

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises an Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The lot owner(s) of the lot without Short Term Waiver (STW) will need to apply to his office for permitting the structures to be erected or to regularize any irregularities on Site, if any. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) for any of the above will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by LandsD. The Site is accessible from Tin Ha Road through private lots. His office does not guarantee any right-of-way to the Site

- (b) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drain. HyD shall not be responsible for the maintenance of any access connecting the Site and Tin Ha Road;

- (c) to note the comments of the Director of Fire Services (D of FS) that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. 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 Building (Planning) Regulation (B(P)R) 41D which is administered by the Buildings Department;

- (d) to note the D of Health's comments that according to the World Health Organization (WHO), with compliance with the relevant International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, exposure to extremely low frequency electromagnetic fields, such as those generated by electrical facilities would not pose any significant adverse effects to workers and the public. As such, the project proponent must ensure that the installation complies with the relevant ICNIRP guidelines or other established international standards. WHO also encourages effective and open communication with stakeholders in the planning of new electrical facilities; and

- (e) to note CBS/NTW, BD's comments that if there are existing structures (not being a New Territories Exempted House) erected on leased land without the approval of the Buildings Department (BD), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the captioned application. Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of BD should be obtained, otherwise they are unauthorized building works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO). If there are existing structures (not being a NTEH) erected on leased land without the approval of the Buildings Department(BD), they are UBW under the BO and should not be designated for any proposed use under the application. For UBW erected on leased

land, enforcement action may be taken by the BD 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. 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)R) respectively. 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. Detailed checking will be carried out in the building plan submission stage.