsD) that the northern and eastern part of the Site falls within the project limit for the development of the KTN NDA – Advance Stage and First Stage which will soon be commenced. Since imminent resumption of the concerned land within this year is anticipated, the lots will become GL and the STT784 will be terminated upon expiry of resumption notice. Issuance of short term land instrument at the said land when the lots have been resumed will not be considered as the said land is required for the First Phase development of KTN NDA;
- (f) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) the Site comprises private lots Nos. 744 and 749 in D.D.92 and the adjoining GL covered by Short Term Tenancy (STT) No. 784. The application lots are Old Schedule lots held under Block Government Lease (demised for agricultural use) without any guaranteed right of access. The applicant should make its own arrangement, and there is no guarantee that any adjoining Government land (GL) will be allowed for the vehicular access of the applied use;
 - (ii) the waivee of STW No.1018 should apply to his office for (i) modification of the terms and conditions of STW No. 1018 so as to cover all the existing structures on the lots; and (ii) retrospective certificates for building works and drainage works to cover the existing structure for latrine use. These applications will be considered by Government in its landlord's and relevant capacities and there is no guarantee that they will be approved. If the modification of STW is approved, it will be subject to such terms and conditions to be imposed including payment of waiver fee for the additional site coverage and administrative fee as considered appropriate by his office. Further, the commencement date will be backdated to the first date of discovery; and
 - (iii) the tenant of STT No. 784 should apply to his office for regularization of the existing structures erected on the STT area. The application will be considered by

Government in its landlord's capacity and there is no guarantee that it will be approved. If the application is approved, its commencement date will be backdated to the first date of occupation and subject to such terms and conditions to be imposed including payment of rent and administrative fee as considered appropriate by his office.

- (g) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' in order to minimize the potential environmental impacts on the adjacent area;
- (h) to note the comments of Commissioner for Transport (C for T) that the land status, management and maintenance responsibilities of the local track should be clarified with the relevant lands and maintenance authorities accordingly;
- (i) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) on the general requirements in the drainage submission that:
 - (i) Surface channels 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, catchpits and the discharge structure shall be provided.
 - (iii) The cover levels of proposed channels should be flush with the existing adjoining ground level.
 - (iv) The details of the catchpit shall be provided and cover shall be provided to the catchpit.
 - (v) Catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit 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 are 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 or 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/YL 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 around the Site including existing drainage from the discharge point(s) to the downstream.
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) as follows:
- (i) the Temporary Building Permit (TBP) no. NT 9/88 for the two warehouses at the subject lots issued by Building Authority expired on 16.7.2000 (i.e. 19 years ago). The owner shall enlist an Authorized Person (AP) to apply for the renewal. Particular attention is drawn to the latest Emergency Vehicular Access (EVA) requirement under Clauses D22.3 of the Fire Safety 2011 Code;
 - (ii) the temporary building without a valid TBP would be subject to enforcement action under BD's prevailing enforcement policy against Unauthorized Building Works (UBW);
 - (iii) there is no record of approval by the Building Authority for the remaining existing zinc cover structure at the Site and his Department is not in a position to offer comments on their suitability for the use related to the application.;
 - (iv) if any existing structures are erected on leased land without approval of BD, they are UBW under the Building Ordinance (BO) and should not be designated for any proposed use under the application.;
 - (v) 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 UBW. An AP should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (vi) 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;

- (vii) if proposed use under application is subject to the issue of a licence, please be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
 - (viii) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations respectively;
 - (ix) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulation at the building plan submission stage; and
 - (x) detailed comments under the BO will be provided at the building plan submission stage.
- (k) to note the comments of the Director of Fire Services (D of FS) that:
- (i) the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his Department for approval;
 - (ii) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - (iii) the location of where the proposed FSI to be installed should be clearly marked on the layout plans; and
 - (iv) if the proposed structure(s) is required to comply with the Building Ordinance (Cap.123), detailed FSIs requirements will be formulated upon receipt of formal submission of general building plans.