

RNTPC Paper No. A/NE-TK/611A
 For Consideration by the
 Rural and New Town Planning
 Committee on 13.10.2017

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/611

<u>Applicants</u>	Messrs. WONG Wong Po Stanley and WONG Pak Sing represented by Goldrich Planners & Surveyors Ltd.
<u>Site</u>	Government Land in D.D. 28, Tai Mei Tuk, Tai Po, N.T.
<u>Site Area</u>	About 131.9m ²
<u>Land Status</u>	Government Land partly covered by Government Land Licence No. T20153 for Fish Pond and Temporary Structures (for storage and watchman shed only)
<u>Plan</u>	Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19
<u>Zonings</u>	"Conservation Area" ("CA") (about 93.6 m ² or 71% of the Site) and area shown as 'Road' (about 38.3 m ² or 29% of the Site)
<u>Application</u>	Proposed Temporary Toilet for a Period of Three Years with Ancillary Excavation Works

1. The Proposal

- 1.1 The applicants, represented by Goldrich Planners & Surveyors Ltd., seek planning permission to use the application site (the Site) for a proposed temporary toilet for a period of three years with ancillary excavation works. The Site falls within an area mainly zoned "CA" (about 71%) and partly within an area shown as 'Road' (about 29%) on the approved Ting Kok OZP No. S/NE-TK/19 (**Plan A-1**). According to the Notes of the OZP, temporary use not exceeding a period of three years requires planning permission of the Town Planning Board (the Board), notwithstanding that the use or development is not provided for in terms of the OZP. Moreover, filling of land/pond or excavation of land within "CA" zone requires planning permission of the Board.
- 1.2 The proposed temporary single-storey toilet with a gross floor area (GFA) of about 78.4m² (12.29m (length) x 6.38m (width) x 3m (height)) is intended to serve the workers and visitors to the pond¹ (**Plans A-2 and A-3**). According to the applicants, the average number of persons using the Site is 20 and at the

¹ held under Government Land Licence No. T20153 for Fish Pond and Temporary Structures

harvest seasons, workers may reach 150. There will be fisheries visitor groups occasionally. The proposed temporary toilet comprises a male toilet (with two cubicles and three urinals), a female toilet (with three cubicles), one disabled person toilet and an ancillary store room. The toilet will be constructed with temporary materials (i.e. sheet metal) and low wall of bricks at the bottom part. It will be connected to the public sewerage system on the opposite side of Ting Kok Road. Land excavation for laying private sewer would be carried out in the "CA" zone (about 15.2m²) and area shown as 'Road' (about 38.3m²) on the OZP. The layout of the proposed temporary toilet and sewerage connection are shown on **Drawings A-1 to A-7**.

1.3 In support of the application, the applicants have submitted the following documents :

- (a) application form and attachments (Appendix I)
- (b) FI submitted on 9.6.2017 clarifying the proposed alignment of sewerage pipe and undertaking to ensure that the excavation works would not affect the nearby trees (*accepted and exempted from publication and recounting requirements*) (Appendix Ia)
- (c) FI submitted on 1.8.2017 and 3.8.2017 revising the development parameters including the reduction in site area, floor area and the dimensions of the proposed toilet and providing the justification on the revision of the development parameters (*accepted and exempted from publication and recounting requirements*); and (Appendix Ib)
- (d) FI submitted on 25.8.2017 providing a report including possible impacts on air quality, noise, water quality, disposal of waste, landscape, visual, ecology and cultural heritage, and proposed mitigation measures; as well as a construction and operation timetable for the proposed development (*accepted but not exempted from publication and recounting requirements*) (Appendix Ic)

1.4 At the request of the applicants, the Rural and New Town Planning Committee (the Committee) agreed on 23.6.2017 to defer the consideration of the application for two months to allow time for the applicants to prepare FI to support the application. The applicants submitted FI on 1.8.2017, 3.8.2017 and 25.8.2017. The application is scheduled for consideration on 13.10.2017.

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in Part 9 of the application form at **Appendix I** and further information at **Appendices Ia, Ib and Ic**. They can be summarized as follows:

- (a) whilst 'public convenience' is a Column 2 use of "CA" zone, the proposed development is not a public convenience. It is a temporary toilet for workers and visitors of the pond;
- (b) there is no toilet facility within the Site. The public toilet near the seaside at the Ting Kok Road Car Park is about 360m from the Site (**Drawing A-8**);
- (c) the proposed facility is needed for visitors to the pond and this would make the place more hygienic and friendly location;
- (d) the proposed toilet is small in scale and is not incompatible with the surrounding low-density developments;
- (e) the proposed toilet will be connected to the existing public sewerage system and will not cause adverse sewerage and drainage impacts on the surrounding area. The proposed alignment of underground pipe is shown on **Drawing A-1** whereas the technical drawing shown on **Drawing A-5** is subject to amendments to the satisfaction of relevant Government departments including Drainage Services Department;
- (f) the applicants undertake to ensure that the excavation works for the sewerage connection are kept outside the dripline of the trees near the site boundary; and
- (g) as the applied use is a 'designated project', the applicants have employed an environmental consultant to apply for an Environmental Permit.

3. **Compliance with the "Owner's Consent/Notification" Requirements**

As the Site involves Government land only, the "owner's consent/notification" requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable to the application.

4. **Previous Application**

There is no previous application at the Site.

5. **Similar Application**

There is no similar application within the same "CA" zone.

6. **The Site and Its Surrounding Areas** (Plans A-1, A-2, photos on Plans A-3, A-4a and A-4b)

6.1 The Site is :

- (a) located at the embankment of two ponds;

- (b) covered with grass; and
 - (c) accessible via Ting Kok Road (**Plan A-2**).
- 6.2 The surrounding areas are predominantly rural in character with cluster of village houses within “V” zone of Tai Mei Tuk on the opposite side of Ting Kok Road and tree groups. To the south of the Site is the fish pond covered by Government Land Licence (‘GLL’) No. T20153 (**Plan A-4b**) and further west and southwest along Tai Mei Tuk Road are public car park, public transport terminus, public toilet (which is about 30m from the south-western part of the fish pond) and barbecue area (**Plan A-1**).
- 6.3 There was an application (No. A/NE-TK/605), submitted by the same applicants, for temporary depositing of two containers for selling of refreshment, and hiring of fishing-related accessories and storage for a period of three years at the southern portion of the same “CA” zone (**Plan A-1**). The application was approved with conditions by the Committee on 3.3.2017 on a temporary basis for a period of three years mainly on considerations of being small in scale and no pond filling involved, no environmental nuisance and no adverse traffic, drainage, sewage disposal and fire safety impacts on the surrounding areas; no objection or adverse comments from concerned Government departments and the public, and was the subject of a previously approved application (No. A/NE-TK/174) for the same use. The application site is situated on a piece of Government land which is covered by a valid Short Term Tenancy (i.e. STT No. 1296) granted with a term of two years certain commenced from 1.2.2002 and thereafter quarterly permitting the selling of refreshment, hiring of fishing-related accessories and storage while the permitted structures include two containers with a total built-over area of not exceeding 44.654m² and a height of not exceeding 2.44m (**Plan A-3**).

7. Planning Intention

- 7.1 The planning intention of the “CA” zone is to protect and retain the existing natural character or ecological features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Site of Special Scientific Interest or Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 7.2 According to paragraph 9.10.2 of the Explanatory Statement of the approved Ting Kok OZP No. S/NE-TK/19, the pond at the southern side of Ting Kok Road near Tai Mei Tuk is designated “CA”. This pond should be retained due to Fung Shui reason. Therefore, any type of intensive development would not be allowed in this zone. In fact, apart from being a Fung Shui pond, it also provides a nice view for the villages of Tai Mei Tuk and Lung Mei.

8. Comments from Relevant Government Departments

- 8.1 The following Government departments have been consulted and their views on the application are summarized as follows:

Land Administration

- 8.1.1 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, Lands D):

- (a) no objection to the application;
- (b) the Site partly falls within the licence area (of about 32,700m²) of GLL No. T20153 and partly on unallocated Government land. GLL No. T20153 was issued for fish pond and temporary structures use. Permitted structures under the GLL are for storage and watchman shed on the northern side of the licence area and no other structures are permitted without his consent in writing;
- (c) since the proposed toilet is not intended for public use, the planning intention of the "CA" zone is an important factor. FEHD should be consulted whether the existing toilet is able to meet the public needs and additional facilities are required;
- (d) for the GLL No. T20153 portion, if the planning application is approved, the licensee is required to apply to LandsD for permission. Such application will be considered by LandsD acting in the capacity of landlord at his sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such form, terms and conditions, including payment of any fees, as may be imposed by him; and
- (e) for the unallocated Government land portion, if the planning application is approved, the applicants are required to apply to LandsD and HyD for excavation permit.

Environmental Hygiene

- 8.1.2 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) the existing public toilet at Tai Mei Tuk next to the Tai Mei Tuk Bus Terminus (**Plan A-1**), with a building footprint of about 119.6m², provides a male toilet (with four cubicles and five urinals), a female toilet (with 12 cubicles) and one disabled person toilet. The public toilet opens 24 hours a day and can sufficiently meet the public needs. Additional toilet facilities for the public are not required;

- (b) he has no objection regarding any private toilet to be built in Tai Mei Tuk area subject to clearance from other concerned Government departments. So far, no complaint on the lack of toilet facilities at Tai Mei Tuk has been received; and
- (c) the proposed temporary toilet is within a leased government land and no facilities of Food and Environmental Hygiene Department would be affected.

Nature Conservation

8.1.3 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) the "CA" zone covering the Site was designated due to 'Fung Shui' and visual reasons according to the Explanatory Statement of the Ting Kok OZP; and
- (b) no objection to the application as long as there is no pond filling, no net loss of aquaculture area, and proper connection of sewage system to prevent leaching of waste to the fish pond.

Urban Design and Visual

8.1.4 Comments of the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD:

- considering the temporary nature and small scale of the proposed toilet, he has no strong view on the application from urban design and visual impact perspectives.

Landscape

8.1.5 Comments of the CTP/UD&L, PlanD:

- (a) no objection to the application from the landscape planning perspective;
- (b) according to the aerial photo taken in 2015, the Site is situated in an area of rural landscape character comprising village houses and tree groups in its vicinity. The Site is sandwiched by ponds to its north and south. In the recent site visit, it is revealed that the Site is vacant and partly covered by wild grass while some young trees are outside the Site. The proposed use is not incompatible with the surrounding environment and unlikely causes significant adverse landscape impact on existing rural area. Subject to the applicants' confirmation that the

excavation works are to be kept outside the dripline area (i.e. the area is defined by the outermost circumference of the tree branches, from which water drops onto the ground) of the trees near the site boundary, he has no objection to the application from the landscape planning perspective; and

- (c) since the proposed toilet's footprint covers the entire site area, there is no scope for additional landscaping within the Site. Thus, approval condition on landscape proposal is not recommended.

Environment

8.1.6 Comments of the Director of Environmental Protection (DEP):

- (a) no in-principle objection to the application;
- (b) the Site falls within "CA" zone. The proposed works may constitute a designated project (DP) under Item Q.1 of Part 1 of Schedule 2 of the Environmental Impact Assessment Ordinance (EIAO), i.e. 'All projects including new access roads, railways, sewers, sewage treatment facilities, earthworks, dredging works and other building works partly or wholly in an existing or gazetted proposed country park or special area, a conservation area, an existing or gazetted proposed marine park or marine reserve, a site of cultural heritage, and a site of special scientific interest', unless it falls within one of the exceptions (a) to (j) under Item Q.1 (**Appendix II**). If this project is confirmed to be a DP, then an environmental permit (EP) would be required prior to start of its construction and operation. It is noted that the applicants have employed an environmental consultant to apply for the EP;
- (c) the applicants propose to divert the sewage and foul water from the proposed toilet to the existing public sewerage pipe under Ting Kok Road. The proposed temporary toilet is about 45m away from the existing sewer. The proposed sewer connection is considered feasible and capacity is available; and
- (d) in view of the project may constitute a DP and shall undergo EIAO process to apply for an EP before its construction, he reserves his comment on the technical details regarding environmental impact assessment in the submitted FI.

Traffic

8.1.7 Comments of the Commissioner for Transport (C for T):

- (a) no in-principle objection to the application as the proposed sewer alignment will run along the verge and cross the carriageway at the shortest distance to minimize disruption to the traffic; and
- (b) for any works to be undertaken outside the lot boundary, in particular along Ting Kok Road, prior consent and agreement from relevant Government departments should be sought. The existing traffic along Ting Kok Road should be maintained during construction or maintenance of the sewer.

8.1.8 Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- (a) no comment on the application; and
- (b) if the application is approved, the applicants are required to seek land grant from LandsD and obtain excavation permit from LandsD and HyD for private sewer installation in Government land.

Drainage and Sewerage

8.1.9 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) no in-principle objection to the application from the public drainage viewpoint;
- (b) there is existing DSD maintained public drain in the vicinity of the Site;
- (c) for works to be undertaken outside the site boundary, prior consent and agreement from LandsD and/or relevant private lot owners should be sought;
- (d) existing public sewerage is available in the vicinity of the Site for connection. DEP should be consulted regarding the sewage treatment/disposal aspects of the proposed development;
- (e) the applicant should follow the established procedures and requirements for connecting sewers from the Site to the public sewerage system. A connection proposal should be submitted to DSD via LandsD for approval beforehand. Moreover, the sewerage connection will be subject to DSD's technical audit for which an audit fee will be charged; and

- (f) his detailed comments on the drainage proposal enclosed in the FI submitted by the applicants on 25.8.2017 are at **Appendix III**.

Building Matters

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

- (a) there is no record of submission of the proposed temporary building to the Building Authority for approval;
- (b) the proposed temporary toilet building and the associated drainage works are subject to the control of Part VII of the Building (Planning) Regulations (B(P)R);
- (c) the applicants should make formal submission to the Building Authority for approval regarding the proposed temporary toilet building. Detailed comments will be given at the building plans submission stage; and
- (d) the applicants should note the followings :
 - (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 subject 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 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 construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - (iv) if the proposed use under application is subject to the issue of a licence, please 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 B(P)R 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 B(P)R at the building plan submission stage.

Fire Safety

8.1.11 Comments of the Director of Fire Services (D of FS):

- (a) no objection to the application; and
- (b) as extensive excavation works would be involved, the applicants should observe the following requirements throughout the works period so far as is reasonably practicable:
 - (i) a thoroughfare of 3.5m wide shall be maintained for passage of fire appliances at all times;
 - (ii) adequate space (6m side minimum) shall be provided in front of the major façade of the building for free aerial rescue and fire fighting operation. If such requirement cannot be achieved, the construction works shall be carried out by sections of not more than 20m in length;
 - (iii) any road opening affecting the emergency vehicular access should be decked over, capable of withstanding 30-tonne loading for emergency traffic;
 - (iv) an inner turning radius of 6.1m and an outer turning radius of 11m shall be maintained; and
 - (v) any excavation/construction works should under no circumstances cause any obstruction to the nearby fire hydrants and ground valves. Should any fire hydrant be affected, comments from Fire Services Department should be sought.

Water Supply

8.1.12 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C of WSD):

- (a) no objection to the application; and
- (b) for provision of water supply to the development, the applicants may need to extend the inside services to the nearest suitable government water mains for connection. The applicants 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.

Electricity Supply

8.1.13 Comment of the Director of Electrical and Mechanical Services (DEMS):

- (a) no comment on the application from electricity supply safety aspect; and
- (b) however, 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 shall approach the electricity supplier for the requisition of cable plans (and overhead line alignment drawings, where appropriate) to find out whether there is any underground cable (and/or overhead line) in the vicinity of the Site. They should 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 electricity supply lines.

8.2 The following Government departments have no objection to/comment on the application:

- (a) Director of Leisure and Cultural Services;
- (b) District Officer/Tai Po, Home Affairs Department;
- (c) Head of Geotechnical Engineering Office of Civil Engineering and Development Department; and
- (d) Project Manager/New Territories East, Civil Engineering and Development Department.

9. **Public Comments Received During Statutory Publication Period (Appendix IV)**

- 9.1 On 2.5.2017, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 23.5.2017, four public comments from World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual were received. The commenters object to the application mainly for the reasons of being not in line with the planning intention of the "CA" zone; no strong justification for a temporary toilet within "CA" zone; and setting of undesirable precedent.
- 9.2 On 5.9.2017, FI received on 25.8.2017 was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 26.9.2017, three public comments from World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual were received objecting to the application for similar grounds stated in Para. 9.1 above.

10. **Planning Considerations and Assessments**

- 10.1 The Site falls within an area mainly zoned "CA" (about 71%) and partly shown as 'Road' (29%). The planning intention of "CA" zone is to protect and retain the existing natural character or ecological features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Site of Special Scientific Interest or Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted. The proposed temporary private toilet serving the workers/visitors of the pond for a period of three years with ancillary excavation works are not in line with the planning intention of the "CA" zone, even on a temporary basis.
- 10.2 The Site is currently vacant with no significant vegetation (**Plans A-1, A-3 and A-4a**). The proposed single-storey toilet with a GFA of 78.4m² (12.29m (length) x 6.38m (width) x 3m (height)) is not incompatible with the surrounding rural setting with fish pond, cluster of village houses and tree groups. DAFC has no objection to the application as long as there is no pond filling, no net loss of aquaculture area and proper connection of sewerage system to prevent leaching of waste to the fish pond. The applicants undertake to ensure that the excavation works for the sewerage connection are kept outside the dripline of the trees near the site boundary as stated in the FI received on 9.6.2017 (**Appendix Ia**). CTP/UD&L of PlanD has no objection to the application from visual and landscape planning perspectives.
- 10.3 The Site falls within an area partly covered by a GLL No. T20153 for fish pond and temporary structures (for storage and watchman shed only) and partly on unallocated Government land where excavation works will be carried out for the laying of sewerage pipeline. According to DFEH, the existing public toilet at Tai Mei Tuk (**Plans A-1 and A-3**), with a building

footprint of about 119.6m² providing a male toilet (with four cubicles and five urinals), a female toilet (with 12 cubicles) and one disabled person toilet, can sufficiently meet the public needs and additional public toilet facilities are not required. No complaint has been received on the lack of toilet facilities at Tai Mei Tuk. Nonetheless, DFEH has no objection to any private toilet to be built in Tai Mei Tuk area subject to other concerned Government departments' comments. There is insufficient information to justify the need for the proposed temporary toilet with a building footprint of 78.4m² providing a male toilet (with two cubicles and three urinals), a female toilet (with three cubicles), one disabled person toilet and an ancillary store room. There is also no information to demonstrate that there are no other alternatives, such as portable toilet, to cope with the ad hoc and seasonal peak demand. As no information is provided in the submission to demonstrate that the proposed temporary toilet is needed to support the conservation of the existing natural landscape or scenic quality of the area or is an essential infrastructure project with overriding public interest, the approval of the application would set an undesirable precedent for similar applications within the "CA" zone resulting in disturbance to the existing natural character of the area and the surrounding areas.

- 10.4 The construction of the proposed temporary toilet and its sewer connection to the existing public sewer (**Drawing A-5** and **Plan A-2**) involve land excavation within "CA" zone. DEP has no in-principle objection to the application and advises that the proposed construction works may constitute a DP and an EP would be required prior to construction and operation. Other Government departments including C for T, CHE/NTE, HyD, CE/MN of DSD and DFEH have no objection to or adverse comment on the application.
- 10.5 There are seven public comments objecting to the application mainly on the grounds of being not in line with the planning intention of the "CA" zone; no strong justification for a temporary toilet within "CA" zone; and setting of undesirable precedent. In this regard, the comments of Government departments and the planning assessments above are relevant.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments mentioned in paragraph 9, the Planning Department does not support the application for the following reasons:
- (a) the proposed development is not in line with the planning intention of the "Conservation Area" ("CA") zone which is intended to protect and retain the existing natural character or ecological features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Site of Special Scientific Interest or Country Park from the adverse effects of development. There is a general presumption against development in this zone. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;

- (b) there is no information in the submission to justify the proposed development and to demonstrate that the proposed temporary toilet is needed to support the conservation of the existing natural landscape or scenic quality of the area or it is an essential infrastructure project with overriding public interest; and
 - (c) the approval of the application would set an undesirable precedent for similar applications within "CA" zone resulting in disturbance to the existing natural character of the area and the surrounding areas.
- 11.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 13.10.2020. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 13.4.2018;
- (b) in relation to (a) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 13.7.2018;
- (c) the submission of sewerage connection proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 13.4.2018;
- (d) in relation to (c) above, the implementation of sewerage connection proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 13.7.2018;
- (e) if any of the above planning conditions (a), (b), (c) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix V**.

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to approve the application, Members are invited to consider the approval conditions and advisory clauses to be attached to the permission, and the date when the validity of the permission should expire.
- 12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

13. Attachments

Appendix I	Application form and attachments
Appendix Ia	Further information received on 9.6.2017
Appendix Ib	Further information received on 1.8.2017 and 3.8.2017
Appendix Ic	Further information received on 25.8.2017
Appendix II	Extract of Item Q.1 of Part 1 of Schedule 2 of the Environmental Impact Assessment Ordinances
Appendix III	CE/MN, DSD's detailed comments on the proposed drainage proposal
Appendix IV	Public comments
Appendix V	Recommended advisory clauses
Drawings A-1 to A-8	Layout, elevation and floor plans as well as sewerage connection proposal submitted by the applicant
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plans A-4a and A-4b	Site photos

**PLANNING DEPARTMENT
OCTOBER 2017**

- (b) a boundary of which is less than 500 m from the nearest boundary of an existing or planned-
 - (i) marine park or marine reserve; or
 - (ii) bathing beach.

N-COMMUNITY FACILITIES

- N.1 An abattoir with a daily slaughter capacity of more than 500 numbers of livestock.
- N.2 A quarantine station, or quarantine lairage, for animals.
- N.3 A wholesale market.
- N.4 A crematorium.

O-TOURIST AND RECREATIONAL DEVELOPMENTS

- O.1 An outdoor golf course and all managed turf areas.
- O.2 A marina designed to provide moorings or dry storage for not less than 30 vessels used primarily for pleasure or recreation.
- O.3 A horse racing course.
- O.4 A motor racing circuit.
- O.5 An open firing range.
- O.6 An open air concert venue with a capacity to accommodate more than 10000 persons.
- O.7 An outdoor sporting facility with a capacity to accommodate more than 10000 persons.
- O.8 A theme park or amusement park with a site area of more than 20 ha in size. (Added L.N. 205 of 1999)

P-RESIDENTIAL AND OTHER DEVELOPMENTS

- P.1 A residential or recreational development, other than New Territories exempted houses within Deep Bay Buffer Zone 1 or 2.
- P.2 A residential development-
 - (a) of not less than 2000 flats; and
 - (b) not served by public sewerage networks by the time a flat is occupied.

Q-MISCELLANEOUS

- Q.1 All projects including new access roads, railways, sewers, sewage treatment facilities, earthworks, dredging works and other building works partly or wholly in an existing or gazetted proposed country park or special area, a conservation area, an existing or gazetted proposed marine park or marine reserve, a site of cultural heritage, and a site of special scientific interest, except for the following-
 - (a) minor maintenance works to roads, drainage, slopes and utilities;
 - (b) minor public utility works including the installation of telecommunications wires, joint boxes, power lines with a voltage level of not more than 66 kV, and gas pipelines with a diameter of 120 mm or less; (Amended 36 of 2000 s. 28)
 - (c) education and recreational facilities not otherwise designated projects listed in Parts A to P and approved by the Country and Marine Parks Authority;
 - (d) all earthworks relating to forestry, agriculture, fisheries and the management of vegetation;

- (e) New Territories exempted houses;
- (f) footpaths and facilities relating to sitting out areas;
- (g) minor facilities relating to the management and protection of marine parks, marine reserves, country parks and special areas;
- (h) all works not otherwise designated projects listed in Parts A to P undertaken by the Country and Marine Parks Authority under section 4 of the Country Parks Ordinance (Cap 208) or section 4 of the Marine Parks Ordinance (Cap 476) for developing and managing country parks and special areas, marine parks and marine reserves;
- (i) maintenance of existing waterworks installations; or
- (j) minor works including-
 - (i) improvements to catchwaters;
 - (ii) the provision of-
 - (A) water pipes and valves of diameter 450 mm or less;
 - (B) water-tanks;
 - (C) hydrological stations and associated structures; and
 - (D) village supply schemes.

Q.2 Underground rock caverns.

PART II

DECOMMISSIONING PROJECTS

1. Airports, including fueling and fuel storage, the aircraft maintenance and repair facilities.
2. An oil refinery.
3. A municipal, chemical or clinical waste incinerator.
4. A public utility-electricity power plant.
5. A public utility-gas generation plant.
6. A water treatment works of a treatment capacity of 100000 m³ per day or more.
7. An installation for storage or disposal of radioactive waste.
8. A waste disposal facility for pulverised fuel ash, furnace bottom ash or gypsum.
9. A metallurgical works with melting capacity exceeding 200000 tonnes per annum (expressed as metal).
10. A petro-chemical works.
11. An explosives depot or explosives manufacturing plant.
12. A bulk chemical storage facility.
13. A store for liquefied petroleum gas with a storage capacity exceeding 200 tonnes.
14. A store for liquefied natural gas with a storage capacity exceeding 200 tonnes.
15. A store for coal and ores with a storage capacity exceeding 200 tonnes.
16. A store for oil with a storage capacity exceeding 200 tonnes.

Appendix III of RNTPC
Paper No. A/NE-TK/611A

Chief Engineer/Mainland North Drainage Services Department's detailed comments on the proposed drainage proposal

- (a) in the Manhole Schedule (Encl. 4.3), there are three standard foul manholes to be proposed and assigned as "MH-01", "MH-02" & "MH-03" respectively but these manholes are marked with same manhole number "MH-03" on the Schematic Diagram for Drainage System. Please clarify;
- (b) according to the Manhole Schedule (Encl. 4.3), the proposed terminal manhole "STMH-01" and the manholes (MH-01, MH-02 & MH-03) are constructed as Type T1_1 and Type C1 respectively. However, on the drainage layout (Encl. 4.1) and the Proposed Temporary Toilet Drainage Plan (Encl. 4.2), the types of the proposed terminal manhole "STMH-01" and the manholes (MH-01, MH-02 & MH-03) are marked as Type T1 and Type C. Please clarify;
- (c) in the drawing (Encl. 4.3), the proposed terminal manhole "STMH-01" should be constructed as Type T1_1 instead of Type T1. The Detail of Foul Water Terminal Manhole of Type T1_1 should be provided;
- (d) according to the drainage layout (Encl. 4.1), a manhole is proposed between the proposed terminal manhole and the existing government manhole "FMH1025758". The details (including manhole type, inlet invert and outlet invert levels) of this manhole should be provided for DSD's comment;
- (e) please note that as vitrified clay pipe is vulnerable to external impact due to repeated excavation by other underground utilities on public road. Consideration should be given to adept polyethylene (PE100) pipe for buried sewage pipe beyond the sewage terminal manhole;
- (f) the sizes and pipe materials of the proposed sewers between the proposed terminal manhole and the existing government manhole "FMH1025758" should be marked clearly on the drainage layout for DSD's comment;
- (g) from our maintenance viewpoint, a drainage pipe should be in straight alignment. The proposed connection pipe between the terminal manhole and the downstream manhole seems to have angular bending. Please clarify;
- (h) HyD should be consulted regarding the works to be carried out at carriageway .1. and/or footpath;
- (i) upon completion of the sewer connection works, an on-site technical audit will be carried out by DSD. The applicants should submit an application for technical audit (Form HBPI), the approved sewerage plan and the technical audit fee to DSD at least 2 weeks before the technical audit;
- (j) the proposed drainage works, whether within or outside the lot boundary, should be constructed by the lot owner at his expense. The connection pipe constructed on government land and located downstream of the terminal manhole shall be handed over to DSD for maintenance after satisfactory technical audit by DSD;

- (k) the applicants should submit the following for the taking over by DSD of the sewerage system constructed on government land and located downstream of the terminal manhole:
 - (i) as-built drainage connection records including signed hard copy in true scale and soft copy in DGN format;
 - (ii) hydraulic and structural design calculation; and
 - (iii) construction records including major acceptance tests and material quality records, product specifications and warranties, CCTV survey findings;
- (l) the owner/developer is required to rectify/modify the sewerage system if it is found to be inadequate or ineffective during operation. The owner/developer shall also be liable for and shall indemnify Government against claims and demands arising out of damage or nuisance caused by failure of the system; and
- (m) the owner/developer should take all precautionary measures to prevent any disturbance, damage and pollution from the development to any parts of the existing drainage facilities in the vicinity of the subject site. In the event of any damage to the existing drainage facilities, the owner/developer would be held responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom.

Appendix V of RNTPC
Paper No. A/NE-TK/611A

Recommended Advisory Clauses

- (a) to note the comments of District Lands Officer/Tai Po, Lands Department (LandsD) that :
 - (i) the Site falls partly within the licence area (of about 32,700m²) of Government Land Licence (the 'GLL') No. T20153 and partly within unallocated Government land. The GLL No. T20153 was issued for fish pond and temporary structures use. Permitted structures under the GLL are for storage and watchman shed on the northern side of the licence area and no other structures are permitted without his consent in writing as one of the conditions;
 - (ii) for the GLL No. T20153 portion, the licensee is required to apply to LandsD for permission. Such application will be considered by LandsD acting in the capacity of landlord at his sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such form, terms and conditions, including payment of any fees, as may be imposed by him; and
 - (iii) for the unallocated Government land portion, the applicants are required to apply to LandsD and Highways Department for excavation permit.
- (b) to note the comments of the Commissioner for Transport that for any works to be undertaken outside the lot boundary, in particular along Ting Kok Road, prior consent and agreement from relevant Government departments should be sought. The existing traffic along Ting Kok Road should be maintained during construction or maintenance of the sewer;
- (c) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that the applicants should seek land grant from LandsD and obtain excavation permit from LandsD and HyD for private sewer installation in Government land if the application is approved;
- (d) to note the comments of the Director of Environmental Protection (DEP) that the proposed works within "CA" zone may constitute a designated project (DP) under Item Q.1 of Part 1 of Schedule 2 of the Environmental Impact Assessment Ordinance. If this project is confirmed to be a DP, then an environmental permit would be required prior to start of its construction and operation;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) for works to be undertaken outside the application site boundary, prior consent and agreement from Lands Department (LandsD) and/or relevant private lot owners should be sought. Existing public sewerage is available in the vicinity of the Site for connection. DEP should be consulted regarding the sewage treatment/disposal aspects of the proposed development. The applicants should follow the established procedures and requirements for connecting sewers from the Site to the public sewerage system. A connection proposal should be

submitted to DSD via LandsD for approval before hand. Moreover, the sewerage connection will be subject to technical audit for which an audit fee will be charged; and

- (ii) his detailed comments on drainage proposal in **Appendix III**;
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW of BD) that the proposed temporary toilet building and the associated drainage works are subject to the control of Part VII of the Building (Planning) Regulations (B(P)R); and the applicants should make formal submission to the Building Authority for approval regarding the proposed temporary toilet building. Detail comments will be given at the building plans submission stage. The applicants should note the followings:
- (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 subject 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 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 construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - (iv) if the proposed use under application is subject to the issue of a licence, please 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 B(P)R 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 B(P)R at the building plan submission stage;
- (g) to note the comments of the Director of Fire Services that:
- (i) a thoroughfare of 3.5m wide shall be maintained for passage of fire appliances at all times;
 - (ii) adequate space (6m side minimum) shall be provided in front of the major façade of the building for free aerial rescue and fire fighting operation. If such requirement cannot be achieved, the construction works shall be carried out by sections of not more than 20m in length;

- (iii) any road opening affecting the emergency vehicular access should be decked over, capable of withstanding 30-tonne loading for emergency traffic;
 - (iv) an inner turning radius of 6.1m and an outer turning radius of 11m shall be maintained; and
 - (v) any excavation/construction works should under no circumstances case any obstruction to the nearby fire hydrants and ground valves. Should any fire hydrant be affected, comments from Fire Services Department should be sought;
- (h) to note the comments of the Chief Engineer/Construction, Water Supplies Department (WSD) that for provision of water supply to the development, the applicants may need to extend the inside services to the nearest suitable government water mains for connection. The applicants should resolve any land matter (such as private lots) associated with the provision of water supplies and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards; and
- (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, organizing and supervising any activity near the underground cable or overhead line shall approach the electricity supplier for the requisition of cable plans (and overhead line alignment drawings, where appropriate) to find out whether there is any underground cable (and/or overhead line) in the vicinity of the Site. They should 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 electricity supply lines.

which would require an environmental permit (EP) prior to start of its construction and operation. The Director of Food and Environmental Hygiene (DFEH) advised that no complaint on the lack of toilet facilities at Tai Mei Tuk had been received so far. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) During the first three weeks of the statutory publication period, four public comments were received from World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objecting to the application. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) The Planning Department (PlanD)'s views – PlanD did not support the planning application based on the assessments set out in paragraph 10 of the Paper. The proposed development was not in line with the planning intention of the "Conservation Area" ("CA") zone which was intended to protect and retain the existing natural character or ecological features of the area for conservation, educational and research purposes and to separate sensitive natural environment from the adverse effects of development. There was insufficient information to justify the need for such a scale of the proposed temporary toilet with a building footprint of 78.4m². There was also no information to demonstrate that there were no other alternatives, such as portable toilet, to cope with the ad hoc and seasonal peak demand, and that the temporary toilet was needed to support the conservation of the existing natural landscape or scenic quality of the area or was an essential infrastructure project with overriding public interest. The approval of the application would set an undesirable precedent for similar applications within the "CA" zone, resulting in disturbance to the existing natural character of the area and the surrounding areas. Regarding the public comments received, the comments of government departments and the assessments above were relevant.

86. Members had no question on the application.

Deliberation Session

87. After deliberation, the Committee decided to reject the application. The reasons were:

- “(a) the proposed development is not in line with the planning intention of the “Conservation Area” (“CA”) zone which is intended to protect and retain the existing natural character or ecological features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Site of Special Scientific Interest or Country Park from the adverse effects of development. There is a general presumption against development in this zone. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) there is no information in the submission to justify the proposed development and to demonstrate that the proposed temporary toilet is needed to support the conservation of the existing natural landscape or scenic quality of the area or it is an essential infrastructure project with overriding public interest; and
- (c) the approval of the application would set an undesirable precedent for similar applications within “CA” zone resulting in disturbance to the existing natural character of the area and the surrounding areas.”

Minutes of 589th Meeting of the Rural and New Town Planning Committee
held on 13.10.2017

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Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/611 Proposed Temporary Toilet for a Period of 3 Years and Excavation of
Land in "Conservation Area" Zone and an area shown as 'Road',
Government Land in D.D. 28, Tai Mei Tuk, Tai Po
(RNTPC Paper No. A/NE-TK/611A)

Presentation and Question Sessions

85. Ms Kathy C.L. Chan, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary toilet for a period of three years with ancillary excavation works;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Director of Environmental Protection (DEP) advised that the proposed work might constitute a designated project (DP),

城市規劃委員會

香港北角添華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

By Registered Post & Fax (2762 1783)

電 話 Tel: 2231 4810

來函編號 Your Reference:

覆函請註明本會編號

In reply please quote this ref.: TPB/A/NE-TK/611

27 October 2017

Goldrich Planners & Surveyors Ltd.
Room 8E, Keader Centre
129-149 On Lok Road
Yuen Long, New Territories
(Attn.: Lau Tak, Francis)

Dear Sir/Madam,

**Proposed Temporary Toilet for a Period of 3 Years and
Excavation of Land in "Conservation Area" Zone and an area
shown as 'Road', Government Land in D.D. 28, Tai Mei Tuk, Tai Po**

I refer to my letter to you dated 4.9.2017.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reasons are :

- (a) the proposed development is not in line with the planning intention of the "Conservation Area" ("CA") zone which is intended to protect and retain the existing natural character or ecological features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Site of Special Scientific Interest or Country Park from the adverse effects of development. There is a general presumption against development in this zone. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) there is no information in the submission to justify the proposed development and to demonstrate that the proposed temporary toilet is needed to support the conservation of the existing natural landscape or scenic quality of the area or it is an essential infrastructure project with overriding public interest; and
- (c) the approval of the application would set an undesirable precedent for similar applications within "CA" zone resulting in disturbance to the existing natural character of the area and the surrounding areas.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 13.10.2017 are enclosed herewith for your reference.

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Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 17.11.2017). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Town Planning Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Town Planning Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Ms. Kathy Chan of Sha Tin, Tai Po & North District Planning Office at 2158 6242.

Yours faithfully,



(Raymond KAN)
for Secretary, Town Planning Board

Recommended Advisory Clauses

- (a) to note the comments of District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that :
 - (i) the Site falls partly within the licence area (of about 32,700m²) of Government Land Licence (the 'GLL') No. T20153 and partly within unallocated Government land. The GLL No. T20153 was issued for fish pond and temporary structures use. Permitted structures under the GLL are for storage and watchman shed on the northern side of the licence area and no other structures are permitted without his consent in writing as one of the conditions;
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 - (iii) for the unallocated Government land portion, the applicants are required to apply to LandsD and Highways Department for excavation permit.
- (b) to note the comments of the Commissioner for Transport (C for T) that for any works to be undertaken outside the lot boundary, in particular along Ting Kok Road, prior consent and agreement from relevant Government departments should be sought. The existing traffic along Ting Kok Road should be maintained during construction or maintenance of the sewer;
- (c) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that the applicants should seek land grant from LandsD and obtain excavation permit from LandsD and HyD for private sewer installation in Government land if the application is approved;
- (d) to note the comments of the Director of Environmental Protection (DEP) that the proposed works within "Conservation Area" zone may constitute a designated project (DP) under Item Q.1 of Part 1 of Schedule 2 of the Environmental Impact Assessment Ordinance. If this project is confirmed to be a DP, then an environmental permit would be required prior to start of its construction and operation;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) for works to be undertaken outside the application site boundary, prior consent and agreement from LandsD and/or relevant private lot owners should be sought. Existing public sewerage is available in the vicinity of the Site for connection. DEP should be consulted regarding the sewage treatment/disposal aspects of the proposed development. The applicants should follow the established procedures and requirements for connecting sewers from the Site to the public sewerage system. A connection proposal should be submitted to DSD via LandsD for approval before hand. Moreover, the sewerage

connection will be subject to technical audit for which an audit fee will be charged; and

- (ii) his detailed comments on drainage proposal in Appendix III of **Annex A**;
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that the proposed temporary toilet building and the associated drainage works are subject to the control of Part VII of the Building (Planning) Regulations (B(P)R); and the applicants should make formal submission to the Building Authority for approval regarding the proposed temporary toilet building. Detailed comments will be given at the building plans submission stage. The applicants should note the followings:
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 - (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 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 construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - (iv) if the proposed use under application is subject to the issue of a licence, please 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 B(P)R 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 B(P)R at the building plan submission stage;
- (g) to note the comments of the Director of Fire Services (D of FS) that:
- (i) a thoroughfare of 3.5m wide shall be maintained for passage of fire appliances at all times;
 - (ii) adequate space (6m side minimum) shall be provided in front of the major façade of the building for free aerial rescue and fire fighting operation. If such requirement cannot be achieved, the construction works shall be carried out by sections of not more than 20m in length;

- (iii) any road opening affecting the emergency vehicular access should be decked over, capable of withstanding 30-tonne loading for emergency traffic;
 - (iv) an inner turning radius of 6.1m and an outer turning radius of 11m shall be maintained; and
 - (v) any excavation/construction works should under no circumstances cause any obstruction to the nearby fire hydrants and ground valves. Should any fire hydrant be affected, comments from Fire Services Department should be sought;
- (h) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the development, the applicants may need to extend the inside services to the nearest suitable government water mains for connection. The applicants should resolve any land matter (such as private lots) associated with the provision of water supplies and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards; and
- (i) to note the comments of the Director of Electrical and Mechanical Services (DEMS) 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 shall approach the electricity supplier for the requisition of cable plans (and overhead line alignment drawings, where appropriate) to find out whether there is any underground cable (and/or overhead line) in the vicinity of the Site. They should 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 electricity supply lines.