

Previous s.16 Application

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/DPA/NE-KTN/24	Proposed Container Trailer/Tractor Park	21.1.1994 Approved by RNTPC (3 years)	A1 – A5
A/NE-KTN/64	Temporary Lorry, Container Trailer/Tractor Park & Open Storage of Construction Machinery for a Period of 3 Years	14.5.1999 Approved by RNTPC (3 years)	A4, A6 & A7
A/NE-KTN/98	Temporary Open Storage of Container Trailers for Sale and Container Tractor/Trailer Park for a Period of 3 Years	4.7.2003 Approved by TPB on review (3 years)	A6, A8 – A10
A/NE-KTN/118	Temporary Open Storage of Container Trailers for Sale and Container Trailer/Tractor Park for a Period of 3 Years	7.7.2006 Approved by RNTPC (3 years)	A6, A8, A10 – A15
A/NE-KTN/136	Temporary Medium Goods Vehicle and Container Tractor/Trailer Park For a Period of 3 Years	24.7.2009 Approved by RNTPC (3 years)	A8, A10 - A12, A16, A17
A/NE-KTN/157 (for renewal)	Temporary Medium Goods Vehicle and Container Tractor/Trailer Park For a Period of 3 Years	20.7.2012 Approved by RNTPC (3 years)	A6, A8, A10, A12, A16 – A19
A/KTN/16	Temporary Medium Goods Vehicle and Container Tractor/Trailer Park for a Period of 3 Years	6.11.2015 Approved by RNTPC (3 years)	A8, A10, A12, A17 – A18, A20

Approval Conditions

- A1 Provision of vehicular arrangement and re-provision of existing pavements
- A2 Provision of noise mitigation measures
- A3 Provision of sewage treatment and disposal facilities
- A4 Provision of drainage facilities
- A5 Provision of landscape planting
- A6 Submission and implementation of landscape proposals
- A7 Provision of peripheral fencing
- A8 No night-time operation between 7:00 p.m. to 8 a.m.
- A9 Submission and provision of drainage facilities

- A10 Revocation clause
- A11 Existing trees on the site should be maintained at all times
- A12 Drainage facilities on the application site should be properly maintained/ and rectified
- A13 Submission and implementation of an updated traffic impact assessment
- A14 Submission of proposals and the setting back the site boundary and improve the road bend in front of the site along Ho Sheung Heung Road
- A15 Commencement clause
- A16 No operation on Sundays and public holidays
- A17 Submission and provision of proposals for fire service installations and water supplies
- A18 Existing fence on the application site should be properly maintained
- A19 Submission of a condition record of the existing drainage facilities on the site
- A20 Submission of a conditional record of the existing drainage facilities approved

Rejected Applications

Application No.	Uses/Developments	Date of Consideration	Rejection Reasons
A/NE-KTN/92	Temporary Lorry and Container Trailer/Tractor Park for a Period of 3 Years	13.9.2002	R1

Reasons for Rejection

R1 There is no information in the submission to demonstrate no adverse environmental impact on the village houses in the surrounding areas

Advisory Clauses

- (a) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
- (i) the lots are Old Schedule lots held under the Block Government Lease (demised for agricultural use) without any guarantee of right of vehicular access;
 - (ii) the applicant should make his/her own arrangement for acquiring access. The Government shall accept no responsibility in such arrangement;
 - (iii) it is noted that unauthorized structures were erected within the Site. Some Government land within and adjoining the Site is being illegally occupied, and total built-over area and the heights of the aforesaid structures on site do not tally with the one mentioned in the planning application. The unauthorized structures are not acceptable under the Lease concerned and his office reserves the right to take necessary lease enforcement and land control actions against the unauthorized structures;
 - (iv) the owner of the concerned lots shall apply to his office for a Short Term Waiver (STW) and Short Term Tenancy (STT) covering all the actual occupation area. The application for STW and STT will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW/STT are approved, their commencement date would be backdated to the first date of occupation and they will be subject to such terms and conditions to be imposed including payment of waiver fee/rent and administrative fees as considered appropriate by his office
- (b) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that part of the existing vehicular access between Ho Sheung Heung Road and the Site falls on unallocated Government land (UGL) which is outside HyD's maintenance purview. The applicant is required to sort out the maintenance responsibility of the affected UGL with DLO/N;
- (c) to note the comments of the Director of Environmental Protection that the applicant is advised to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' in order to minimize the potential environmental impacts on the adjacent area;
- (d) to note the comments of the Chief Town Planner/Urban Design & Landscape, PlanD that The applicant is recommended to observe the following, which was promulgated by GLTM Section under DEVB:
- (i) 樹木修剪的一般指引:
https://www.greening.gov.hk/filemanager/content/pdf/tree_care/guideline_c.pdf
 - (ii) 護養樹木的簡易圖解:
http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree

Maintenance.pdf

(iii) 工程期間的樹木護理:

http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Tree_Care_during_Construction_e.pdf

(iv) 減低樹木風險的樹木護養簡易圖解:

[https://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk\(eng\).pdf](https://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk(eng).pdf)

- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) as follows:
- (i) if the existing structures are erected on leased land without approval of Buildings Department (BD) (not being a New Territories Exempted House), they are unauthorized under the Building Ordinance (BO) and should not be designated for any approved use under the application;
 - (ii) before any new building works (including containers/ open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise they are unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - (iv) in connection with (ii) above, the Site shall be provided with means of obtaining access thereto from a street and EVA in accordance with Building (Planning) Regulations 5 and 41D of the Building(Planning) Regulations respectively;
 - (v) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development density shall be determined under Regulation 19(3) of the Building(Planning) Regulation at the building plan submission stage; and
- (f) to note the comments of the Director of Fire Services (D of FS) that Emergency Vehicular Access arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by BD;
- (g) to note the comments of the Chief Engineer/Construction Session, Water Supplies Department (CE/C, WSD) that a small section of 50 GI water mains in the SE corner of the Site is affected. The cost of any necessary diversion of the water main shall be borne by the applicant; and
- (h) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should adopt measures to avoid causing any damage or disturbance to the existing trees at "Green Belt" zone and along the site boundary.