

Previous s.16 Applications

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/DPA/NE-KTN/34	Warehouse for Storage of Marble and Laminated Timber	20.5.1994 Approved by RNTPC	A1 – A5
A/NE-KTN/146	Temporary Private Container Vehicle Park (including Light and Heavy Goods Vehicles) for a Period of 5 Years	24.2.2012 Approved by RNTPC (5 years) (revoked on 24.5.2013)	A1, A4 – A12
A/NE-KTN/168	Temporary Container Vehicle Park (including Light and Heavy Goods Vehicles) for a Period of 5 Years	16.8.2013 Approved by RNTPC (5 years)	A1, A4 – A8, A10 – A12

Approval Conditions:

- A1 The provision of vehicular access, parking and loading/unloading facilities/ The submission of layout proposals for vehicular access, parking and loading/unloading facilities
- A2 The set back of the site boundary in respect of the portion A-B as shown on the submitted drawing to be in line with the boundary line of the remaining site along Lo Wu Camp Road
- A3 The provision of sewage treatment and disposal facilities
- A4 The provision of drainage facilities and a 6 meter wide drainage reserve along the lot boundary abutting the existing stream course/ The submission and/or implementation of drainage proposals
- A5 The provision of screening planting/ The submission and/or implementation of tree preservation and landscape proposals
- A6 No night time operation between 11:00 p.m. and 7:00 a.m./ No night time operation between 10:00 p.m. and 7:00 a.m
- A7 Not more than 25/24 vehicles were allowed to be parked
- A8 No vehicle repairing and other workshop activities and/or loading/unloading of containers were allowed to be carried out
- A9 Area within 3 metres of the existing watercourse running along the north-eastern

boundary of the application site should be clear of any structure or obstruction to permit free access along the watercourse

- A10 The submission and/or implementation of proposals for water supplies for fire-fighting and fire service installations
- A11 The proposed development should not be opened for public use
- A12 Revocation clause

Similar s.16 Applications

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
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)	A1 – A4, A8
A/KTN/27	Renewal of Planning Approval for Temporary Container Tractor/Trailer Park for a Period of 3 Years	24.6.2016 Approved by RNTPC (3 years)	A1 – A8
A/KTN/53	Renewal of Planning Approval for Temporary Medium Goods Vehicle and Container Tractor/Trailer Park for a Period of 3 Years	2.11.2018 Approved by RNTPC (3 years)	A1 – A5, A8

Approval Conditions:

- A1 No night time operation between 7:00 p.m. and 8:00 a.m./ No operation on Sundays and public holidays is allowed /No operation between 9:00 p.m. and 8:00 a.m.
- A2 The existing 3m high fence on the site should be properly maintained/ The existing peripheral fencing and the installed gate shall be maintained
- A3 The existing drainage facilities should be properly maintained and rectified /The submission of a conditional record of the existing drainage facilities
- A4 All existing trees and landscape plantings should be maintained/ The submission of a tree preservation and landscape proposal / The implementation of the tree preservation and landscape proposal
- A5 The submission of proposals for fire service installations and water supplies for firefighting/ The provision of fire service installations and water supplies for firefighting
- A6 The existing access road shall be managed and maintained
- A7 The existing noise mitigation measures shall be managed and maintained
- A8 Revocation clause

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) the Site comprises Lots Nos. 90, 91 and 94 S.A RP in D.D. 95 and adjoining Government land. The lots are Old Schedule lots held under the Block Government Lease (demised for agricultural use) without any guarantee of right of access;
 - (ii) the applicant should make his own arrangement for acquiring access. The Government shall accept no responsibility in such arrangement, and there is no guarantee that any adjoining Government land will be allowed for the vehicle access of the proposed use;
 - (iii) the existing structures on the Site were erected without approval from his office. The aforesaid structures are not acceptable under the Leases concerned. His office reserves the right to take enforcement actions against the aforesaid structures;
 - (iv) the total built-over area and numbers of the aforesaid structures do not tally with the proposed ones as mentioned in the planning parameters;
 - (v) the Government land adjacent to the Site is being occupied without approval from his office. Some portions of the adjoining Government land were fenced off by hoardings without approval. It is not acceptable and the applicant should cease the illegal occupation and remove the hoardings at its own cost. His office reserves the right to take land control actions against the unauthorized occupation of Government land; and
 - (vi) the owner(s) of the lots concerned shall apply to his office for a Short Term Waiver (STW) and Short Term Tenancy (STT) to cover all the actual occupation area. The applications for STW and STT will be considered by the 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.
- (c) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) 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;
 - (ii) it is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances and provide adequate supporting infrastructure including waste/ wastewater collection and disposal facilities for the proper collection, treatment and disposal of waste/ wastewater generated from the proposed use; and

- (iii) the design and construction of the septic tank and soakaway system and petrol interceptor shall follow the requirements of EPD's Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans Subject to Comment by the Environmental Protection Department".
- (d) to note the comments of Commissioner for Transport (C for T) that for the sake of road safety, the applicant should deploy resources in monitoring and controlling of their traffic in the vicinity;
- (e) to note that the Commissioner of Police (C of P) reminds the applicant that no obstruction caused to the vicinity would be tolerated;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) on the general requirements in the drainage submission that:
 - (i) Surface channels with grating covers should be provided along the site boundary.
 - (ii) A drainage plan should be provided clearly showing the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections etc.) of the proposed drain/ surface channel, catchpits and the discharge structure shall be provided.
 - (iii) The cover levels of proposed channels should be flush with the existing adjoining ground level.
 - (iv) A catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit (CEDD Standard Drawing No. 2405) shall be provided.
 - (v) Catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap (CEDD Standard Drawing No. 2406) should be provided.
 - (vi) The applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. He should also ensure that the flow from the Site will not overload the existing drainage system;
 - (vii) The applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD, unless justified not necessary.
 - (viii) If the existing drainage facilities to which the applicant proposed to discharge the storm water from the Site are not maintained by DSD, the applicant should identify the owners of the existing drainage facilities to which the proposed connection will be made and obtain consent from the owners prior to commencement of proposed works.
 - (ix) The applicant is reminded that all existing flow paths as well as the run-off falling

onto or passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works.

- (x) The proposed drainage works, whether within or outside the site boundary, should be constructed and maintained properly by the applicant who should also rectify the system if it is found to be inadequate or ineffective during operation, all at his/her own expense.
 - (xi) For works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N and/or relevant private lot owners.
 - (xii) The applicant should make good all the adjacent affected areas upon the completion of the drainage works.
 - (xiii) The applicant shall allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works.
 - (xiv) The applicant and the successive lot owners shall allow connections from the adjacent lots to the completed drainage works on Government Land when so required.
 - (xv) Clear photos should be submitted showing the current conditions of the existing drainage from the proposed discharge point(s) to the downstream and the existing drainage/flowpath around the Site.
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) as follows:
- (i) before any new building works (including temporary buildings office/store/toilet) are to be carried out on the Site, the prior approval and consent from 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; and
 - (ii) in connection with the above, the Site shall be provided with emergency vehicular access in accordance with B(P)R 41D respectively.
- (h) to note the comments of the Director of Fire Services (D of FS) that:
- (i) the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his Department for approval;
 - (ii) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - (iii) the location of where the proposed FSI to be installed should be clearly marked on the layout plans; and
 - (iv) the applicant is reminded that 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.

- (i) to note the comments of Director of Agriculture, Fisheries and Conservation (DAFC) that a channelized watercourse is adjacent to the northeast boundary of the Site, good site practice should be implemented in order not to pollute the watercourse nearby; and
- (j) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.