

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that the registered owners of the private lots with proposed structures to be erected are required immediately to submit Short Term Waiver (STW) applications to DLO. If the STW applications are approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD including the payment of waiver fee and administrative fees as considered appropriate;
- (b) to note the comments of the Director of Environmental Protection (DEP) that:
- (i) the revised EA report is for the latest design of the proposed development to confirm the overall environmental acceptability;
 - (ii) the applicant should comply with all relevant environmental protection / pollution control legislation, and fully address any odour nuisance, noise impact, waste and wastewater arisings, management and disposal; and
 - (iii) the applicant should follow relevant environmental guidelines, such as “Recommended Pollution Control Clauses for Construction Contracts”, and good practices, such as “Good Practices on Pumping System Noise Control and Good Practices on Ventilation System Noise Control” to ensure no insurmountable environmental impact would be caused;
- (c) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):
- (i) additional mitigation measures may be required when the actual situations render the initial water quality impact assessment inviable;
 - (ii) for the water monitoring programme (with test parameters and frequencies), it is to verify WSD’s principle of “no material increase in pollution effect in the water gathering grounds” on the following areas:
 - Parasites (e.g: Cryptosporidium oocysts, Giardia cysts)
 - Pollutants (e.g: BOD, COD, nitrate, nitrite)
 - Bacteria (e.g. E.coli)
 - Pharmaceutical residuals (please specify)
 - Others (please specify); and
 - (iii) a testing laboratory which has been accredited by the Hong Kong Laboratory Accreditation Scheme (HOKLAS) operated by the Hong Kong Accreditation Service or by one of the laboratory accreditation bodies with which HOKLAS has concluded mutual recognition arrangement should be engaged where available for the collection and testing of samples;

- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- (i) there is no existing DSD maintained public drain available for connection in the area. The proposed development should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site. The proposed development is located on unpaved ground and will increase the impervious area, which will result in a change of the flow pattern and an increase of the surface runoff and thus flooding risk in the area. The applicant should take this into account when preparing the drainage proposal. The applicant/owner should maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant/owner should be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
 - (ii) the applicant should design the drainage proposal based on the actual site conditions for DSD's comment/agreement. In the design, the applicant should consider the workability, the impact to the surrounding environment and seek comments from other concerned parties/departments if necessary. The applicant should make sure no adverse impact will be caused to the area due to the proposed works. The existing natural streams, village drains, ditches and the adjacent areas should not be adversely affected; and
 - (iii) there is no public sewer connection available in the vicinity of the proposed development;
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant should seek approval for any proposed tree works from relevant departments prior to commencement of tree works;
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) the Site shall be provided with means of obtaining access thereto from a street and EVA in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - (ii) 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;
 - (iii) the applicant is reminded that, under BO, no person shall commence or carry out any building works without having first obtained approval and consent from the Building Authority before commencement of works on leased land unless they are exempted under s.41 of the BO, or fall within minor works under the Building (Minor Works) Regulation;
 - (iv) an Authorized Person must be appointed to coordinate all new building works in accordance with BO; and

- (v) detailed consideration will be made at building plan submission stage;
- (g) to note the comments of the Director of Fire Services (D of FS) that the applicant should observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by Buildings Department; and
- (h) to note the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that a relevant clause for the proposed 'no-build' zone should be included in the lease document for the Site.