

Recommended Advisory Clauses

- (a) to note the following comments of the District Lands Officer/North, Lands Department:
- (i) the lot under application is an Old Schedule lot held under the Block Government Lease (demised for agricultural use) without any guaranteed right of access. The applicants should make their own arrangement for acquiring access to the Site. The Government shall accept no responsibility in such arrangement and there is no guarantee that any adjoining Government Land (GL) will be allowed for vehicular access to the said lot for the proposed use;
 - (ii) the development scheme indicates that no temporary structure(s) will be erected on the Site. Please note that it is in breach of the Lease concerned for any structures erected on the lot without prior approval of this office and this office reserves the right to take enforcement action against any such irregularities, if detected;
 - (iii) no Small House application in respect of the Site has been received; and
 - (iv) if the application is approved, the owner(s) of the lot concerned shall note that no erection of any structure(s) on the application lot will be proposed in accordance with the development schedule of the application, and no application for Short Term Waiver will be considered by this office to cover any proposed/erected structure(s). This office reserves the right to take enforcement action against any unauthorised structures erected thereon without further notice.
- (b) to note the comments of the Commissioner for Transport that the access between the Site and Sha Tau Kok Road is not managed by the Transport Department, and the applicants are advised to seek comment from the responsible party;
- (c) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department that the road leading to the Site is not maintained by his office;
- (d) to follow the environmental mitigation measures and requirements as set out in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Director of Environmental Protection in order to minimise any possible environmental nuisance;
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that according to the layout plan, it appears that part of the planting areas fall outside the Site boundary and may conflict the proposed U-channels and sandpits. The applicants are reminded that a continuous planting strip within the Site of not less than 1m wide, free from drainage, should be allowed for tree planting;
- (f) to note the following comments of the Chief Engineer/Mainland North, Drainage Services Department:
- (i) the applicants are requested to submit and implement a drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent area. In their submission, the applicants are required to assess and identify the project’s potential drainage impacts and demonstrate in their submission that the project will not cause an

unacceptable increase in the risk of flooding in areas upstream of, adjacent to or downstream of the development with the implementation of necessary mitigation measures; and

(ii) the Site is in an area where no public sewerage connection is available;

(g) to note the following comments of the Director of Fire Services:

(i) in consideration of the design/nature of the proposed use, the applicants are advised to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his satisfaction;

(ii) the applicants 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 FSI to be installed should be clearly marked on the layout plans; and

(iii) if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and

(h) to note the following comments of the Chief Building Surveyor/New Territories West, Buildings Department:

(i) before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are Unauthorised Building Works (UBW). An Authorised Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;

(ii) any temporary shelters or converted containers for storage or other uses are considered as temporary buildings subject to the control of Part VII of the Building (Planning) Regulations (B(P)R);

(iii) the Site shall be provided with means of obtaining access thereto from a street under the B(P)R 5 and emergency vehicular access shall be provided under B(P)R 41D;

(iv) if the Site is not abutting on a specified street having a width not less than 4.5m wide, the development intensity shall be determined by the BA under B(P)R 19(3) at the building plan submission stage; and

(v) formal submission under the BO is required for any proposed new works, including any temporary structures and site formation works like filling of pond and land. Detailed comments under the BO will be provided at the building plan submission stage.