

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Office/North, Lands Department on the following:
- (i) the lot is an Old Schedule lot held under the Block Government Lease (demised for agriculture use) without any guarantee of right of vehicular access. The applicants should make their own arrangement for acquiring access and the Government shall accept no responsibility in such arrangement and there is no guarantee that any adjoining Government land will be allowed for the vehicular access of the proposed use;
 - (ii) the existing structures on the Site were erected without approval from her office. The aforesaid structures are not acceptable under the Leases concerned. Her office reserves the right to take enforcement actions against the aforesaid structures;
 - (iii) the proposed structure to be erected on the Site will include a toilet. The applicant should note that any proposed septic tank and soakage pit system should meet current health requirements, and that it should apply for certificates for building works and drainage works from her office, and submit relevant drainage/sewerage proposal as appropriate; and
 - (iv) should the planning application be approved, the owners of the lots concerned shall apply to his office for a Short Term Waiver (STW) to cover the proposed structures on site. The application for STW will be considered by Government in its landlord's capacity and there is no guarantee that it will be approved. If the STW is approved, it will be subject to such terms and conditions to be imposed including payment of waiver fee and administrative fee as considered appropriate by her office;
- (b) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department that that the section of Sha Tau Kok Road – Wo Hang adjacent to the Site is maintained by his office; and the proposed access to the Site will pass through a strip of area between Sha Tau Kok Road and the Site which is an unallocated Government land. The applicant is required to sort out the land issues with relevant land authority;
- (c) to note the comments of the Commissioner for Transport that the vehicular access between the Site and Sha Tau kok Road are not managed by his office. The applicant should seek comment from responsible party;
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) on the following:
- (i) before any new building works are to be carried out on the Site, the prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorized buildings works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the Buildings Ordinance (BO);

- (ii) for UBW erected on leased land, enforcement action may be taken by the BA 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 application site under the BO;
 - (iii) temporary shelters or converted containers for storage/ washroom/ first-aid room/ site office are considered as temporary buildings, they are subject to control under the Building (Planning) Regulations (B(P)R) Pt. VII;
 - (iv) 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;
 - (v) if the Site does not abut 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
 - (vi) formal submission under the BO is required for any proposed new works, including any temporary structures. Detailed comments under the BO will be provided at the building plan submission stage;
- (e) to note the comments of the Director of Fire Services, Fire Services Department (FSD) on the following:
- (i) in consideration of the design/ nature of the proposed use, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his satisfaction;
 - (ii) the applicant should be advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iii) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (f) 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 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 standard;
- (g) to note the comments of Director of Environmental Protection (DEP) on the following:
- (i) the applicant should minimize noise from the proposed use, such as prohibiting the use of public announcement system portable loudspeakers or any form of audio amplification system, so that it would not cause any environmental nuisance to nearby sensitive receivers;
 - (ii) adequate supporting infrastructure/facilities should be provided for proper collection, treatment and disposal of waste / wastewater generated from the proposed use. If septic

tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of EPD's Practice Note for Profession Person (PRoPECC) PN 5/93 "Drainage Plan subject to comment by the Environmental Protection Department"; and

- (iii) the applicant is also advised to follow the relevant mitigation measures and requirements in the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site" to minimize any potential environmental nuisance.