

**Advisory Clauses**

- (a) resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (b) note PM(W), CEDD's comments that the approval period would be in conflict with the implementation programme of the site formation works for the planned public housing development, which is tentatively planned for commencement in mid 2021, at the subject "R(A)" zone;
- (c) note DLO/YL, LandsD's comments that the Site comprises an Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The Site is accessible from Kam Ho Road via Government Land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The Site falls within Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structure shall not exceed the relevant airfield height limit within SKAHRA. The lot(s) owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD;
- (d) note CES/Railway Development, LandsD that the Site falls within Railway Development Strategy 2014 (RDS 2014) Northern Link (NOL) Area of Influence (AOI). The proposed development should not pose obstacles to the acquisition of land for the implementation of the NOL project;
- (e) note C for T's comments that temporary traffic arrangement may be implemented at Kam Ho Road during the approval period due to works by CEDD on "Site Formation and Infrastructure Works for Development at Kam Tin South – Advance Works";
- (f) note CHE/NTW, HyD's comments that his department does not and will not maintain any access connecting the Site and Kam Ho Road. The applicant should be responsible for his own access arrangement. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (g) note CE/RD 2-2, RDO, HyD's comments that the Site falls within the AOI of the proposed NOL, which might be subject to nuisance, e.g. noise and vibration of the proposed NOL. The applicant is reminded to note the surrounding condition in respect of nuisance taking into account the future construction, operation and maintenance of NOL.
- (h) follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites" issued by DEP;

- (i) note CBS/NTW, BD's comments that before any new building works (including container/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO. 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 works or UBW on the Site under the BO. 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 (B(P)R) respectively. 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; and
  
- (j) note D of FS's comments that in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSI to be installed should be clearly marked on the layout plans. The applicant is reminded that if the proposed structure(s) is required to comply with the BO (Cap.123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.