

**Previous Applications**

**Approved Applications**

<b>Application No.</b>	<b>Uses/Developments</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-KTS/184	Temporary Open Storage of Metal Ware, Metal Workshop and Detergent Packaging for a Period of 3 Years	25.06.2004	A1, A2, A5, A19 & A20
A/NE-KTS/251	Temporary Open Storage of Metal Ware, Metal Workshop and Detergent Packaging for a Period of 3 Years	22.06.2007	A1, A3, A4, A5, A6, A8, A19 & A20
A/NE-KTS/288	Temporary Open Storage of Metal Ware, Metal Workshop and Vehicle Repair Workshop for a period of 3 Years	07.05.2010	A1, A3, A4, A5, A6, A8, A9, A14, A15, A16, A17, A18, A19 & A20
A/NE-KTS/340	Temporary Storage of Metal Ware with Ancillary Office for a Period of 3 Years	05.07.2013 (Revoked on 5.10.2015)	A3, A4, A4, A8, A10, A12, A19 & A20
A/NE-KTS/415	Temporary Storage of Pet Supplies and Beverages with Ancillary Office for a Period of 3 Years	15.07.2016	A3, A4, A5, A7, A8, A11, A13, A19 & A20

**Approval Conditions:**

- A1 The submission and/or provision of access road, loading/unloading and parking proposals/ facilities
- A2 The submission and/or provision of drainage proposals and/or facilities
- A3 The existing drains within the application site should be maintained properly and/ or rectified if found inadequate/ineffective at all times
- A4 The submission of a condition record of the existing drainage facilities on site
- A5 The submission and implementation of tree preservation and/or landscaping proposals
- A6 No medium and heavy goods vehicles, including container vehicles, were allowed to enter the site at anytime
- A7 The provision of fire extinguisher(s)
- A8 The submission and the provision of water supplies for fire fighting and fire service installation / the submission and/or the implementation of proposals of water supplies for

fire fighting and fire service installations

- A9 No operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, was allowed
- A10 No operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicants, was allowed on the application site
- A11 No operation between 6:00 p.m. and 8:00 a.m. from Mondays to Saturdays, as proposed by the applicants, is allowed on the site
- A12 No operation on Saturdays and Sundays, as proposed by the applicants, was allowed on the application Site
- A13 No operation on Sundays and Public Holidays, as proposed by the applicants, is allowed on the site
- A14 All spoils arising from site formation works should be contained and protected to prevent all nearby watercourses from being polluted or silting up
- A15 No discharge or effluent within the flood pumping gathering grounds should be allowed without prior approval from the Director of Water Supplies
- A16 All wastes, sludge and pollutants arising from any activity on the site should be properly disposed of outside gathering grounds
- A17 The site should be surrounded by kerbs and drains on all sides to avoid polluting the nearby watercourses during heavy rainfall
- A18 Drainage traps such as grease traps, petrol interceptors should be installed at each of the drainage outlets and should be under proper maintenance. All such drainage traps should have sufficient capacity to ensure the proper collection and disposal of fuel, lubricants and chemicals
- A19 Revocation clause
- A20 Reinstatement clause

**Similar Applications for Temporary Storage/Godown Use  
within the Same “Recreation” Zone  
on the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/16**

**Approved Applications**

<b>Application No.</b>	<b>Uses/Developments</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-KTS/225#	Temporary Godown Uses with Ancillary Office for a Period of 3 Years	3.2.2006 (Revoked on 3.8.2006)	A1, A2, A4, A8, A9 & A18
A/NE-KTS/240#	Temporary Godown Uses with Ancillary Office for a Period of 3 Years	15.12.2006 (Revoked on 15.9.2007)	A1, A2, A4, A8, A10 & A18
A/NE-KTS/261#	Temporary Godown with Ancillary Office for a Period of 3 Years	9.5.2008	A1, A2, A8 A10 & A18
A/NE-KTS/305#	Renewal of Planning Approval for Temporary Godown with Ancillary Office and Staff Quarter under Application No. A/NE-KTS/261 for a Period of 3 Years	6.5.2011	A1, A5, A6, A8, A10, A13, A18 & A19
A/NE-KTS/362#	Renewal of Planning Approval for Temporary Godown with Ancillary Office and Staff Quarters Use under Application No. A/NE-KTS/305 for a Period of 3 Years	21.3.2014	A1, A5, A6, A8, A10, A13, A18 & A19
A/NE-KTS/367*	Temporary Storage of Metal Ware with Ancillary Office for a Period of 3 Years	25.7.2014	A1, A5, A6, A8, A10, A11, A14, A16, A18 & A19
A/NE-KTS/449#	Renewal of Planning Approval for Temporary Godown with Ancillary Office and Staff Quarters Use for a Period of 3 Years	28.4.2017	A1, A3, A5, A6, A7, A10, A13, A18 & A19
A/NE-KTS/452*	Temporary Storage of Cosmetic Products, Beverages and Construction Materials with Ancillary Office for a Period of 3 Years	16.3.2018	A1, A3, A5, A6, A7, A10, A12, A15, A17, A18 & A19

# involve almost the same site

\* involve another same site

## **Approval Conditions**

- A1 No medium/heavy goods vehicles, including container tractors/trailers/vehicles, are allowed for transportation of goods to/from the site
- A2 The submission and the implementation of improvement measures to the access road and associated footpath
- A3 The submission and implementation of a proposal on traffic improvement measures to enhance pedestrian safety
- A4 The submission of drainage proposals and provision of drainage facilities
- A5 The existing drainage facilities should be properly maintained and/or rectified if found inadequate/ineffective during operation at all times
- A6 The submission of records showing conditions of the drainage facilities previously implemented on site
- A7 The existing trees on the site should be maintained;
- A8 The submission and implementation of landscaping and/or tree preservation proposals
- A9 The submission and provision of emergency vehicular access, water supplies for fire fighting and fire services installations
- A10 The submission and the provision of water supplies for fire fighting and fire service installation / the submission and/or the implementation of proposals of water supplies for fire fighting and fire service installations
- A11 No operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicants, was allowed on the application site
- A12 No operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicants, was allowed on the application site
- A13 No night-time operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, was allowed on the site
- A14 No operation on Saturdays and Sundays, as proposed by the applicants, was allowed on the application site
- A15 No operation on Sundays and Public Holidays, as proposed by the applicants, was allowed on the application site
- A16 No workshop activities should be carried out on the application site
- A17 No vehicle is allowed to queue back to or reverse onto/from public road
- A18 Revocation clause
- A19 Reinstatement 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 applicants should be requested to take immediate action to discontinue such development not covered by the permission;
- (c) to note the comments of the District Lands Officer/North, Lands Department as follows:
  - (i) at the time of site inspection, the dimensions of the existing structure do not tally with the ones permitted under the conditions of Modification of Tenancy No. 37723 (the MOT) concerned on Lot No. 1670 S.A of which Lot No. 1670 S.A ss.1 RP was carved out;
  - (ii) at the time of site inspection, the dimensions of the existing structures do not tally with the ones permitted under the conditions of the two Government Land Licences (GLLs) viz. T12071 and T14306 located within the Site;
  - (iii) the structures mentioned above are not acceptable under the Leases/GLLs/MOT conditions concerned and his office reserves the right to take necessary enforcement actions against them;
  - (iv) apart from the structures mentioned above, some temporary structures were erected on the Government land within the Site without prior approval from his office. His office reserves the right to take necessary land control actions against them;
  - (v) the numbers and the total built-over area of the existing structures located in the Site do not tally with the ones mentioned in the planning application; and
  - (vi) the owner(s) of the lots concerned shall apply to his office for a Short Term Waiver (STW) and Short Term Tenancy (STT) covering all the actual occupation area. The applications for STW and STT will be considered by the Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW/STT are approved, their commencement date would be backdated to the first date of occupation and they will be subject to such terms and conditions to be imposed including payment of waiver fee/rent and administrative fees as considered appropriate by his office.
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) as follows:
  - (i) if the existing structures are erected on leased land without approval of BD, they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;

- (ii) before any new building works (including excavation, underground structure, container/open shed 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 Unauthorized Buildings Works (UBW). 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 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) in connection with (ii) above, the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 5 and 41D of the Building (Planning) Regulations respectively; and
  - (v) if the Site is not abutting on a specified street having a width not less than 4.5m wide, its permitted development intensity shall be determined under 19(3) of the Building (Planning) Regulation at building plan submission stage;
- (e) to note the comments of the Director of Fire Services as follows:
- (i) the applicants are 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) the applicants are reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.
- (f) to note the comments of the Chief Engineer/Construction, Water Supplies Department as follows:
- (i) the applicant is required to either divert or protect the water mains found on the Site;
  - (ii) if diversion is required, existing water mains inside the proposed lot are needed to be diverted outside the site boundary of the proposed development to lie in Government land. A strip of land of minimum 1.5m in width should be provided for the diversion of existing water mains. The cost of diversion of existing water mains upon request will have to be borne by the grantee/applicant; and the applicant shall submit all relevant proposal to his department for consideration and agreement before the works commence;
  - (iii) if diversion is not required, the applicant should follow the following conditions:
    - (1) no development which requires resiting of water mains will be allowed;

- (2) details of site formation works shall be submitted to the Director of Water Supplies (DWS) for approval prior to commencement of works;
  - (3) no structures shall be built or materials stored within 1.5 metres from the centre line(s) of water mains. Free access shall be made available at all times for staff of DWS or their contractor to carry out construction, inspection, operation, maintenance and repair works;
  - (4) no trees or shrubs with penetrating roots may be planted within the Water Works Reserve or in the vicinity of the water mains. No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of DWS. Rigid root barriers may be required if the clear distance between the proposed tree and pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe;
  - (5) no planting or obstruction of any kind except turfing shall be permitted within the space of 1.5m around the cover of any valve or within a distance of 1m from any hydrant outlet; and
  - (6) tree planting may be prohibited in the event that DWS considers that there is any likelihood of damage being caused to water mains.
- (iv) for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.
- (g) to follow the environmental mitigation measures as set out in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Director of Environmental Protection (DEP) in order to minimize any possible environmental nuisances as advised by DEP.

