

**Previous Application covering the Site**

**Approved Application**

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-TK/533	Temporary Storage Area for Barbecue Site for a Period of 3 Years	6.2.2015 (Approved for 14 months up to 25.4.2016)	A1-A6 (Revoked on 6.8.2015)

**Approval Conditions**

- A1 no operation between specified time, as proposed by the applicant, is allowed on the site during the planning approval period
- A2 submission of a drainage proposal within specified periods from the date of the planning approval
- A3 the implementation of the drainage proposal within specified periods from the date of the planning approval;
- A4 submission of fire service installations and water supplies for fire fighting proposal within specified periods from the date of the planning approval
- A5 the provision of fire service installations and water supplies for fire proposal within specified periods from the date of the planning approval
- A6 upon the expiry of the planning permission, the reinstatement of the site to an amenity area



Detailed Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (i) before any new building works (including containers as temporary buildings) are to be carried out on the application site (the Site), the prior approval and consent of the Building Authority (BA) 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 Buildings Ordinance (BO);
- (ii) 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;
- (iii) in connection with (i) 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 the Building (Planning) Regulation 41D;
- (iv) 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 Building Authority under Building (Planning) Regulation 19(3) at building plan submission stage;
- (v) the proposed temporary structures are subject to the control of Part VII of the Building (Planning) Regulations and require prior approval and consent under the BO; and
- (vi) detailed comments will be given at building plan submission stage.



**Recommended Advisory Clauses**

- (a) to resolve any land issue relating to the development with the concerned owner of the application site (the Site);
- (b) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
  - (i) the Site is held under Block Government Lease demised for agricultural purpose. No structure shall be erected without prior approval from LandsD;
  - (ii) the lot owner is required to submit an application for Short Term Waiver (STW) to LandsD should they wish to erect any structure on the Site. However, there is no guarantee at this stage that the STW application would be approved. If the STW application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD including the payment of waiver fee and administrative fee as considered appropriate; and
  - (iii) there is no guarantee to the grant of right-of-way to the Site or approval of Emergency Vehicular Access thereto;
- (c) to note the comments of the Director of Environmental Protection (DEP) that the relevant mitigation measures and requirements in the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' should be followed;
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
  - (i) there is no existing DSD maintained public drain available for connection in the area. The proposed development should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The proposed development should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;

- (ii) public sewerage connection is not available in the vicinity of the Site; and
  - (iii) for works to be undertaken outside the lot boundary, prior consent and agreement from LandsD and/or relevant private lot owners should be sought;
- (e) to note the comments of the Chief Engineering/Construction, Water Supplies Department (CE/C, WSD) that 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 inside services within the private lots to WSD's standards;
- (f) to note the comments of the Director of Fire Services (D of FS) that the applicant should submit relevant layout plans incorporated with the proposed fire services installations (FSIs) for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and the locations of the proposed FSIs to be installed should be clearly marked on the layout plans. 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; and
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW,BD) in **Appendix III**.