

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 use(s) and development under application. It does not condone any other use(s) and development which currently exist on the Site but not covered by the application. The applicant shall be requested to take immediate action to discontinue such use(s) and development not covered by the permission;
- (c) to note the comments of the District Lands Officer/Islands, Lands Department (LandsD) that the Site is an Old Scheduled Agricultural Lot held under Block Government Lease. No structure shall be erected on the Site without Government's approval. It is noted that the structures are erected on the Site and portions of government land. The Government reserves all right to take appropriate lease enforcement and land control actions. If the applicant submits application for Short Term Waiver, LandsD would process the application in the capacity of a landlord and it will be subject to such terms and conditions including payment of fee as appropriate. There is no guarantee that such application would be approved. The applicant is also advised that the Site might be subject to land resumption at any time before the expiry of the planning permission;
- (d) to note the comments of the Commissioner for Transport that the access to the Site involves existing village accesses which are currently not managed by Transport Department;
- (e) to note the comments of the Director of Environmental Protection that the applicant is advised to implement appropriate environmental measures recommended in the "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" to minimize environmental nuisances;
- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that proper edge treatment should be provided to the Site for screening purpose. The applicant shall make reference to paragraphs 6 to 8 of 'Technical Note on the Submission and Implementation of Landscape Proposals for compliance with Conditions for Approved Applications for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance' for provision of edge treatment plantings. The applicant is also advised that under the above technical note, a minimum of 1m width of screening planting is recommended for the Site of temporary use of size below 1 ha;
- (g) to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department that the Site is within an area where neither stormwater nor sewerage connection maintained by Drainage Services Department is available in the vicinity at present. The applicant is advised that adequate drainage works should be provided such that no adverse drainage impact would be induced to the areas in the vicinity and stormwater generated would be prevented from entering rivers/ streams;

- (h) to note the comments of the Chief Building Surveyor/New Territories East 1 and Licensing, Buildings Department (BD) that if there are existing structures which had been 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. For unauthorized building works (UBW) erected on leased land, enforcement action may be taken by 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. 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 from the Building Authority should be obtained, otherwise they are UBW. The permissible site coverage and plot ratio for individual site for private developments should comply with Regulations 20 and 21 of the Building (Planning) Regulations (B(P)R). If a private site does not abut on a specified street, the development intensity (i.e. site coverage, plot ratio and building height(s)) of the building shall be determined by the Building Authority under Regulation 19(3) of the B(P)R upon formal submission of building plans to BD. The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the B(P)R respectively. Detailed comments under the BO on individual sites for private developments such as permissible plot ratio, site coverage, emergency vehicular access, private streets and/or access road, barrier free access and facilities, compliance with the sustainable building design guidelines, etc. will be formulated at the formal building plan submission stage;
- (i) to note the comments of the Director of Fire Services that recent site inspection by his Department revealed that the distance from the nearest fire hydrant, which could be practically utilized as the main source of water supply for the Site during emergency, to the Site is about 670m. In consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to Fire Services Department for approval. In addition, the applicant should also be advised that the layout plans should be drawn to an appropriate scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSI to be installed should be clearly indicated on the layout plans. The applicant is reminded that if the proposed structure(s) is required to comply with the BO, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (j) to note the comments of the Chief Engineer/Construction, Water Supplies Department (WSD) that for provision of water supply to the Site, 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.