

Recommended Advisory Clauses

- (a) to note the following comments of District Lands Officer/North, Lands Department (DLO/N, LandsD):
- (i) the Site is an Old Schedule lot held under the Block Government Lease (demised for agriculture use) and does not possess any building status; and
 - (ii) should the application be approved, the owners of the lot is required to apply to LandsD for a land exchange. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. There is no guarantee that the land exchange application will be approved, and if approved, it would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as may be imposed by LandsD;
- (b) to note the comments of the Director of Environmental Protection (DEP) that septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the ProPECC PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" and are duly certified by an Authorized Person;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that there is no public sewerage near the Site within 30m;
- (d) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for the provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant 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 service within the private lot to WSD's standards;
- (e) to note the following comments of Chief Building Surveyor/ New Territories West, Buildings Department (CBS/NTW, BD):
- (i) if the existing structures are erected on leased land without approval of the BD, they are unauthorized under the Building Ordinance (BO) and should not be designated for any approved use under the application;
 - (ii) before any new building works / proposed site formation works to be carried out on the Site, prior approval and consent of Building Authority (BA) should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by 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;
 - (iv) in connection with (iii) above, the Site shall be provided with means of obtaining access thereto from a street under Building (Planning) Regulations (B(P)Rs) 5 and emergency

vehicular access shall be provided under the B(P)Rs 41D;

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

(vi) open space shall be provided in accordance with B(P)Rs 25; and

(vii) all habitable rooms shall be provided with prescribed windows in accordance with B(P)Rs 30 & 31; and

(f) to note the following comments of Director of Fire Services (D of FS):

(i) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and

(ii) the EVA provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the B(P)Rs 41D.