

**Previous S.16 Applications**

**Approved Applications**

<b>Application No.</b>	<b>Proposed Developments</b>	<b>Date of Consideration</b>	<b>Approval Reasons</b>
A/NE-TKL/143*	Temporary Open Storage of Container Trailers for a Period of 3 Years	2.3.2001 (revoked on 2.9.2001)	A4, A6, A7, A12, A16 & A21
A/NE-TKL/343	Proposed Temporary Warehouse for Storage of Metalware and Vehicle Parts/ Accessories for a Period of 3 Years	24.9.2010	A1, A3, A8, A10, A11, A13, A16, A19, A20 & A21
A/NE-TKL/476	Temporary Warehouse for Storage of Cables with Ancillary Workshop for a Period of 3 Years	11.7.2014	A2, A3, A5, A9, A10, A13, A17, A19, A20 & A21
A/NE-TKL/517	Temporary Warehouse (Storage of Cables) with Ancillary Workshop for a Period of 3 Years	4.9.2015 (revoked on 4.12.2017)	A2, A3, A5, A9, A14, A15, A18, A19, A20 & A21

**Remarks**

\*: The site of application no. A/NE-TKL/577 involves part of the site of application no. A/NE-TKL/143

**Approval Conditions**

- A1 No operation between 6:00 p.m. and 9:00 a.m. on weekdays and between 1:00 p.m. and 9:00 a.m. on Saturdays was allowed
- A2 No operation between 5:30 p.m. and 8:30 a.m. from Mondays to Saturdays was allowed
- A3 No operation on Sundays and public holidays was allowed
- A4 The provision of site paving and peripheral fencing
- A5 The peripheral fencing shall be maintained
- A6 The submission of access road improvement proposal
- A7 The improvement of access road
- A8 No medium and heavy goods vehicles exceeding 5.5 tonnes, including container vehicles, as defined in the Road Traffic Ordinance, were allowed to enter the site

- A9 No medium/heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, was allowed to be parked/stored on or enter/exit the site
- A10 The submission of a layout plan showing the parking, loading/unloading and manoeuvring spaces arrangement
- A11 The provision of parking, loading/unloading and manoeuvring spaces arrangement
- A12 The submission of drainage proposal and the provision of drainage facilities
- A13 The submission and the implementation of drainage proposals
- A14 The existing drainage facilities on site shall be maintained
- A15 The submission of a record of the existing drainage facilities
- A16 The submission and implementation of landscape proposals
- A17 The maintenance of all existing trees
- A18 The existing trees and landscape planting on site shall be maintained
- A19 The submission of proposals for water supplies for firefighting and fire service installations
- A20 The provision of water supplies for firefighting and fire service installations
- A21 The revocation clause

**Similar S.16 Applications for Temporary Warehouse  
within/partly within area shown as 'Road' in the vicinity of the Application Site  
in the Ping Che and Ta Kwu Ling Area**

**Approved Applications**

<b>Application No.</b>	<b>Uses/Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-TKL/363*	Proposed Temporary Warehouse for Storage of Furniture for a Period of 3 Years	8.7.2011 (revoked on 8.4.2013)	A1, A2, A5, A6, A8, A10, A13, A15 & A20
A/NE-TKL/371^	Temporary Warehouse (for Storage of Tools and Machinery Related to the Engineering Works of Overhead Cables) and Dog Kennel for a Period of 3 Years	16.12.2011 (revoked on 16.9.2012)	A1, A3, A5, A11, A15 & A20
A/NE-TKL/417^	Temporary Warehouse (for Storage of Tools Related to the Engineering Works of Overhead Cables) and Dog Kennel for a Period of 3 Years	1.3.2013	A1, A3, A5, A8, A12, A15, A20 & A21
A/NE-TKL/453*	Proposed Temporary Warehouse for Storage of Furniture for a Period of 3 Years	22.11.2013	A1, A2, A5, A6, A9, A12, A16 & A20
A/NE-TKL/516*	Temporary Cold Store (Storage of Vegetables, Fruits and Foods) for a Period of 3 Years	4.9.2015 (revoked on 4.6.2017)	A1, A4, A5, A7, A9, A14, A18, A19 & A20
A/NE-TKL/535^	Renewal of Planning Approval for Temporary Warehouse (for Storage of Tools Related to the Engineering Works of Overhead Cables)" and Dog Kennel for a Period of 3 Years	22.1.2016	A1, A3, A5, A8, A12, A17, A19, A20 & A21

**Remarks**

\*: The site of application nos. A/NE-TKL/363, A/NE-TKL/453 and A/NE-TKL/516 involve the same site

^: The site of application nos. A/NE-TKL/371, A/NE-TKL/417 and A/NE-TKL/535 involve the same site

**Approval Conditions**

- A1 Revocation clause
- A2 No operation between 6:00 p.m. and 9:00 a.m. on weekdays and between 1:00 p.m. and 9:00 a.m. on Saturdays was allowed
- A3 No operation between 6:00 p.m. and 8:00 a.m. from Mondays to Saturdays was allowed
- A4 No operation between 6:00 p.m. and 9:00 a.m. from Mondays to Saturdays was allowed

- A5 No operation on Sundays and public holidays was allowed
- A6 The peripheral fencing should be maintained
- A7 The boundary fence on the site should be maintained
- A8 No medium and heavy goods vehicles exceeding 5.5 tonnes, including container vehicles, as defined in the Road Traffic Ordinance, were allowed for the operation of the application site or to enter the application site
- A9 No medium/heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, were allowed to be parked/stored on or enter/exit the site
- A10 The submission of a layout plan showing the parking, loading/unloading and manoeuvring spaces arrangement and the provision of parking, loading/unloading and manoeuvring spaces within the application site
- A11 The submission and implementation of landscape proposals
- A12 The submission and the implementation of tree preservation and landscape proposals
- A13 The implementation of the accepted landscape proposals
- A14 The existing trees and landscape plantings on the site should be maintained
- A15 The submission and the implementation of drainage proposals
- A16 The submission of drainage proposal and the provision of drainage facilities
- A17 The existing drainage facilities implemented under the previous application on the site should be maintained properly
- A18 The existing drainage facilities on the site should be maintained
- A19 The submission of a condition record of the existing drainage facilities
- A20 The submission of proposals and the provision of water supplies for firefighting and fire service installations
- A21 No dismantling and workshop activities should be carried out

**Recommended Advisory Clauses**

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) shorter compliance periods are imposed in order to closely monitor the progress of compliance with approval conditions. Should the applicant fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration would not be given to any further application;
- (c) to note the comments of the District Lands Officer/North, Lands Department on the following:
  - (i) the Government land within the Site is being illegally occupied. There are unauthorised structures erected on the Site without prior approval from his office. The aforesaid structures are not acceptable under the New Grant and the Lease. His office reserves the rights to take necessary land control and lease enforcement actions against the irregularities; and
  - (ii) the applicant shall apply to his office for a Short Term Waiver and a Short Term Tenancy. The applications will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the applications are approved, their commencement date will 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;
- (d) to note the comments of the Commissioner for Transport that the section of Ng Chow South Road and village road between the Site and the road junction of Ng Chow Road / Ng Chow South Road is not managed by the Transport Department;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department on the following:
  - (i) the Site is in an area where no public sewerage connection is available; and
  - (ii) the applicant shall identify the development's potential drainage impacts and demonstrate in the submission with the implementation of necessary mitigation measures, the development will not cause an unacceptable increase in the risk of flooding in areas upstream of, adjacent to or downstream of the development;
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) on the following:
  - (i) if the existing structures are erected on leased land without approval of the 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 Buildings Works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed

building works in accordance with the BO;

- (iii) for UBW erected on leased land, enforcement action may be taken by the 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) 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 the Building (Planning) Regulations 41D; and
  - (v) if the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined by the BA under Building (Planning) Regulation 19(3) at the building plan submission stage;
- (g) to note the comments of the Director of Fire Services on the following:
- (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 the BD; and
  - (ii) detailed fire safety requirements will be formulated upon receipt of formal submission of the aforesaid plans;
- (h) to note the comments of the Chief Engineer/Construction, Water Supplies Department that for provision of water supply to the development, the applicant may need to extend the 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 side services within the private lots to WSD's standards;
- (i) to note the comments of the Director of Electrical and Mechanical Services that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the mentioned application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines; and
- (j) 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 minimise any possible environmental nuisances.