

**Recommended Advisory Clauses**

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) to note the comments of DLO/N, LandsD that the owner of the lots concerned shall apply to his office for a Short Term Waiver (STW) and a Short Term Tenancy (STT). The applications for STW/STT will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW/STT is 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;
- (c) to note the comments of C for T that the pedestrian management plan should be fully implemented by the applicant;
- (d) to note the comments of D of FS that detailed fire safety requirements will be formulated upon receipt of formal submission of the general building plans;
- (e) to note the comments of CE/MN, DSD that the Site is in an area where no public sewerage connection is available;
- (f) to note the comments of the CTP/UD&L, PlanD on the submitted landscape proposal (**Figure 5 of Appendix Ia**) as follows:
  - (i) the feasibility of some proposed tree planting is impracticable as they are either too close or in conflict with the proposed car parking layout. Tree locations should be at least 1m away from both boundary fence and parking space in the landscape proposal. Revision on the parking layout is necessary. Moreover, the applicant should take into account of the drainage system for surface runoff if any;
  - (ii) the applicant should consider providing screen buffer planting along the southeastern boundary facing the nullah. In this regard, the temporary canopy should be set back at least 3m away from the southern boundary to allow space for screen tree planting to minimize the adverse landscape impact to the surrounding areas;
  - (iii) tree protective measures should be provided between tree and parking space to guard against accidental vehicular damage to new tree planting; and
  - (iv) the applicant should make reference to the Guidelines from Development Bureau on proper landscape planting and vegetation maintenance and management requirements;
- (g) to note the comments of CBS/NTW, BD as follows:
  - (i) if the existing structures (not being a New Territories Exempted House) are erected on

leased land without approval of the Buildings Department (BD), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application;

- (ii) before any new building works (including containers 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 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 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;
  - (iv) the temporary converted containers for site office are considered as temporary buildings subject to control under the Building (Planning) Regulations (B(P)Rs) Pt. VII;
  - (v) 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 B(P)Rs respectively;
  - (vi) if the Site does not abut a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of B(P)Rs at the building plan submission stage; and
  - (vii) detailed comments under the BO will be provided at the building plan submission stage;
- (h) to note the comments of CE/C, WSD that the existing water mains to the west of the Site will be affected (**Plan A-2**). A water works reserve within 1.5 m from the centerline of the water main should be provided to WSD or the applicants should liaise with WSD when working in the vicinity of the water mains; and
- (i) to note the comments of DEP that the LT/HYW BCP is a designated project under the Environmental Impact Assessment Ordinance. An environmental permit has been granted for the construction and operation of the project. Since the subject car park/office is not covered in neither the approved environmental impact assessment report nor the environmental permit, should the application be approved, variation to the environmental permit may be required in order to comply with the permit conditions; and
- (j) to follow the environmental mitigation measures as set out in the latest "Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses" issued by DEP in order to minimize any possible environmental nuisances.