

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site;
- (b) to note the comments of the District Lands Officer/Sai Kung, Lands Department that if the subject planning application is approved by the Town Planning Board (the Board), the lot owners will need to submit to his office further information to substantiate the waiver application to allow the existing swimming pool at the lot. However, there is no guarantee that the short term waiver will be approved by the Government. Such waiver application, if approved, will be subject to such terms and conditions, including, among others, payment of waiver fee and administrative fee, as the Government considers appropriate;
- (c) to note the comments of the Director of Environmental Protection that according to the Environmental Protection Department (EPD)'s ProPECC Note PN 5/93 'Drainage Plans subject to Comments by EPD', the wastewater from the filtration plant of the swimming pool should be discharged into the existing septic tank and soakaway system as there are no public sewers in the area;
- (d) to note the comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department that:
  - (i) there is no record of approval by the Building Authority (BA) in respect of the existing swimming pool at the Site;
  - (ii) for any unauthorised building works (UBW) erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with Buildings Department's enforcement policy against UBW as and when necessary;
  - (iii) the granting of any planning approval should not be construed as an acceptance of any existing building works or UBW, if any, on the Site under the Buildings Ordinance;
  - (iv) all building works are subject to compliance with the Buildings Ordinance;
  - (v) Authorized Person (AP) must be appointed to coordinate all building works. However, carrying out minor works can follow the provision laid down under the Minor Works Control System; and
  - (vi) detailed comments will be given during general building plan submission stage;
- (e) to note the comments of the Director of Agriculture, Fisheries and Conservation that waste water from the pool should be properly disposed and should not be discharged directly into any nearby watercourse;
- (f) to note the comments of the Director of Fire Services that emergency vehicular access arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by Buildings Department. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;

(g) 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 their 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. Notwithstanding the above, the applicants are requested to note the following conditions with regard to the installation of swimming pool system:

- (i) water supply would be withdrawn if in the opinion of the Water Authority that the supply situation requires it, especially during periods of water restriction;
- (ii) a re-circulating and purifying system is required to be installed for maintaining the cleanliness of water in the pool;
- (iii) the complete draining and filling of the pool is limited to once a year; and
- (iv) a 14-day written notice should be given to the Authority before the commencement of filling of the pool.