

Previous Applications

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/NE-KTS/307	Proposed Temporary Private Swimming Pool for a Permitted House (New Territories Exempted House (NTEH) - Small House) for a Period of 3 Years	15.4.2011	A1, A2, A3, A4, A5 & A6
A/NE-KTS/363	Renewal of Planning Approval for Temporary Private Swimming Pool for a Permitted House (NTEH - Small House) for a Period of 3 Years	4.4.2014 (lapsed on 16.4.2017)	A1, A3, A5, A6, A7, A8 & A9

Approval Conditions

- A1 The proposed swimming pool should not be opened to members of the public
- A2 The submission and implementation of drainage proposals including proposal to deal with discharge from the swimming pool
- A3 The submission and implementation of fire service installations and water supplies for fire fighting proposals
- A4 The submission and implementation of landscape proposals
- A5 Revocation clause
- A6 Reinstatement clause
- A7 The existing drainage facilities should be properly maintained and rectified if found inadequate/ineffective
- A8 The landscape planting within the site should be maintained in good condition
- A9 The submission of a condition record of the existing drainage facilities

**Similar Application within the same “AGR” Zone
on the Kwu Tung South Outline Zoning Plan**

Approved Application

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/NE-KTS/318*	Proposed Temporary Private Swimming Pool, Private Garden and Private Car Parking Spaces for a Permitted House (New Territories Exempted House(NTEH) - Small House) for a Period of 3 Years	30.3.2012 (lapsed on 31.3.2015)	A1, A2, A3 & A4
A/NE-KTS/319#	Proposed Temporary Private Swimming Pool and Private Garden for a Permitted House (NTEH - Small House) for a Period of 3 Years	30.3.2012	A1, A2, A3 & A4
A/NE-KTS/391#	Renewal of Planning Approval for Temporary Private Swimming Pool and Private Garden for a Permitted House (NTEH - Small House) for a Period of 3 Years	27.3.2015 (lapsed on 31.3.2018)	A1, A4, A5 & A6
A/NE-KTS/393*	Temporary Private Swimming Pool for a Permitted House (NTEH - Small House) for a Period of 3 Years	17.4.2015 (lapsed on 18.4.2018)	A1, A3, A4 & A6

* involve almost the same site

involve another same site

Approval Conditions

- A1 The proposed temporary swimming pool, garden and/or car parking spaces should not be opened to members of the public
- A2 The submission and implementation of drainage proposals including proposal to deal with discharge from the swimming pool
- A3 The submission and implementation of tree preservation and/or landscape proposals
- A4 Revocation clause
- A5 All existing trees and landscape plantings on the application site should be maintained at all times
- A6 Reinstatement clause



Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) to note the comments of the District Lands Officer/North, Lands Department as follows:
 - i. the application lot is Old Schedule Lots held under Block Government Lease (demised for agricultural use) without any guarantee of right of access. The applicant should make his own arrangement for acquiring access. The Government shall accept no responsibility on such arrangement;
 - ii. the numbers and the total built-over area of the aforesaid structures do not tally with the one mentioned in the planning application
 - iii. the as-built ESS on lot No. 835 RP and 839 S.C both in D.D. 100 was erected without any approval of his office ;
 - iv. the existing structures on lots No. 839 RP and 835 S.B both in D.D. 100 within/adjoining the Site were erected without approval of his office. The aforesaid structures are not acceptable under the Leases concerned and his office reserves the right to take necessary lease enforcement actions against the aforesaid structures; and
 - v. the owner of the application lot concerned shall apply to his office for a Short Term Waiver (STW) covering all the actual occupation area. The application for STW will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW is approved, its commencement date would be backdated to the first date of occupation and it will be subject to such terms and conditions to be imposed including payment of waiver fee and administrative fees as considered appropriate by his office
- (c) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to follow the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by DEP;
- (d) 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 application lot are needed to be diverted outside the site boundary of the applied development to lie in Government land. A strip of land of minimum 1.5m 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 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 existing 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.