

**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 the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
  - (i) no structure shall be erected on the private lots within the application site without prior approval from LandsD and there is no guarantee to the grant of a right of way to the temporary private car park; and
  - (ii) the applicant should exclude several proposed pieces of unallocated Government land and immediately remove the unauthorized canopies on the Site;
- (c) to note the comments of the Commissioner for Transport (C for T) that the existing village access is not under Transport Department's management. The land status of the vehicular access should be clarified with the relevant lands authorities and permission to use should be obtained accordingly in order to avoid any potential dispute and complaints;
- (d) to note the comments of the Director of Environmental Protection (DEP) that the applicants should follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department;
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that since the temporary car park is in close proximity to the surrounding village houses, planting along the southern and western site boundary should be provided for screening purpose;
- (f) 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 storm drains available for connection in this area. Any existing flow path affected should be re-provided. The applicant/owner 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/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems; and
  - (ii) for works to be undertaken outside the lot boundary, prior consent and agreement from LandsD and/or relevant lot owners should be sought;
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:

- (i) if the existing structures are 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;
  - (ii) before any new building works (including site formation works, containers/open sheds as temporary buildings, etc) are to be carried out on the Site, the prior approval and consent of the 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;
  - (iii) for UBW erected on leased land, enforcement action may be taken by the 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 constructed as an acceptance of any existing building works or UBW on the Site under the BO;
  - (iv) if the proposed use under the application is subject to the issue of licence, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
  - (v) in connection with (ii) above, 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 Building (Planning) Regulations respectively; and
  - (vi) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulation at the building plan submission stage;
- (h) to note the comments of the Director of Fire Services (D of FS) that the applicants should provide relevant layout plans to Fire Services Department (FSD) incorporated with the proposed fire service installations for FSD's approval. The applicants should also note that (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and (ii) the locations of the proposed FSIs and the access for emergency vehicles should be clearly marked on the layout plans; and
- (i) to note the Director of Electrical and Mechanical Services (DEMS)'s comments that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the 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 concerned site. The applicant should also be reminded to observe the Electricity Supply Lines (Protection) Regulation (the 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.