

Advisory clauses

- (a) the permission is given to the development under application. It does not condone any other development which currently exists on the Site but not covered by the application. The applicant should be requested to take immediate action to discontinue such development not covered by the permission;
- (b) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) as follows:
- (i) unauthorized structures carrying no status were extended from the New Territories Exempted House (NTEH) on Lots No. 1391 RP, 1386 RP and 1413 RP in D.D. 95 within/adjoining the Site;
 - (ii) the dimensions of the aforesaid structures extending from the NTEH has exceeded the ones prescribed under the Buildings Ordinance (Application to the New Territories), Chapter 121;
 - (iii) the aforesaid structures are not acceptable under the Leases concerned, his office reserves the right to take lease enforcement and land control actions against the aforesaid structures;
 - (iv) unauthorized occupation of the adjoining Government land was also detected;
 - (v) the applicant should demolish the aforesaid unauthorised structures at his own cost, and stop occupying the Government land concerned.
- (c) to note the comment of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that the granting of any planning approval should not be construed as an acceptance of any existing building works or unauthorised building works on the application site under the Building Ordinance (BO). The applicant should also note the following:
- (i) if any existing structures are erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorised under the BO and should not be designated for any approved use under the application;
 - (ii) before any new building works (including containers and open sheds as temporary buildings/structures) are to be carried out on the site, the prior approval and consent of 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) 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;
 - (vi) if the site does not abut on a specified street of not less than 4.5 m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulations at the building plan submission stage;
 - (vii) detailed comments under the BO will be provided at building plan submission stage.
- (d) to note the comment of Director of Environmental Protection that the applicant should follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" (CoP) issued by the Director of Environmental Protection;
- (e) to note the comments of the Commissioner for Transport (C for T) that the vehicular access to the Site via a village track connecting with Ho Sheung Heung Pai Fung Road is not under TD's management. The applicant should check the land status of the access with the lands authority, and clarify its management and maintenance responsibilities with the relevant lands and maintenance authorities accordingly;
- (f) to note the comments of the Director of Fire Services (D of FS) that Emergency Vehicular Access (EVA) arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by BD; and
- (g) to note the advice of the Chief Engineer/Mainland North, Drainage Services Department that the general requirements of the drainage proposal are the follows:
- (i) surface channels with grating covers should be provided along the site boundary;
 - (ii) a drainage plan should be provided clearly showing the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections etc.) of the proposed drain/surface channel, catchpits and the discharge structure shall be provided;
 - (iii) the cover levels of proposed channels should be flush with the existing adjoining ground level;
 - (iv) a catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit (CEDD Standard Drawing No. 2405) shall be provided;

- (v) catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap (CEDD Standard Drawing No. 2406) should be provided;
- (vi) the applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. He should also ensure that the flow from the Site will not overload the existing drainage system;
- (vii) the applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD, unless justified not necessary;
- (viii) if the existing drainage facilities to which the applicant proposed to discharge the storm water from the Site are not maintained by DSD, the applicant should identify the owners of the existing drainage facilities to which the proposed connection will be made and obtain consent from the owners prior to commencement of proposed works;
- (ix) the applicant is reminded that all existing flow paths as well as the run-off falling onto and passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works;
- (x) the proposed drainage works, whether within or outside the site boundary, should be constructed and maintained properly by the applicant who should also rectify the system if it is found to be inadequate or ineffective during operation, all at his/her own expense;
- (xi) for works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N and/or relevant private lot owners;
- (xii) the applicant shall make good all the adjacent affected areas upon the completion of the drainage works;
- (xiii) the applicant shall allow all time free access for the Government and its agent to conduct site inspection on the his completed drainage works;
- (xiv) the applicant and the successful lot owners shall allow connections from the adjacent lots to the completed drainage works on Government land when so required;

(xv) clear photos should be submitted showing the current conditions of the existing drainage from the proposed discharge point(s) to the downstream and the existing drainage/flowpath around the Site;

(h) to note the comments of the Chief Engineer/Construction, Water Supplies Department that the applicant may need to extend his/her 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.