

Previous Applications

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/DPA/NE-KTS/131*	Open storage of Left-hand Drives Vehicles and Storage of Stationery & Metal Ware	13.5.1994 (On review) Approved for 3 Years	A1,A2, A3 & A4
A/NE-KTS/64	Temporary Open Storage of Private Vehicles/Lorry Truck and Car Repairing and Metal Ware Workshop for a Period of 12 Months	20.6.1997	A1, A2 & A5
A/NE-KTS/108	Temporary Open Storage of Cars and Metal Wares for a Period of 3 Years	17.12.1999 (Revoked on 17.9.2000)	A1,A5, A6, A8 & A9
A/NE-KTS/127	Temporary Open Storage of Stationery and Metal Ware for a Period of 3 Years	15.6.2001 (Revoked on 15.9.2001)	A5,A6, A8, A9, A10, A11 & A12
A/NE-KTS/166	Temporary Open Storage of Metal Ware for a Period of 3 Years	7.3.2003 (Revoked on 7.12.2003)	A5, A6, A8, A9, A10, A11 & A12
A/NE-KTS/215*	Temporary Open Storage of Metal Ware for a Period of 3 Years	24.6.2005	A1, A2, A5, A8 & A9
A/NE-KTS/264*	Temporary Open Storage of Metal Ware for a Period of 3 Years	18.7.2008	A7, A8, A9, A13, A14, A15, A17, A18 & A19
A/NE-KTS/311*	Renewal of Planning Approval for Temporary Open Storage of Metal Ware for a Period of 3 Years	8.7.2011	A5, A7, A8, A9, A13, A14, A16, A18, A20 & A21
A/NE-KTS/367*	Temporary Storage of Metal Ware with Ancillary Office for a Period of 3 Years	25.7.2014	A5, A7, A8, A9, A14, A16, A18, A20, A22 & A23

\*submitted by the same applicants of A/NE-KTS/452

**Approval Conditions**

- A1 The provision of vehicular access, loading/unloading and parking facilities
- A2 The submission of drainage impact assessment and/or the provision of drainage facilities
- A3 The provision of screen planting around the site
- A4 Commencement clause

- A5 The submission and implementation of landscaping and/or tree preservation proposals
- A6 The submission and provision of drainage facilities
- A7 The submission of a condition record of the existing drainage facilities
- A8 Revocation clause
- A9 Reinstatement clause
- A10 The stacking height of the materials along the periphery of the application site should not exceed the height of peripheral fence of the application site
- A11 The repainting of existing fence of the application site
- A12 The submission and the provision of run-in/run-out, loading/unloading and parking proposals
- A13 No night time operation between 7:00 p.m. to 7:00 a.m. was allowed
- A14 No operation on Sundays or public holiday/and Saturday was allowed
- A15 No medium/heavy goods vehicles was allowed for transportation of goods to/from the application site
- A16 No medium/heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, were allowed for transportation of goods to/from the application site

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- A17 The existing trees should be maintained
- A18 The submission and implementation of proposals on/provision of water supplies for fire fighting and fire service installations
- A19 The drainage facilities implemented on the site under the previously approved Application No. A/NE-KTS/215 should be maintained
- A20 The existing drainage facilities on the site should be maintained and those inadequate/ineffective facilities should be rectified
- A21 The setting back of the fencing on the southern part of the application site
- A22 No operation between 6:00 p.m. and 8:00 a.m. from Mondays to Fridays
- A23 No workshop activities should be carried out on the site at any time.

**Rejected Applications**

<b>Application No.</b>	<b>Uses/Developments</b>	<b>Date of Consideration</b>	<b>Rejection Reasons</b>
A/IDPA/NE-KTS/16*	Storage of Metals and Construction Materials	11.7.1991	R1 & R2
A/DPA/NE-KTS/28*	Residential Development	8.5.1992	R1, R3, R4 & R5
A/NE-KTS/185	Temporary Open Storage of Metal Ware for a Period of 3 Years	29.10.2004 (on review)	R6

\* submitted by the same applicant of A/NE-KTS/452

**Reasons for Rejection**

- R1 The proposed development is incompatible with the planning intention for the area which is primarily to promote agricultural and recreational uses
- R2 The existing vehicular access to the application site is narrow and in poor condition and cannot cope with the heavy lorry traffic generated by the proposed development
- R3 The intensity of the proposed development is excessive
- R4 No details on the provision of sewage treatment and disposal facilities have been submitted
- R5 No details on the provision of drainage facilities have been submitted
- R6 The use under application did not comply with the Town Planning Board Guidelines for "Application for Open Storage and Port Back-up Uses" in that the previous approval conditions of previous approvals on the provision of run-in/out, loading/unloading and parking facilities, and drainage facilities, and the implementation of landscaping proposals had not been complied with



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

**Approved Applications**

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/NE-KTS/225#	Temporary Godown Uses with Ancillary Office for a Period of 3 Years	3.2.2006 (Revoked on 3.8.2006)	A1, A3, A4, A8, A9 & A10
A/NE-KTS/240#	Temporary Godown Uses with Ancillary Office for a Period of 3 Years	15.12.2006 (Revoked on 15.9.2007)	A1, A3, A4, A8, A10 & A11
A/NE-KTS/261#	Temporary Godown with Ancillary Office for a Period of 3 Years	9.5.2008	A1, A3, A8 A10 & A11
A/NE-KTS/305#	Renewal of Planning Approval for Temporary Godown with Ancillary Office and Staff Quarter under Application No. A/NE-KTS/261 for a Period of 3 Years	6.5.2011	A2, A5, A6, A8, A10, A11, A14 & A16
A/NE-KTS/340*	Temporary Storage of Metal Ware with Ancillary Office for a Period of 3 Years	5.7.2013 (Revoked on 5.10.2015)	A5, A6, A8, A10, A11, A14, A15 & A17
A/NE-KTS/362#	Renewal of Planning Approval for Temporary Godown with Ancillary Office and Staff Quarters Use under Application No. A/NE-KTS/305 for a Period of 3 Years	21.3.2014	A2, A5, A6, A8, A10, A11, A14 & A16
A/NE-KTS/415*	Temporary Storage of Pet Supplies and Beverages with Ancillary Office for a Period of 3 Years	15.7.2016	A5, A6, A8, A10, A11, A12, A14, A15 & A18
A/NE-KTS/449#	Renewal of Planning Approval for Temporary Godown with Ancillary Office and Staff Quarters Use for a Period of 3 Years	28.4.2017	A2, A5, A6, A7, A10, A11, A13, A14 & A16

# involve almost the same site

\* involve another same site

## Approval Conditions

- A1 No heavy goods vehicles including container vehicles were allowed for transportation of goods to/from the application site
- A2 No heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed for transportation of goods to/from the site
- A3 The submission and the implementation of improvement measures to the access road and associated footpath
- A4 The submission of drainage proposals and provision of drainage facilities
- A5 The existing drainage facilities should be properly maintained and/or rectified if found inadequate/ineffective during operation at all times
- A6 The submission of records showing conditions of the drainage facilities previously implemented on site
- A7 The existing trees on the site should be maintained;
- A8 The submission and implementation of landscaping and/or tree preservation proposals
- A9 The submission and provision of emergency vehicular access, water supplies for fire fighting and fire services installations

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- ~~A10 Revocation clause~~
- A11 The submission and the provision of water supplies for fire fighting and fire service installation / the submission and/or the implementation of proposals of water supplies for fire fighting and fire service installations
- A12 The provision of fire extinguishers
- A13 The submission and implementation of a proposal on traffic improvement measures to enhance pedestrian safety
- A14 Reinstatement clause
- A15 No operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicants, was allowed on the application site
- A16 No night-time operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, was allowed on the site
- A17 No operation on Saturdays and Sundays, as proposed by the applicants, was allowed on the application site
- A18 No operation on Sundays and Public Holidays, as proposed by the applicants, was allowed on the application site

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) the permission is given to the development under application. It does not condone any other development which currently exists on the Site but not covered by the application. The applicants should be requested to take immediate action to discontinue such development not covered by the permission;
- (c) to note the comments of the District Lands Officer/North, Lands Department as follows:
  - (i) the actual occupation area does not tally with the Site. Unauthorized structures were also erected on portion of the adjoining Lot No. 1617 in D.D. 100 within/adjoining the Site without prior approval from his office. Moreover, the total built-over area and height of the structures erected on Lots No. 1617, 1618, 1619 and 1620 all in D.D. 100 is larger than the proposed site coverage and height mentioned in the planning application. The unauthorized structures are not accepted under the Leases concerned and Short Term Waiver (STW) No. 1457. Furthermore, a portion of one of the aforesaid structures is found projecting over the adjoining Government land which is covered by Short Term Tenancy (STT) No.1609. The applicants should demolish the said portion of the said structure, His office reserves the right to take necessary enforcement actions against the irregularities;
  - (ii) it was noted that the existing vehicular access routes through GLA-TDN 2081 (Simplified Temporary Land Allocation) which was granted to Water Supplies Department for a project namely "Replacement and Rehabilitation of Water Mains, Stage 4 Phase 2 - Dongjiang Mains and mains Along Fan Kam Road". The vehicular access also routes through Lot No. 1669 S.A ss 1 RP in D.D. 100. The applicants should make their own arrangement for acquiring access. The Government shall accept no responsibility in such arrangements; and
  - (iii) an application for modification of STW No. 1457 had been received and is being processed by his office. The application for modification of STW will be considered by the Government in its landlord's capacity and there is no guarantee that it will be approved. The owner of the lots concerned shall apply to his office a STW to cover all the actual occupation area. If the STW is approved, its commencement date will 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/rent and administrative fees as considered appropriate by his office;
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that 16 existing trees are in fair condition. The applicants are required to step up the tree maintenance including irrigation and fertilisation, etc. and keep all tree planting areas free from objects and weeds. All existing trees should be maintained in healthy condition;

- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) as follows:
- (i) if the existing structures are erected on leased land without approval of BD not being a New Territories Exempted House, they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
  - (ii) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the Building Authority (BA) should be obtained, otherwise, they are Unauthorized Buildings Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
  - (iii) for UBW erected on leased land, enforcement action may be taken by BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
  - (iv) in connection with (ii) above, the Site shall be provided with means of obtaining access thereto from a street under the Building (Planning) Regulation 5 and emergency vehicular access shall be provided under Building (Planning) Regulations 41D; and
  - (v) if the Site is not abutting on a specified street having a width not less than 4.5m wide, the development intensity shall be determined by BA under the Building (Planning) Regulation 19(3) at building plan submission stage;
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- (f) to note the comments of the Director of Fire Services as follows:
- (i) 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; and
  - (ii) detailed fire safety requirements will be formulated upon receipt of formal submission of the general building plans;
- (g) to note the comments of the Director of Agriculture, Fisheries and Conservation that the applicants should implement necessary measures to prevent pollution and disturbance to the watercourse adjacent to the southern boundary of the Site as far as possible; and
- (h) to follow the environmental mitigation measures as set out in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Director of Environmental Protection in order to minimize any possible environmental nuisances.