

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
 - (i) if the proposed use is not in compliance with the lease condition, the owner should apply to LandsD for a lease modification/ temporary waiver to give effect to the proposed use. If the application for modification/ temporary waiver is approved by LandsD in the capacity as landlord at its sole discretion, it will be subject to such terms and conditions including the payment of premium/ waiver fee; and
 - (ii) there is no guarantee to the grant of a right of way to the Site;
- (b) to note the comments of the Director of Environmental Protection (DEP) that the applicant shall observe relevant environmental pollution control ordinances (e.g. Noise Control Ordinance, Air Pollution Control Ordinance, Water Pollution Control Ordinance, Waste Disposal Ordinance, etc.) when they carry out the proposed works. During construction, the applicant shall implement appropriate pollution control measures to minimize any nuisance to the residents or any potential impact to the SSSI. A full set of the “Recommended Pollution Control Clauses for Construction Contracts” is available at the EPD’s website for reference;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that invasive or exotic vegetation removed should be properly handled/stored/disposed of to prevent affecting the hydraulic capacity of the stormwater drainage facilities;
- (d) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that the applicant should undertake protective measures to ensure no pollution occurs to water gathering grounds (WGG) including the followings:
 - (i) no earth and other construction materials which may cause contamination to the WGG are allowed to be stockpiled or stored on site during construction phase;
 - (ii) all excavated or filled surface which have the risk of erosion shall be protected from erosion at all times;
 - (iii) all solids and sludge arising from the proposed use shall be disposed of properly outside WGG;
 - (iv) no discharge of effluent or foul water shall be discharged into adjoining land, stormwater drain, channel, stream or river course is allowed. In case of any foul water or runoff from the Site, it shall be diverted properly to the communal sewer system with a prior written consent of Water Authority, who may require the applicant to provide, operate and maintain suitable works for the treatment

and disposal of such effluent or foul water, as a condition of granting his consent;

- (v) the use of pesticide within WGG is strictly prohibited; and
 - (vi) prior approval must be sought from Water Authority for the use of fertilisers. Assessment on pollution risks resulting from the application shall be conducted based on the reason of application, chemical composition, toxicological data, application procedure, quantity and frequency, etc., to ensure no material increase in the pollution effect to WGG; and
- (e) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.