

**Previous Applications**

**Approved Applications**

<b>Application No.</b>	<b>Use / Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-KTS/41	Proposed Ancillary Waste Water Treatment Plant as Alteration to the Existing Paper Factory	28.6.1996	A1 & A2
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, A3, A4, A5, A6, A7 & A8 (A1, A4 to A7 not complied with)
A/NE-KTS/240	Temporary Godown Use with Ancillary Office for a Period of 3 Years	15.12.2006 (revoked on 15.9.2007)	A1, A3, A4, A5, A6, A7 & A8 (A1, A4 & A7 not complied with)
A/NE-KTS/261	Temporary Godown with Ancillary Office for a Period of 3 Years	9.5.2008	A3, A4, A6, A7 & A8
A/NE-KTS/305	Renewal of Planning Approval for Temporary 'Godown with Ancillary Office and Staff Quarters' Use under Application No. A/NE-KTS/261 for a Period of 3 Years	6.5.2011	A3, A5, A6, A7, A8, A9, A10 & A11
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	A3, A5, A6, A7, A8, A9, A10 & A11
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	A3, A4, A5, A7, A8, A9, A10, A11 & A12

## **Approval Conditions**

- A1 Provision of drainage facilities
- A2 Commencement clause
- A3 No heavy goods vehicles (exceeding 24 tonnes) including container vehicles/container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed
- A4 Submission / implementation of improvement measures to the access road and associated footpath / a proposal on traffic improvement measures to enhance pedestrian safety
- A5 Submission of drainage proposals / a condition record of the existing drainage facilities
- A6 Submission and implementation of tree preservation, tree maintenance and/or landscaping proposals
- A7 Submission / provision / implementation of emergency vehicular access, and / or water supplies for fire fighting and fire services installations
- A8 Revocation clause
- A9 No operation between 11:00 p.m. and 7:00 a.m., is allowed on the application site
- A10 Existing drainage facilities on the application site should be maintained at all times / existing drainage facilities should be properly maintained and rectified if found inadequate/ineffective during operation at all times
- A11 Reinstatement clause
- A12 Existing trees on the site should be maintained at all times

**Advisory Clauses**

- (a) prior planning permission should have been obtained before continuing with the applied use at the application site.
- (b) to note the comments of the District Lands Officer/North, Lands Department as follows:
  - (i) the lots are Old Schedule agricultural lots held under the Block Government Lease without any guarantee of right of access. The applicants should make their own arrangement. The Government shall accept no responsibility in such arrangements and there is no guarantee that any adjoining Government land will be allowed for the vehicular access of the applied use;
  - (ii) the proposed widening works would give rise to the clearance of the Government properties and the crops/trees growing thereon. The applicants should seek advice/consent from the Government departments concerned; and
  - (iii) the owners of the lots concerned shall apply to his office for modification of the existing Short Term Waiver (STW) and Short Term Tenancy (STT) covering all the actual occupation area. The STW and STT applications will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW and STT applications are approved, their commencement dates would be backdated to the first date of occupation or a date as deemed appropriate by his office, 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.
- (c) to note the comments of the Commissioner for Transport as follows:
  - (i) for land administration issues and implementation of the proposed improvement works, the applicants should seek comments from the responsible parties; and
  - (ii) the vehicular access between the application site and Fan Kam Road is not managed by his department. The applicants should seek comment from the responsible parties.
- (d) 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.
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that any proposed tree treatments shall be approved by the relevant tree authority as necessary, prior to the commencement of works. The applicants may refer to the useful

information on tree maintenance at  
[http://www.greening.gov.hk/en/tree\\_care/tree\\_maintenance.html](http://www.greening.gov.hk/en/tree_care/tree_maintenance.html).

(f) to note the comments of the Director of Fire Services as follows:

- (i) 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; and
- (ii) for layout plans to be submitted to his department:

the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of where the proposed FSI to be installed should be clearly marked on the layout plans.

(g) to note the comments of the Chief Engineer/Construction, Water Supplies Department as follows:

- (i) the applicants are required to either divert or protect the water mains found on the application site;
- (ii) if diversion is required, existing water mains inside the proposed lots are needed to be diverted outside the application 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/applicants; and the applicants shall submit all relevant proposal to his department for consideration and agreement before the works commence;
- (iii) if diversion is not required, the applicants should follow the following conditions:
  - (1) existing water mains are affected and 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.
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department as follows:
- (i) before any new building works are to be carried out on the application site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System. Otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the Buildings Ordinance (BO);
  - (ii) for UBW erected on leased land, enforcement action may be taken by the BA 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 application site under the BO;
  - (iii) any temporary shelters or converted containers for storage or other uses are considered as temporary buildings are subject to the control of Part VII of the Building (Planning) Regulations;
  - (iv) the application 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.;
  - (v) if the site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined by the Building Authority under Building (Planning) Regulation 19(3) at building plan submission stage; and
  - (vi) formal submission under the BO is required for any proposed new works, including any temporary structures. Detailed comments under BO will be provided at the building plan submission stage.