

**Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Officer/North, Lands Department as follows:
  - (i) a structure is erected on the Site. The aforesaid structure is not acceptable under the lease concerned. His office reserves the rights to take necessary lease enforcement action against the irregularity; and
  - (ii) should the application be approved, the owner of the lot shall apply to his office for a Short Term Waiver (STW) to cover the said unauthorised structure 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, its commencement date will be backdated to the first date of occupation and it will be subject to such terms and conditions to be imposed including payment of waiver fee and administrative fee as considered appropriate by his office;
- (b) to follow the environmental mitigation measures as set out in the latest "Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses" issued by the DEP in order to minimize any possible environmental nuisances;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the Site is in an area where no public sewerage connection is available;
- (d) to note the comments of the Chief Building Surveyors/New Territories West, Buildings Department as follows:
  - (i) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BA should be obtained, otherwise they are Unauthorised Building Works (UBW). An Authorised Person (AP) should be appointed as the co-ordinator 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 Site under the BO;
  - (iii) 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 (B(P)Rs) respectively;
  - (iv) if the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined under Regulation 19(3) of the B(P)Rs at the building plan submission stage;
- (e) to note the comments of the Director of Fire Services that detailed fire safety requirements will be formulated upon receipt of formal submission of the general building plans; and

- (f) to note the comments of the Chief Engineer/Construction, Water Supplies Department as follows:
- (i) existing water mains are inside the Site and will be affected. The applicants are required to either divert or protect the water mains found on site;
  - (ii) if diversion is required, existing water mains inside the Site are needed to be diverted outside the site boundary to lie in Government land. A strip of land of minimum 1.5m in width should be provided for the diversion of existing water mains. The cost of diversion of existing water mains upon request will have to be borne by the grantees/applicants; and the applicants shall submit all the relevant proposal to WSD for consideration and agreement before the works commence; and
  - (iii) if diversion is not required, the following conditions shall apply:
    - existing water mains are affected as indicated on **Plan A-2** and no development which requires resiting of water mains will be allowed;
    - details of site formation works shall be submitted to Director of Water Supplies (DWS) for approval prior to commencement of works;
    - no structures shall be built or materials stored within 1.5m from the centreline of water mains. Free access shall be made available at all times for staff of the DWS or their contractor to carry out construction, inspection, operation, maintenance and repair works;
    - no trees or shrubs with penetrating roots may be planted within the Water Works Reserve or in the vicinity of the water mains. No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of the DWS. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe;
    - no planting or obstruction of any kind except turfing shall be permitted within the space of 1.5m around the cover of any valve or within a distance of 1m from any hydrant outlet; and
    - tree planting may be prohibited in the event that the DWS considers that there is any likelihood of damage being caused to water mains.