

APPLICATION FOR PERMISSION UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE (CAP.131)

2021年 2月 22日
此文件在 收到，城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

22 FEB 2021
This document is received on
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to Proposal Only Involving Temporary Use/Development of
Land and/or Building Not Exceeding 3 Years in Rural Areas or Renewal
of Permission for such Temporary Use or Development***

**適用於祇涉及位於鄉郊地區土地上及/或建築物內進行為期不超過三年
的臨時用途/發展或該等臨時用途/發展的許可續期的建議***

**Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.*

**其他土地上及/或建築物內的臨時用途/發展 (例如位於市區內的臨時用途或發展) 及有關該等臨時用途/發展的許可續期，應使用表格第 S16-I 號。*

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers: https://www.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

"Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/SK-PK/262
	Date Received 收到日期	22 FEB 2021

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會 (下稱「委員會」) 秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱	
(<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input checked="" type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構)	
LI MEN SAN	
2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)	
(<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input checked="" type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構)	
PROSPER CONSULTANT ENGINEERING COMPANY LIMITED	
3. Application Site 申請地點	
(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	OPEN AREA IN FRON OF SHOP 10A & 10B, G/F, 10 PO TUNG ROAD, SAI KUNG, N.T.
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 8.31 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Gross floor area 總樓面面積 sq.m 平方米 <input type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有) sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	北港及沙角尾分區計劃大綱核准圖S/SK-PK/11
(e) Land use zone(s) involved 涉及的土地用途地帶	ROAD
(f) Current use(s) 現時用途	EATING PLACE (OUTSIDE SEATING ACCOMMODATION) (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 -

- ☐ is the sole "current land owner"[#] (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」[#] (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"[#] (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」[#] (請夾附業權證明文件)。
- ☒ is not a "current land owner"[#].
並不是「現行土地擁有人」[#]。

- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"[#].
根據土地註冊處截至 ...2021... 年 ...2... 月 ...23... 日的記錄，這宗申請共牽涉 ...1... 名「現行土地擁有人」[#]。

(b) The applicant 申請人 -

- ☐ has obtained consent(s) of "current land owner(s)"[#].
已取得 1 名「現行土地擁有人」[#]的同意。

Details of consent of "current land owner(s)" [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)
1	G/F, 10A, Po Tung Road, Sai Kung	22-12-2020
1	G/F, 10B, Po Tung Road, Sai Kung	22-12-2020

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified “current land owner(s)”[#]
已通知 名「現行土地擁有人」[#]。

Details of the “current land owner(s)” [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the “current land owner(s)” on _____ (DD/MM/YYYY)^{#&}
於_____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners’ corporation(s)/owners’ committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)把通知寄往相關的業主立案法團／業主委員會／互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別**(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas**

位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展

(For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B))

(如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)

(a) Proposed
use(s)/development
擬議用途/發展**EATING PLACE(OUTSIDE SEATING ACCOMMODATION)**

(Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)

(b) Effective period of
permission applied for
申請的許可有效期☒ year(s) 年 3☐ month(s) 個月**(c) Development Schedule 發展細節表**Proposed uncovered land area 擬議露天土地面積 8.31 sq.m ☒ About 約Proposed covered land area 擬議有上蓋土地面積 sq.m ☐ About 約

Proposed number of buildings/structures 擬議建築物/構築物數目

Proposed domestic floor area 擬議住用樓面面積 sq.m ☐ About 約Proposed non-domestic floor area 擬議非住用樓面面積 sq.m ☐ About 約Proposed gross floor area 擬議總樓面面積 sq.m ☐ About 約

Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明)

.....

.....

.....

.....

Proposed number of car parking spaces by types 不同種類停車位的擬議數目

Private Car Parking Spaces 私家車車位

Motorcycle Parking Spaces 電單車車位

Light Goods Vehicle Parking Spaces 輕型貨車泊車位

Medium Goods Vehicle Parking Spaces 中型貨車泊車位

Heavy Goods Vehicle Parking Spaces 重型貨車泊車位

Others (Please Specify) 其他 (請列明)

Proposed number of loading/unloading spaces 上落客貨車位的擬議數目

Taxi Spaces 的士車位

Coach Spaces 旅遊巴車位

Light Goods Vehicle Spaces 輕型貨車車位

Medium Goods Vehicle Spaces 中型貨車車位

Heavy Goods Vehicle Spaces 重型貨車車位

Others (Please Specify) 其他 (請列明)

Proposed operating hours 擬議營運時間 11:00 - 23:00																																	
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？	Yes 是 No 否	<input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度)																															
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁表示可盡量減少可能出現不良影響的措施，否則請提供理據/理由。)																																	
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動？	Yes 是 <input type="checkbox"/> Please provide details 請提供詳情 No 否 <input checked="" type="checkbox"/>																																
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程？	Yes 是 No 否	<input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及／或範圍) <input type="checkbox"/> Diversion of stream 河道改道 <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約 No 否 <input checked="" type="checkbox"/>																															
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響？	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">On environment 對環境</td> <td style="width: 10%;">Yes 會 <input type="checkbox"/></td> <td style="width: 10%;">No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table>			On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
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Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															
Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															

	<p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible)</p> <p>請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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(B) Renewal of Permission for Temporary Use or Development in Rural Areas**位於鄉郊地區臨時用途/發展的許可續期**

(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<p><input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件</p> <p><input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件</p> <p><input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
(f) Renewal period sought 要求的續期期間	<p><input type="checkbox"/> year(s) 年</p> <p><input type="checkbox"/> month(s) 個月</p>

7. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

由於北港248已被取消，故要重新申請。

8. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in an application to the Board and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署

Paul W. Y.
WONG HON PING
Name in Block Letters
姓名（請以正楷填寫）

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

MANAGER

Position (if applicable)
職位（如適用）

Professional Qualification(s)
專業資格

☐ Member 會員 / ☐ Fellow of 資深會員
☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /
☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /
☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

Others 其他

on behalf of
代表

PROSPER CONSULTANT ENGINEERING COMPANY LIMITED

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

22.1.2021 (DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in an application to the Board and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and deposited at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	OPEN AREA IN FRONT OF SHOP 10A & 10B, G/F, 10 PO TUNG ROAD, SAI KUNG, N. T.
Site area 地盤面積	8.31 sq. m 平方米 □ About 約 (includes Government land of 包括政府土地 sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	北港及沙角尾分區計劃大綱核准圖A/SK-PK/11
Zoning 地帶	ROAD
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 3 <input type="checkbox"/> Month(s) 月 <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 <input type="checkbox"/> Month(s) 月
Applied use/ development 申請用途/發展	EATING PLACE(OUTSIDE SEATING ACCOMMODATION)

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用		
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	% <input type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____		
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____		

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	<u>Chinese</u> 中文	<u>English</u> 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<u>Reports 報告書</u>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<hr/>		
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

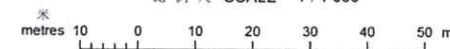
Explanatory notes : This plan shows the graphical boundaries of permanent and temporary land holdings with the topographic map. The land holdings as shown may include private lots, government short term tenancies and other permitted uses of land. It must be information shown on this plan is subject to update without prior notice may be time lag between an update and the related changes taken graphical boundaries as shown are for identification purpose only of their accuracy and reliability requires the advice from professional surveyors.

Disclaimer : The Government shall not be responsible for any whatsoever arising from the use of this plan or in reliance upon completeness, timeliness or accuracy.



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比例尺 SCALE 1:1 000



Locality :

Lot Index Plan No. : LIP713166P

District Survey Office : DSOYL

Date :23-Oct-2020



西貢OSA01/03/2021 02:11

From: Wong Wong <[REDACTED]>

To: vlkma@pland.gov.hk

Cc: wong wong <[REDACTED]>

History:

This message has been replied to and forwarded.

3 Attachments



(2.1) Revd 1.3.2021.pdf



(2) Revd OSA 1 1000 PLAN PDF.pdf



(1) Scanned Latest 2019 Form_No_S16-III_2019 1.3.2021.pdf

Dear Ms. Ma,

Please find attached for your approval.

Paul Wong

[REDACTED]

7. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明）。

由於北港248已被取消，故要重新申請。營業時間為上午11時至晚上11時。

**Appendix II of RNTPC
Paper No. A/SK-PK/262**

Previous Applications Covering the Application Site

	Application No. and Proposed Use(s)	Location	Date of Consideration	Decision of the RNTPC/ TPB	Approval Condition(s)
1	A/SK-PK/130 Outside seating accommodation of a restaurant for a temporary period of 3 years	Open Area in front of Shops 10A & 10B, Po Tung Road, Lot 1827 in D.D. 221, Sai Kung, New Territories	9.1.2004	Approved with condition(s)	NIL
2	A/SK-PK/172 Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years	Open Area in front of Shop 10A & 10B, Po Tung Road, Lot 1827(Part) in D.D. 221, Sai Kung, New Territories	25.6.2010	Approved with conditions	(a)
3	A/SK-PK/203 Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years	Open Area in front of Shops 10A & 10B, G/F, Po Tung Road, Lot 1827 (Part) in D.D. 221, Sai Kung, New Territories	16.8.2013	Approved	NIL
4	A/SK-PK/228 Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years	Open Area in front of Shops 10A & 10B, G/F, Po Tung Road, Lot 1827 (Part) in D.D. 221, Sai Kung, New Territories	24.6.2016	Approved	NIL

	Application No. and Proposed Use(s)	Location	Date of Consideration	Decision of the RNTPC/ TPB	Approval Condition(s)
5	A/SK-PK/248 Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years	Open Area in front of Shops 10A and 10B, G/F, Po Tung Road, Lot 1827 (Part) in D.D. 221, Sai Kung, New Territories	19.7.2019	Approved [revoked on 17.8.2020]	(a), (b)

Approval Conditions

- (a) Submission of fire service installations (FSIs) proposals and/or provision of FSIs.
- (b) Operation hours are restricted.

**Appendix III of RNTPC
Paper No. A/SK-PK/262**

**Similar Applications within Area Shown as ‘Road’
on the Approved Pak Kong and Sha Kok Mei OZP No. S/SK-PK/11**

	Application No. and Proposed Use(s)	Location	Date of Consideration	Decision of the RNTPC/ TPB	Approval Conditions/ Reasons for Rejection
1	A/SK-PK/122 Outside seating accommodation of a restaurant for a temporary period of 3 years	Lot 780 RP in D.D.215 and Adjoining Government Land, 183D, Hiram’s Highway, Sai Kung, New Territories	22.11.2002	Approved	NIL
2	A/SK-PK/129 Outside seating accommodation of a restaurant for a temporary period of 3 years	Open Area in front of Shop 10C, Po Tung Road, Lot 1827 in D.D. 221, Po Tung Road, Sai Kung, New Territories	9.1.2004	Approved	NIL
3	A/SK-PK/151 Temporary Eating Place (Outside Seating Accommodation) for a Period of 3 Years	Lot 780 RP in D.D. 215 and Adjoining Government Land, G/F, 183D Po Tung Road, Sai Kung, New Territories	29.9.2006	Approved	NIL
4	A/SK-PK/170 Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	Lot 780 RP in D.D. 215 and Government Land Adjoining Government Land, No.183D Po Tung Road, Sai Kung, New Territories	29.1.2010	Approved	NIL
5	A/SK-PK/173 Temporary Eating Place (Outside Seating	Open Area in front of Shop 10C, Po Tung Road, Lot 1827(Part) in	25.6.2010	Approved with condition	(a)

	Application No. and Proposed Use(s)	Location	Date of Consideration	Decision of the RNTPC/TPB	Approval Conditions/ Reasons for Rejection
	Accommodation of Restaurant Only) for a Period of 3 Years	D.D. 221, Po Tung Road, Sai Kung, New Territories			
6	A/SK-PK/174 Proposed Temporary Agricultural Use (Horticultural Garden) and Eating Place for a Period of 3 Years	Government Land (STT No. SX 2715) in D.D. 217, Tai Chung Hau, Sai Kung, New Territories	25.6.2010	Approved with conditions [Revoked on 25.3.2012]	(a), (c), (d)
7	A/SK-PK/193 Temporary Eating Place (Japanese Restaurant) for a period of 3 years	Lot 1773 in D.D. 221, G/F, 9A Po Tung Road, Sai Kung, New Territories	24.2.2012	Approved with conditions	(a), (b)
8	A/SK-PK/194 Temporary Eating Place (Restaurant) for a Period of 3 Years	Lot 1813 (Part) in D.D. 221, G/F, 11A Po Tung Road, Sai Kung, New Territories	16.3.2012	Approved with condition	(b)
9	A/SK-PK/200 Temporary Agricultural Use (Horticultural Garden) and Eating Place for a Period of 3 Years	Government Land (STT No. SX 2715) in DD217, Tai Chung Hau, Sai Kung, New Territories	19.4.2013	Approved with conditions	(a), (c), (d)
10	A/SK-PK/202 Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years	Open Area in front of Shop 10C, G/F, Po Tung Road, Lot 1827 (Part) in D.D. 221, Po Tung Road, Sai Kung, New Territories	16.8.2013	Approved	NIL

	Application No. and Proposed Use(s)	Location	Date of Consideration	Decision of the RNTPC/TPB	Approval Conditions/Reasons for Rejection
11	A/SK-PK/205 Proposed Temporary Shop and Services and Eating Place (Restaurant) for a Period of 3 Years	Lot 1617 S.A RP (Part) in D.D. 221 and Adjoining Government Land, No. 19H Po Tung Road, Sai Kung	7.2.2014	Approved [Revoked on 7.5.2016]	(a), (c), (e), (f), (g)
12	A/SK-PK/206 Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	Lot 780 RP in D.D.215 and Adjoining Government Land, 183D Hiram's Highway, Sai Kung, New Territories	7.2.2014	Approved with conditions	(a), (d)
13	A/SK-PK/226 Renewal of Planning Approval for Temporary "Agricultural Use (Horticultural Garden), Eating Place" for a Period of 3 Years	Government Land (STT No. SX 2715) (Part) in DD217, Tai Chung Hau, Sai Kung, New Territories	20.11.2015	Approved with conditions [Revoked on 20.6.2016]	(a), (c), (d)
14	A/SK-PK/229 Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years	Open Area in front of Shop 10C,G/F, Po Tung Road, Lot 1827(Part) in D.D. 221, Po Tung Road, Sai Kung, New Territories	15.7.2016	Approved	NIL
15	A/SK-PK/230 Temporary Eating Place and Outside Seating Accommodation of Restaurant for a Period	Shop 10D and open area in front of the Shop, G/F, Po Tung Road, Lot 1827 (Part) in D.D. 221 and adjoining government	29.7.2016	Approved	NIL

	Application No. and Proposed Use(s)	Location	Date of Consideration	Decision of the RNTPC/TPB	Approval Conditions/Reasons for Rejection
	of 3 Years	land, Sai Kung, New Territories			
16	A/SK-PK/236 Temporary Eating Place (Outside Seating Accommodation of Restaurant Only) for a Period of 3 Years	Government Land in D.D. 215, Sai Kung, New Territories	28.4.2017	Approved with conditions	(a), (b), (d)
17	A/SK-PK/237 Proposed Temporary Shop and Services and Eating Place (Restaurant) for a Period of 3 Years	Lot 1617A RP in D.D.221 and Adjoining Government Land, 19H Po Tung Road, Sai Kung, New Territories	12.5.2017	Rejected	(1), (2), (3)
18	A/SK-PK/238 Proposed Temporary Eating Place (Restaurant) for a Period of 3 Years	G/F, 9A Po Tung Road, Lot 1773 (Part) in D.D. 221, Sai Kung, New Territories	12.5.2017	Approved with conditions [Revoked on 12.2.2018]	(a), (b), (d)
19	A/SK-PK/245 Temporary Eating Place (Restaurant) for a Period of 3 Years	G/F, 9A Po Tung Road, Lot 1773 (Part) in D.D.221, Sai Kung, New Territories	1.6.2018	Approved with conditions [Revoked on 1.12.2018]	(a), (b)
20	A/SK-PK/249 Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years	Open Area in Front of Shop 10C, G/F, Po Tung Road, Lot 1827 (Part) in D.D. 221, Sai Kung, New Territories	19.7.2019	Approved with conditions	(a), (b)

	Application No. and Proposed Use(s)	Location	Date of Consideration	Decision of the RNTPC/TPB	Approval Conditions/Reasons for Rejection
21	A/SK-PK/250 Renewal of Planning Approval for Temporary Eating Place and Outside Seating Accommodation of Restaurant for a Period of 3 Years	Shop 10D and open area in front of the Shop, G/F, Po Tung Road, Lot 1827 (Part) in D.D. 221 and adjoining government land, Sai Kung, New Territories	19.7.2019	Approved with conditions	(a), (b)
22	A/SK-PK/258 Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years	Government Land in D.D. 215, Sai Kung, New Territories	26.5.2020	Approved with conditions	(a)
23	A/SK-PK/259 Temporary Eating Place (Restaurant) for a Period of 3 Years	G/F, 11A Po Tung Road, Lot 1813 (Part) in D.D.221, Sai Kung, New Territories	9.10.2020	Approved with conditions	(a)

Approval Conditions:

- (a) Submission of fire service installations (FSIs) proposals and/or provision of FSIs.
- (b) Operation hours are restricted.
- (c) Submission and implementation of landscaping and tree preservation proposals.
- (d) Provision of fire service installations and water supplies for firefighting.
- (e) Submission of geotechnical assessment and implementation of mitigation measures as recommended in geotechnical assessment.
- (f) Submission and implementation of drainage and sewerage proposals.
- (g) Provision of waterworks reserve within 1.5m from centerline of the water main.

Reasons for Rejection:

- (1) Fail to establish the temporary nature of the proposed development thus will frustrate the planning intention.
- (2) Fail to demonstrate the proposed development will not have adverse landscape impact on the

surrounding areas.

- (3) Fail to demonstrate that the proposed filling of the existing berm within the application site will not have adverse impact on public safety.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

210305-143417-01936

提交限期

Deadline for submission:

23/03/2021

5-1

提交日期及時間

Date and time of submission:

05/03/2021 14:34:17

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-PK/262

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. ChanKY

意見詳情

Details of the Comment :

本人反對申請。原因一：該食肆在未獲得許可下，已經霸佔及圍封該範圍，並已架設餐檯椅營業一段時間，如果城規會批准申請，即變相鼓勵任何人士或機構先霸佔，才申請。等同坊間形容一些不合規建築商先破壞後發展。原因二：食肆申請位置雖然沒有覆蓋樓上佔用人的出入口，但實際情況並不是。

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

210314-133038-48547

5-2

提交限期

Deadline for submission:

23/03/2021

提交日期及時間

Date and time of submission:

14/03/2021 13:30:38

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-PK/262

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss 鄧小姐

意見詳情

Details of the Comment :

反對在戶外地方做任何生意。

Advisory Clauses

- (a) to note the comments of the Director for Environmental Protection that the applicant is advised to follow the latest “Code of Practice on Handling Environmental Aspects of Open Storage and other Temporary Use” (**Annex A**);
- (b) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department that necessary stormwater drainage facilities should be provided in association with the proposed temporary eating place and not cause adverse drainage impact to the areas in the vicinity;
- (c) to note the comments of the Director of Fire Services that the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his department for approval. In addition, the applicant is advised on the following points:
 - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and

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;

- (d) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
 - (i) proper licence / permit issued by Food and Environmental Hygiene Department (FEHD) is required if there is any catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. When a restaurant licensee/licence applicant wishes to use any outside seating accommodation (OSA) outside the restaurant premises for alfresco dining, he/she should take notice of the main licensing criteria for OSA, covering matters such as legal right to use the land concerned, planning, building safety, fire safety, and traffic requirements, etc. as well as to obtain approval from the DFEH before commencement. Restaurateurs operating OSA business without approval may be subject to prosecution pursuant to the Food Business Regulation (Cap. 132X). Repeated convictions may lead to suspension or cancellation of their licences;
 - (ii) no FEHD’s facilities will be affected; and
 - (iii) the operation of the eating place must not cause any environmental nuisance to the surrounding. The refuse generated by the proposed eating place are regarded as trade refuse. The management or owner of the site is responsible for its removal and disposal at

their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity; and

- (e) to note the comments of Chief Building Surveyor/New Territories West, Buildings Department that:
 - (i) for unauthorised building works (UBW), if any, erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with this department's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be constructed as an acceptance of any existing building works or UBW, if any on the application site under the Buildings Ordinance; and
 - (ii) the applicant should be reminded that the application site intended to be used for OSA of restaurant is required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.

Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites

1. Background

- 1.1 Temporary uses (including Short Term Tenancy (STT) and Short Term Waiver (STW) cases), and Open Storage (OS) uses, under certain circumstances, can cause pollution complaints or adverse environmental impacts to residents, as described below.
- 1.2 In a recent STT case, the Ombudsman has stated that "The public interest in securing a reasonably clean, pleasant and comfortable living environment is so important that it ought not to be compromised or overridden lightly by economic concerns. Where use of STT sites may give rise to environmental pollution, the matter should be addressed and abatement measures suitable for the situation adopted." The Ombudsman has also concluded that environmental concerns should be addressed, if justifiable, even when the criteria in the Hong Kong Planning Standards & Guidelines (HKPSG) and the environmental ordinances are not violated.
- 1.3 Heavy vehicles to and from sites of temporary uses are not actionable under existing ordinances. Even though the traffic noise from vehicles does not exceed the HKPSG criterion, it might still cause noise nuisances to residents and lead to complaints. Noise nuisances, for example, can be due to traffic of heavy vehicles, which can be particularly disturbing during early morning or nighttime hours. The effective solution lies in proper planning for these sites and more environmentally conscientious decision making for these temporary uses.
- 1.4 The OS use is defined as open storage use comprising activities carried out on a site for which the greater part of the site coverage, generally assumed to be more than 50%, is uncovered and used for storage, repair or breaking other than container-related uses.
- 1.5 The types of OS uses shown in the left hand column of attached Annex I are mainly based on the OS cases handled previously. As further described below, for OS uses which will likely cause frequent noise nuisances, Lands Department (Lands D) should seriously consider NOT to approve the applications. For others, the environmental nuisances that may arise from these types of OS use could be avoided or alleviated by applying commonly adopted preventive measures such as paving the road with hard surface, providing enclosure for dusty operation, erecting boundary wall, and so forth.

2. Purpose

- 2.1 In light of the Ombudsman's recommendation, the Environmental Protection Department (EPD) has completed the review of the streamlined arrangement with Lands D on cases of temporary uses and OS uses, and concluded that in view of the limited resources, the most appropriate way to achieve the objective is to revise the Code of Practice (COP) on Open Storage previously prepared for the Black Spot Task Force's use, and to extend it to all

District Land Officers (DLOs), to deal with the granting or renewal of OS uses and temporary uses. If followed, this guideline will provide individual District Lands Officers (DLOs) a consistent approach to these applications without the need to consult EPD on individual cases.

- 2.2 This COP has provided a set of guidelines on handling the environmental aspects of temporary uses, for Lands D to safeguard and improve general environmental aspects of such cases, hence pre-empting or minimizing future pollution complaints or adverse environmental effects on residents.
- 2.3 Since OS can be temporary or permanent, this COP has also provided a separate set of guidelines on handling the environmental aspects of OS Sites.

3. New Recommendation by the Ombudsman

- 3.1 Subsequent to the issuance of the COP by EPD in January 2001, the Ombudsman, after reviewing another STT case in Tung Chung, suggested that EPD should review the COP and consider incorporating other environmental considerations in the COP, in particular those relating to dusty activities.
- 3.2 This revised COP aims at providing additional guidelines for DLOs to ensure that possible environmental nuisance arising from the proposed land uses are duly considered when processing STT and OS applications.

4. Guideline for Temporary Uses Including STT and STW (see attached Flow Chart 1)

- 4.1 The applicant for the temporary use should determine whether the proposal is a designated project under the Environmental Impact Assessment Ordinance (EIAO). If positive, the applicant shall follow the statutory procedures under the EIAO. Similarly, when Lands D receives an application for the temporary use, Lands D should also go through the same screening exercise, and, for the designated projects, advise the applicant to follow the statutory procedures under the EIAO.
- 4.2 If the proposal is not a designated project under the EIAO, Lands D should determine if
 - (a) (i) the proposal will generate traffic of heavy vehicles; AND
 - (ii) the subject site boundary is within 100m from the nearest residential building, or part/whole of the subject heavy vehicle traffic is expected to travel along any access road within 50m from the nearest sensitive uses.

OR

(b) (i) the proposal will generate dust nuisance in its operation; AND

(ii) The subject site boundary is within 100m from the nearest sensitive uses.

If conditions of (a) and/or (b) are true, it is environmentally undesirable to allow such nuisances to begin or continue to affect residents, and Lands D should seriously consider NOT to grant or renew the temporary use application.

4.3 If paragraph 4.2 does not apply, the following measures are applicable. First, if the application involves construction works, EPD's Recommended Pollution Control Clauses (RPCC) for Construction Contracts in Annex II should be incorporated in the relevant works contracts. Second, if the temporary use is also a form of open storage, Lands D should incorporate paragraphs 5.5 and 5.6 below.

5. Guideline for Open Storage (see attached Flow Chart 2)

5.1 OS can be permanent or temporary. In either case, the applicant for the OS use should determine whether the proposal is a designated project under the EIAO. If positive, the applicant shall follow the statutory procedures under the EIAO. Similarly, when Lands D receives an application for OS, Lands D should also go through the same screening exercise, and, for the designated projects, advise the applicant to follow the statutory procedures under the EIAO. If the proposal is not a designated project under the EIAO, steps below in paragraphs 5.2 to 5.6 should be taken.

5.2 OS uses which will cause traffic of heavy vehicles are "Vehicles, Earth Moving Equipment & Bulldozer", "Unlicensed Vehicles", "Public Car & Lorry Parks", "Vehicles & Spare Parts", "Vehicle Parks & Tyre Repairing", "Construction Machinery, Vehicle & Car Repairing", "Vehicles for Sale & Car Repairing, Vehicle for Stripping & Dismantling", and "Trucks & Workshops". For OS uses not causing traffic of heavy vehicles, paragraphs 5.4 to 5.6 below are applicable. Among OS uses causing traffic of heavy vehicles, if

- (a) the subject site boundary is within 100m from the nearest residential building; or
- (b) part/whole of the subject heavy vehicle traffic is expected to travel along any access road within 50m from the nearest residential building.

Lands D should seriously consider NOT to grant or renew the OS application. If both (a) and (b) are not true, paragraphs 5.4 to 5.6 below are applicable.

5.3 OS uses which may cause significant dust nuisance include "Vehicles, Earth Moving Equipment & Bulldozer", "Timber and Wooden Plate", "Wood Parts, Planks, Plastic Materials & Wooden Chicken Cage", "Marble", "Stone bars, Steel Reinforcement & I-bar", and "Transportation and/or Storage of Dusty Construction Materials". Among OS uses causing significant dust nuisance, if the subject site boundary is within 100m from the nearest sensitive uses, Lands D should seriously consider NOT to grant or renew the OS

application. Otherwise, paragraphs 5.4 to 5.6 below are applicable. For OS uses not causing significant dust nuisance, paragraphs 5.4 to 5.6 below are applicable.

- 5.4 If the application involves construction works, EPD's Recommended Pollution Control Clauses (RPCC) for Construction Contracts in Annex II should be incorporated.
- 5.5 The OS uses shall incorporate the environmental measures for both the design and operation according to Annex I.
- 5.6 Besides, the OS site users should also observe the statutory requirements under relevant pollution control ordinances.
- 5.7 Enquiries about the application of this COP should be made to the Regional Assessment Group, Environmental Protection Department (Telephone:28351868, Facsimile:25910558).

**Environmental Assessment Division
Environmental Protection Department
August 2005**

Annex I Environmental measures for incorporation into open storage sites

Types of Open Storage Uses	Environmental Measures (refer to the notes below)
Vehicles, Earth Moving Equipment & Bulldozer	A(1); N(1); S(1) and S(3).
Unlicensed Vehicles	
Vehicle Parks & Tyre Repairing	
Public Car & Lorry Parks	
Construction Machinery, Vehicle & Car Repairing	A(1), A(3); N(1); S(1); S(3), S(4) & S(5).
Vehicles for Sale & car Repairing, Vehicle for Stripping tripping & Dismantling	
Trucks & Workshops	
Vehicles & Spare Parts	A(1); N(1); S(1), S(3) & S(5).
Electricity Generators & Compressors with Maintenance Work	A(1), A(3); N(1); S(1) & S(3).
Scaffolding Equipment	A(1); N(1); S(1) & S(3).
Forklift Trucks	A(1); S(1) & S(3).
Metal Materials	
Construction Hookers	
Plants & Machineries & Building Materials	A(1), A(2), A(4); S(1) & S(3).
Building Tiles	
Timber & Wooden Plate	A(1), A(2); S(1) & S(3).
Wood Parts, Planks, Plastic Materials & Wooden Chicken Cage	
Marble	
Stone Bars, Steel Reinforcement & I-bar	
Scrap Metal & Steel	A(1); S(1), S(3) & S(5).
Kerosence & Chemical Storage use	A(1), A(5); S(1), S(2), S(3) & S(4).
Transportation and/or Storage of Dusty Construction Materials	A(1), A(2), A(4), N(1)

Notes to Annex I

Air

A(1) The subject site particularly the access area at the site frontage and 5m strip of the area beyond the access gate should be properly paved or hard-surfaced to avoid any fugitive dust impacts due to vehicle movements.

A(2) Dusty operations including cutting, grinding, polishing, loading, unloading or transfer of dusty construction materials, etc, are not permitted at the open area of the subject site as these activities, unless to be carried out in purposely-built enclosures and appropriate dust suppression measures are provided, would have potential environmental impacts on the present and future occupants in the surrounding area.

A(3) Paint-spraying activities are not permitted at the open area of the subject site (in order to avoid aerial impact on the surrounding environment (i.e. dispersing of paint mists from spraying).

A(4) If storage materials would generate dust to the surrounding environment, they should be kept inside enclosures. Otherwise, appropriate dust suppression measures such as water spraying, tarpaulin covering, etc. should be taken to mitigate the dust impact.

A(5) Any organic liquid and fuel should be stored in totally enclosed containers

Sewage

S(1) Sewage discharge from the site should be directed to nearby public sewer. In case of unavailability of public sewer, a septic tank and soakaway pit should be provided.

S(2) Bunds should be provided to contain any spillage of chemical storage and the chemical storage area should be properly hard-paved.

S(3) Measures such as waste minimization, recycling or reuse of effluent should be implemented as far as practicable on the subject site.

S(4) Drainage channels and an oil interceptor should be installed to reduce pollutants from the site run-off.

S(5) Materials stored in the open area which may leak out oil or chemical waste should be placed on the non-slip heavy duty membrane and properly covered with water proofing sheet to avoid any soil contaminations.

Noise

N(1) Noise generating activities should be located away as far as possible from any noise sensitive receivers. In addition, the following measures should be adopted as far as practicable in order to minimize the noise nuisance:-

- i. the erection of 2.5m solid boundary wall; and
- ii. prohibition of any noisy operations during sensitive hours (i.e. 11pm to 7am).

Annex II Recommended Pollution Control Clauses for Construction Contracts

The Recommended Pollution Control Clauses (RPCC) are generally good engineering practice to minimize inconvenience and environmental nuisance to nearby residents and other sensitive receivers. Some modifications may be necessary to suit specific site conditions.

1. GENERAL

1.1 The Contractor shall undertake environmental protection measures to reduce the environmental impacts arising from the execution of the Works. In particular, he shall arrange his method of working to minimise the effects on the air, noise, water quality as well as nuisance of waste within and outside the Site, on transport routes and at the loading, dredging and dumping areas.

1.2 The Contractor shall observe and comply with relevant environmental protection and pollution control ordinances. He shall maintain on site, and provide one copy for the Engineer, with copies of the relevant enacted ordinances and their regulations, which shall include but not be limited to the following :

- i. Air Pollution Control Ordinance (Cap 311);
- ii. Waste Disposal Ordinance (Cap 354);
- iii. Water Pollution control Ordinance (Cap 358);
- iv. Noise Control Ordinance (Cap 400);
- v. Dumping at Sea Ordinance (Cap 446);
- vi. Environmental Impact Assessment Ordinance (Cap 499);
- vii. Factories and Industrial Undertakings Ordinance (Cap 59);
- viii. Buildings Ordinance (Cap 123);
- ix. Buildings Ordinance (Application to New Territories) Ordinance (Cap 123);
- x. Public Health and Municipal Services Ordinance (Cap 132);
- xi. Public Cleansing and Prevention of Nuisances (Regional Council) By-Laws (Cap 132);
- xii. Public Cleansing and Prevention of Nuisances (Urban Council) By-Laws Cap 132);
- xiii. Summary Offences Ordinance (Cap 228);
- xiv. Merchant Shipping (Oil Pollution) (Hong Kong) Order;
- xv. Waste Disposal (Chemical Waste) (General) Regulation;
- xvi. Air Pollution Control (Open Burning) Regulation;
- xvii. Air Pollution Control (Construction Dust) Regulation;
- xviii. Air Pollution Control (Furnaces Ovens and Chimneys) Installation and Alteration Regulation.

1.3 The Contractor shall design, construct, operate and maintain pollution control measures to ensure compliance with the contract provisions as well as the environmental ordinances and their regulations. The Contractor shall also conduct compliance monitoring following a programme as agreed with the Engineer, and submit the monitoring results to the Engineer.

1.4 General mitigation measures shall include, but not be limited to the following :

1. The Contractor shall take every precaution to prevent earth, rock or debris from depositing on public or private rights of way as a result of his operations including any deposits arising from the movement of plant or vehicles. In the event of any earth, rock or debris from construction works being deposited on public or private rights of way then all such earth, rock or debris shall be immediately removed and the affected rights of way restored to their original state by the Contractor to the satisfaction of the Engineer.
2. In the event of any spoil or debris from construction works being deposited on adjacent land or seabed or any silt washed down to any area, then all such spoil, debris or material and silt shall be immediately removed and the affected land or seabed and areas restored to their natural state by the Contractor to the satisfaction of the Engineer.

1.5 The Contractor shall make due allowance in his rates and in his programme for the carrying out of the Works in compliance with the environmental protection control requirements under the Contract.

2. WATER POLLUTION CONTROL

2.1 Water pollution control - general requirements

2.1.1 The Contractor shall observe and comply with the Water Pollution Control Ordinance and its subsidiary regulation.

2.1.2 The Contractor shall carry out the Works in such a manner as to minimise adverse impacts on the water quality during execution of the works. In particular he shall arrange his method of working to minimise the effects on the water quality within and outside the Site, on the transport routes and at the loading, dredging and dumping areas.

2.1.3 The Contractor shall follow the practices, and be responsible for the design, construction, operation and maintenance of all the mitigation measures as specified in the Professional Persons Environmental Consultative Committee Practice Note (ProPECC PN) 1/94 "Construction Site Drainage" issued by the Director of Environmental Protection. The design of the mitigation measures shall be submitted by the Contractor to the Engineer for approval.

2.2 Marine Plant and Equipment

2.2.1 Two weeks before commencement of any marine works, the Contractor shall submit to the Engineer for approval the proposed methods of working and the marine plant and equipment to be used.

2.2.2 The marine plant and equipment to be used on the Works shall meet the requirement in Clauses 2.3.1 and 2.3.3 and shall be operated to achieve the water quality requirements. The Contractor shall provide all necessary facilities to the Engineer for inspecting or checking such plant and equipment and shall not use such plant and equipment for the execution of the Works without the agreement of the Engineer. The Engineer may require the Contractor to carry out trials of any plant and equipment to prove their suitability.

2.2.3 After commencement of the Works, if the plant and equipment or work methods are in the opinion of the Engineer causing unacceptable adverse impacts which can be checked against the Technical Memorandum on Effluent Standards issued under the Water Pollution Control Ordinance, then the Engineer may notify the Contractor in writing and the Contractor shall immediately initiate remedial measures so as to halt such deterioration. If the Contractor fails to initiate remedial measures, the Engineer may stop the Works. Where such remedial measures include the use of additional or alternative plant and equipment such plant and equipment shall not be used on the Works until agreed by the Engineer. Where remedial measures include maintenance or modification of previously approved plant and equipment, such plant and equipment shall not be used on the Works until such maintenance or modification is completed and the adequacy of the maintenance or modification is demonstrated to the satisfaction of the Engineer.

2.2.4 The Contractor shall comply with the conditions of dumping permits obtained from the Director of Environmental Protection. The permits shall be prominently displayed in the Chinese and English language on site and also on the dredgers and barges.

2.3 Avoidance of pollution during dredging, transporting and dumping of marine mud

2.3.1 Pollution avoidance measures shall include but not be limited to the following :

- a. all equipment shall be designed and maintained to minimise the risk of silt and other contaminants being released into the water column or deposited in locations other than designated location;
- b. mechanical grabs shall be designed and maintained to avoid spillage and shall seal tightly while being lifted;
- c. where trailing suction hopper dredgers for dredging of marine mud are in use, overflow from the dredger and the operation of lean mixture overboard systems shall not be permitted unless expressly approved by the Engineer in consultation with the Director of Environmental Protection;
- d. cutterheads of suction dredgers shall be suitable for the material being excavated and shall be designed to minimise overbreak and sedimentation around the cutter;
- e. all vessels shall be sized such that adequate clearance is maintained between vessels and the sea bed at all states of the tide to ensure that undue turbidity is not generated by

- turbulence from vessel movement or propeller wash;
- f. all pipe leakages shall be repaired promptly and plant shall not be operated with leaking pipes and all pipe leakages shall be repaired promptly;
- g. before moving the vessels which are used for transporting dredged materials excess material shall be cleaned from the decks and exposed fittings of vessels and the excess materials shall never be dumped into the sea except at the approved locations;
- h. adequate freeboard shall be maintained on barges to ensure that decks are not washed by wave action;
- i. the Contractor shall monitor all vessels transporting material to ensure that no dumping outside the approved location takes place. The Contractor shall keep and produce logs and other records to demonstrate compliance and that journey times are consistent with designated locations and copies of such records shall be submitted to the Engineer;
- j. all bottom dumping vessels shall be fitted with tight fitting seals to their bottom openings to prevent leakage of material;
- k. loading of barges and hoppers shall be controlled to prevent splashing of dredged material to the surrounding water, and vessels shall not be filled to a level which will cause overflowing of material or polluted water during loading or transportation; and
- l. the Engineer may monitor any or all vessels transporting material to check that no dumping outside the approved location nor loss of material during transportation takes place. The Contractor shall provide all reasonable assistance to the Engineer for this purpose.

2.3.2 The Contractor shall be responsible for obtaining all necessary dumping permits as stipulated in the Works Branch Technical Circular No. 22/92 "Marine Disposal of Dredged Mud." The dredged marine mud shall be deposited at a disposal site as designated in the dumping permit.

2.3.3 When dredging, transporting and disposing of contaminated marine mud, the Contractor shall implement adequate measures for the avoidance of pollution which shall include but not be limited to the following :

- a. dredging of contaminated marine mud shall be undertaken by a suitable grab dredger using closed watertight grab;
- b. transport of contaminated marine mud shall be by split barge of not less than 750 m³ capacity, well maintained and capable of rapid opening and discharge at the disposal site;
- c. the material shall be placed into the disposal pit by bottom dumping;
- d. discharge from split barges shall take place within a radius of 100 metres of centre of the area allocated for the disposal of contaminated marine mud;
- e. discharge shall be undertaken rapidly and the hoppers shall then immediately be closed, material adhering to the sides of the hopper shall not be washed out of the hopper and

- the hopper shall remain closed until the barge next returns to the disposal site; and
- f. the dumping vessel shall be anchored throughout the dumping operation.

2.3.4 The Contractor shall ensure that all marine mud is disposed of at the approved locations. He shall be required to ensure accurate positioning of vessels before discharge and shall be required to submit proposals for accurate position control at disposal sites to the Engineer for approval before commencing dredging and dumping.

2.3.5 The Contractor shall ensure that all unsuitable material is disposed of at the approved landfill or other designated location.

2.3.6 The Contractor shall only employ vessels equipped with automatic self-monitoring devices as specified by the Director of Environmental Protection for disposal operation, and shall co-operate with and facilitate the Director of Environmental Protection to inspect the device and retrieve the record stored in the device on a regular basis.

2.3.7 The Contractor shall provide experienced full time personnel on board all dumping vessels to ensure that appropriate methods to minimise pollution are implemented.

2.4 Protection of Water Quality at Water Intakes

2.4.1 When dredging mud or placing fill in the vicinity of water intakes, the Contractor shall protect the water intake by surrounding it with a suitable silt screen to prevent excessive suspended solids from entering the intake. The silt screen shall be designed to ensure that the concentration of suspended solids entering the intake meets intake user requirements.

2.5 Silt Curtains

2.5.1 If silt curtains shall be used to contain sediment losses during dredging and placing fill, the Contractor shall be responsible for the design, installation and maintenance of the silt curtains to minimize the impacts on the water quality and the protection of water quality at water intakes as described in Clause 2.4.1. The design and specification of the silt curtains shall be submitted by the Contractor to the Engineer for approval.

2.5.2 Silt curtains shall be formed from tough, abrasion resistant, permeable membranes, suitable for the purpose, supported on floating booms in such a way as to ensure that the sediment plume shall be restricted to within the limit of the works area.

2.5.3 The silt curtain shall be formed and installed in such a way that tidal rise and fall are accommodated, with the silt curtains always extend from the surface to the bottom of the water column. The removal and reinstallation of such curtains during typhoon conditions shall be as agreed with the Director of Marine.

2.5.4 The Contractor shall regularly inspect the silt curtains and check that they are moored and marked to avoid danger to marine traffic. Any damage to the silt curtain shall be repaired by the Contractor promptly and the works shall be stopped until the repair is effected to the satisfaction of the Engineer.

2.6 Refuse containment booms and floating refuse

2.6.1 The Contractor shall provide and install refuse containment booms before commencing public dumping to confine the floating debris arising within the site as a result of public dumping. Details of the refuse containment booms shall be submitted to the Engineer for approval before their use on site.

2.6.2 It is expected that public dump material may contain refuse, timber debris, or oil contamination and these shall be removed by the Contractor. The Contractor shall segregate all inert construction waste material suitable for reclamations. All non-inert construction waste material shall be disposed of at a public landfill.

2.6.3 Plastic buoys for the refuse booms will be provided by the Employer. The plastic buoys shall be collected from and returned to the Civil Engineering Department Technical Services Division's Store at North Point after use and cleaning.

2.6.4 The Contractor shall provide adequate sinker blocks and lit marker buoys to ensure that the booms are visible above the water line and securely anchored. The lights on the marker buoys shall be quick flashing yellow light visible all round the horizon at a distance of at least 2 km and details shall be submitted to the Engineer for approval. The maximum spacing between the flashing yellow light shall be 30 metres. The Contractor shall properly maintain and operate the booms to the satisfaction of the Engineer throughout the progress of public dumping of the Site and shall replace the same if necessary when they are under repair or beyond repair.

2.6.5 The Contractor shall deploy sufficient sampans and labour for collecting floating refuse and preventing floating refuse within the Site from drifting into public waters. The frequency of collecting floating refuse shall be as agreed by the Engineer. Floating refuse collected shall be disposed of off Site by the Contractor.

2.6.6 The Contractor shall make due allowance in programming the public dumping for the provision, installation, operation and maintenance of the refuse booms and the regular collection of the floating refuse throughout the progress of the reclamation work.

2.6.7 The Contractor's attention is drawn to the SCC Clause No. () on the Employer's power to carry out the work by person other than the Contractor if the Contractor shall fail to carry out

any work required under this Particular Specification Clause.

2.7 Surface Runoff

2.7.1 The Contractor shall contain within the Site all surface runoff generated from foundation works, dust control and vehicle washing, etc.

2.8 Discharge into sewers and drains

2.8.1 The Contractor shall not discharge directly or indirectly or cause or permit or suffer to be discharged into any public sewer, stormwater drain, channel, stream-course or sea any trade effluent or foul or contaminated water or cooling or hot water without the prior written consent of the Engineer in consultation with the Director of Environmental Protection and Director of Water Supplies, who may as a condition of granting his consent require the Contractor to provide, operate and maintain at the Contractor's own expense to the satisfaction of the Engineer suitable works for the treatment and disposal of such trade effluent or foul or contaminated or cooling or hot water. [The design of such treatment works shall be submitted to the Engineer for approval not less than one month before the commencement of the relevant works.]

2.8.2 If any office, site canteen or toilet facilities is erected, foul water effluent shall be directed to a foul sewer or to a sewage treatment and disposal facility either directly or indirectly by means of pumping or other means approved by the Engineer.

3. NOISE CONTROL

3.1 Noise control - general requirements

3.1.1 The Contractor shall observe and comply with the Noise Control Ordinance and its subsidiary regulations.

3.1.2 The Contractor shall ensure that all plant and equipment to be used on the Site are properly maintained in good operating condition and noisy construction activities shall be effectively sound-reduced by means of silencers, mufflers, acoustic linings or shields, acoustic sheds or screens or other means, to avoid disturbance to any nearby noise sensitive receivers:

3.1.3 For carrying out any construction work other than percussive piling during the time period from 0700 to 1900 hours on any day not being a general holiday (including Sundays), the Contractor shall comply with the following requirements

The noise level measured at 1m from the most affected external facade of the nearby noise

sensitive receivers from the construction works alone during any 30 minute period shall not exceed an equivalent sound level (Leq) of 75dB(A).

The noise level measured at 1m from the most affected external facade of the nearby schools from the construction works alone during any 30 minute period shall not exceed an equivalent sound level (Leq) of 70 dB(A) [65 dB(A) during school examination periods]. The Contractor shall liaise with the schools and/or the Examination Authority to ascertain the exact dates and times of all examination periods during the course of the contract.

Should the limits stated in the above sub-clause(a) and (b) be exceeded, the construction shall stop and shall not re-commence until appropriate measures acceptable to the Engineer that are necessary for compliance have been implemented.

The Contractor shall adopt, where necessary, the use of quiet construction equipment (QCE) and/or shall employ the quietest practicable working methods when carrying out demolition works, and/or road opening works during restricted hours.

Diesel hammers are not to be used for percussive piling works.

Blasting should not be carried out during 7 p.m. to 7 a.m. and any time on a general holiday, including Sunday, to avoid noise impact at sensitive hours.

- 3.1.4 Before the commencement of any work, the Engineer may require the methods of working, plant equipment and sound-reducing measures to be used on the Site to be made available for trial demonstration inspection and approval to ensure that they are suitable for the project.
- 3.1.5 The Contractor shall devise, arrange methods of working and carry out the Works in such a manner so as to minimise noise impacts on the surrounding environment, and shall provide experienced personnel with suitable training to ensure that these methods are implemented.
- 3.1.6 Notwithstanding the requirements and limitations set out in Clause 3.1.3 above and subject to compliance with Clauses 3.1.2 and 3.1.5 above, the Engineer may upon application in writing by the Contractor, allow the use of equipment and the carrying out of any construction activities for any duration provided that he is satisfied with the application which, in his opinion, is considered to be of absolute necessity and adequate noise insulation has been provided to the schools to be affected, or of emergency nature, and not in contravention with the Noise Control Ordinance in any respect.
- 3.1.7 The Contractor shall, when necessary, apply for a construction noise permit in accordance with the Noise Control (General) Regulations prior to the commencement of the relevant part(s) of the works, display the permit as required and provide a copy to the Engineer.
- 3.1.8 Measures that are to be taken to protect adjacent schools and other adjacent noise sensitive receivers, if necessary, shall include, but not be limited to, adequate noise barriers. The barriers shall be of substantial construction and designed to reduce transmission of noise (simple plywood hoarding will not be sufficient). The barriers shall be surmounted with baffle

boxes designed to reduce transmission of noise. The barriers shall be designed to BS 5228(1984). The location and details of the barriers shall be submitted to the Engineer for approval before works commence adjacent to schools and other noise sensitive receivers.

4. AIR POLLUTION CONTROL

4.1 Air pollution control - general requirements

- 4.1.1 The Contractor shall observe and comply with the Air Pollution Control Ordinance and its subsidiary regulations, particularly the Air Pollution Control (Open Burning) Regulation and Air Pollution Control (Construction Dust) Regulation and Air Pollution Control (Smoke) Regulation.
- 4.1.2 The Contractor shall undertake at all times to prevent dust nuisance and smoke as a result of his activities.
- 4.1.3 The Contractor shall ensure that there will be adequate water supply/storage for dust suppression.
- 4.1.4 The Contractor shall devise, arrange methods of working and carrying out the works in such a manner so as to minimise dust impacts on the surrounding environment, and shall provide experienced personnel with suitable training to ensure that these methods are implemented.
- 4.1.5 For better smoke control, the Contractor shall not use diesel hammer for percussive piling
- 4.1.6 Before the commencement of any work, the Engineer may require the methods of working, plant, equipment and air pollution control system to be used on the site to be made available for inspection and approval to ensure that they are suitable for the project.

5. WASTE MANAGEMENT

5.1 General requirements

The Contractor shall observe and comply with the Waste Disposal Ordinance and its subsidiary regulations.

5.2 Waste Minimisation

- 5.2.1 The Contractor shall submit to the Engineer for approval a waste management plan with

appropriate mitigation measures including the allocation of an area for waste segregation and shall ensure that the day-to-day site operations comply with the approved waste management plan.

5.2.2 The Contractor shall minimise the generation of waste from his work. Avoidance and minimisation of waste generation can be achieved through changing or improving design and practices, careful planning and good site management.

5.2.3 The Contractor shall ensure that different types of wastes are segregated on-site and stored in different containers, skips or stockpiles to facilitate reuse/recycling of waste and, as the last resort, disposal at different outlets as appropriate.

5.2.4 The reuse and recycling of waste shall be practised as far as possible. The recycled materials shall include paper/cardboard, timber and metal etc.

5.2.5 The Contractor shall ensure that Construction and Demolition (C&D) materials are sorted into public fill (inert portion) and C&D waste (non-inert portion). The public fill which comprises soil, rock, concrete, brick, cement plaster/mortar, inert building debris, aggregates and asphalt shall be reused in earth filling, reclamation or site formation works. The C&D waste which comprises metal, timber, paper, glass, junk and general garbage shall be reused or recycled and, as the last resort, disposal of at landfills.

5.2.6 The Contractor shall record the amount of wastes generated, recycled and disposed of (including the disposal sites).

5.2.7 The Contractor shall use a trip ticket system for the disposal of C&D materials to any designated public filling facility and/or landfill.

5.2.8 Training shall be provided for workers about the concepts of site cleanliness and appropriate waste management procedure, including waste reduction, reuse and recycling.

5.3 Waste Nuisance Control

5.3.1 The Contractor shall not permit any sewage, waste water or effluent containing sand, cement, silt or any other suspended or dissolved material to flow from the Site onto any adjoining land or allow any waste matter [or refuse] which is not part of the final product from waste processing plants to be deposited anywhere within the Site [or onto any adjoining land]. He shall arrange removal of such matter from the site [or any building erected or to be erected thereon] in a proper manner to the satisfaction of the Engineer in consultation with the Director of Environmental Protection.

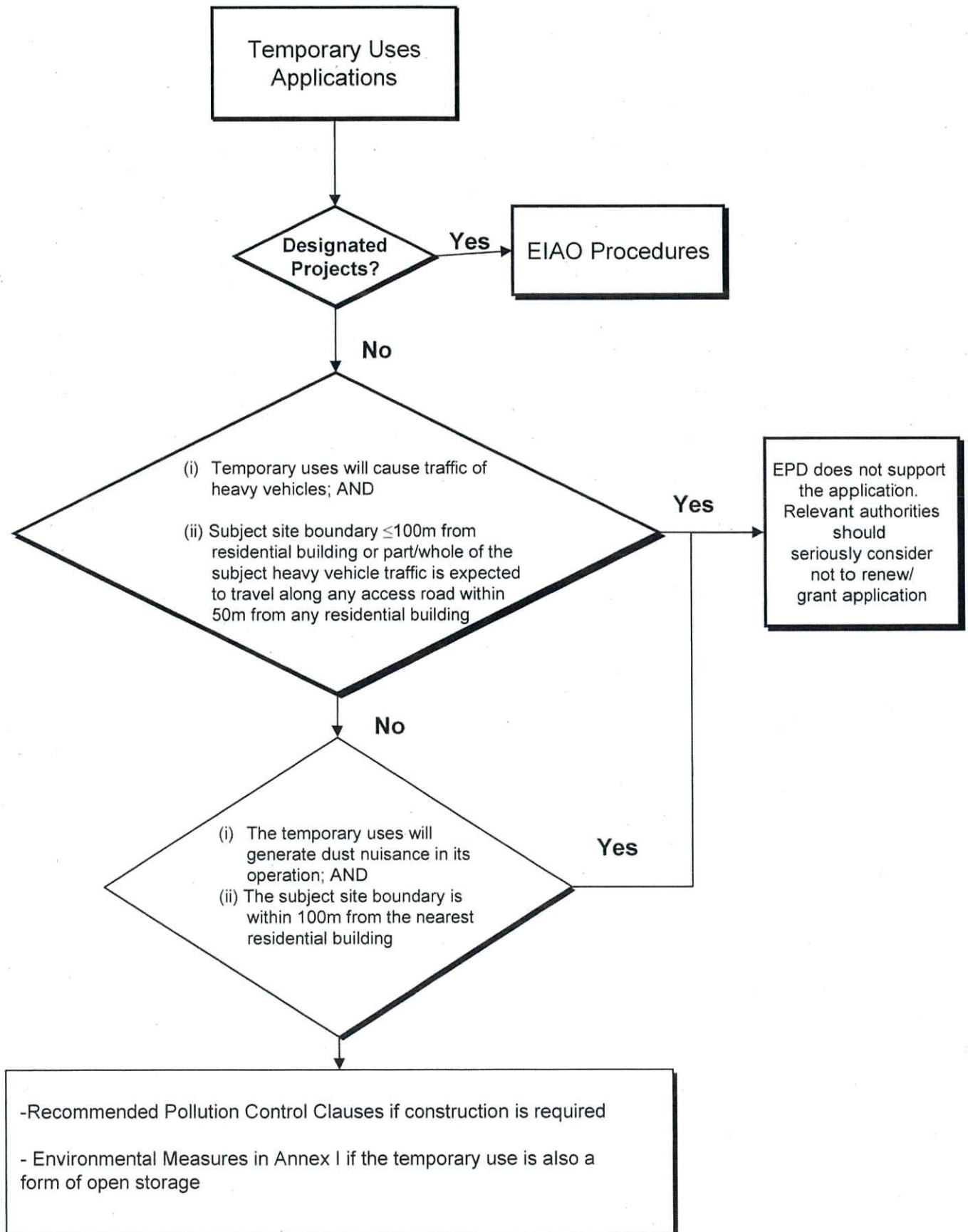
5.4 Chemical Waste Control

5.4.1 The Contractor shall observe and comply with the Waste Disposal (Chemical Waste) (General) Regulation.

5.4.2 The Contractor shall apply for registration as chemical waste producer under the Waste Disposal (Chemical Waste) (General) Regulation when chemical waste is produced. All chemical waste shall be properly stored, labelled, packaged and collected in accordance with the Regulation.

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Environmental Protection Department
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Last updated : July 2005

Flow Chart 1 – Handling of Temporary Uses



Flow Chart 2 – Handling of Open Storage (OS) Sites

