

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD) that:
- (i) a short term tenancy (STT) application in respect of the application site (the Site) has been received by his office for the purposes of training grounds but has not yet been approved. The applicant will need to apply to LandsD for a fresh STT application or amendment to the STT application to effect the proposal according to the planning permission. However, there is no guarantee that the application will be approved and he reserves his comment on such. The application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the STT application is approved, it would be subject to such terms and conditions as the Government shall deem fit, including, among others, payment of rents and administrative fees as may be imposed by LandsD as appropriate;
 - (ii) according to paragraph 3.1 of the supplementary planning statement (SPS) at Appendix Ia of the Rural and New Town Planning Committee Paper No. A/TM-LTY Y/398 (the RNTPC Paper), the site area is about 10,300 m² and the source of the above site area has not been stated. Besides, as per Plan 2 of the SPS at Appendix Ia of the RNTPC Paper (Drawing A-1 of the RNTPC Paper), the boundary of the Site is different from the boundary of the proposed STT being processed by his office. Detailed comments on the site area and boundary will be provided at later stage should the STT application be further processed and there is no guarantee that the site area proposed would be adopted;
 - (iii) the Site is accessible via Wong Kong Wai Road branching off from Castle Peak Road (Hung Shui Kiu Section). His office does not guarantee that right-of-way will be given to the applicant and reserve his comment on such. There is an existing public footpath in between the two pieces of vacant government land (GL) forming the Site. It is noted that the existing footpath will be retained according to the applicant's proposal and the applicant is reminded that the public access to the footpath should not be interfered with. His office reserves the comment on matters related to the footpath when the STT application is further processed;
 - (iv) there are overgrown shrubs and trees within the Site. In the event that felling of trees within the Site, and compensatory planting on roadside area is proposed, the proposal should be subject to the comment or agreement from the relevant government departments, including Director of Leisure and Cultural Services (DLCS) and Director of Agriculture, Fisheries and Conservation (DAFC). Detailed comments will be provided should the tree felling and compensatory planting proposal is received at later stage when processing the proposed STT;
 - (v) Occupation of GL is not allowed unless with the prior approval of LandsD. His office reserves the right to take action against any unauthorized occupation of GL.
- (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 and exclusive road drains. Any damage to the public carriageway, footpath, road drainage,

highway structures and other street furniture due to the works shall be made good to the satisfaction of his department at the applicant's cost;

- (c) to follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department;
- (d) to note the comments of the Director of Environmental Protection (DEP) that this project is subject to control by Water Pollution Control Ordinance (Cap. 358) and its Technical Memorandum. The applicant should make reference to the good practices stated in ProPECC PN 1/94 "Construction Site Drainage" and ProPECC PN 5/93 "Drainage Plan to be commented by the Environmental Protection Department" to minimize water quality impacts to its watercourse nearby. Regarding the proposed adoption of chemical toilet and portable shower rooms for sewage and wastewater disposal on-site, adequate capacity of wastewater/sewage storage should be implemented. Besides, licensed sewage collector should be employed to regularly collect and dispose wastewater. The applicant should also regularly arrange wastewater collection on-site to minimize the nuisance and hygiene issues due to the wastewater generated in operation phase;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that in regards to the proposed drainage proposal:
 - (i) the applicant should refer to the guidelines as specified in "Technical Note to prepare a Drainage Submission" which is available at DSD's website (https://www.dsd.gov.hk/EN/Technical_Documents/DSD_Guidelines/index.html);
 - (ii) presumably it is the intent of applicant to make drainage connection to public drainage to discharge runoff from the Site. According to his records, there is no DSD maintained facility in the vicinity of the Site. In this regard, the applicant should be reminded to identify such public drainage and consult, as appropriate, the relevant authorities/owners of the existing drainage for consent of the connection works;
 - (iii) details of the proposed u-channel and catchpits and how it would be connected to this existing drainage system should be clarified and clearly shown in the proposed drainage proposal;
 - (iv) peripheral drainage channels should be provided to intercept the surface run-off from the uphill catchment so as to avoid the Site from overland flow influence;
 - (v) the proposed drainage works, whether within or outside the lot boundary, should be constructed and maintained by the lot owner at own expense. For any works to be carried out outside his lot boundary, the applicant should consult DLO/TM and seek consent from relevant lot owners before commencement of the drainage works;
 - (vi) the applicant is required to rectify the drainage system if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by a failure of the drainage system;

- (vii) the proposed works should neither obstruct overland flow nor adversely affect any existing natural streams, village drains, ditches and the adjacent areas;
- (f) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. The applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should also be advised on the following points: (a) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and (b) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans. The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (g) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that existing fresh water mains will be affected by the proposed temporary training ground as shown in Annex 1. The applicant is requested to include the following conditions when preparing the design report.
 - (i) the Water Authority, its officers, officers of other Government departments designated by the Water Authority, contractors, Tenant, workmen whether employed by the Water Authority or by other designated Government departments or by contractors or Tenant, whether with or without tools, equipment, machinery or motor vehicles shall have the right of unrestricted ingress, egress and regress to and from the lot or any part thereof for the purpose of inspecting, operating, maintaining, repairing and renewing the existing Government water main(s) as shown and marked "Government Water Mains" on the Plan annexed hereto;
 - (ii) neither the Water Authority nor any of the classes of person referred to in sub-clause (i) of this Condition shall incur or be under any liability whatsoever to the Tenant in respect of any loss, damage, nuisance or disturbance whatsoever caused to or suffered by the Tenant arising out of or incidental to the exercise of the said right of ingress, egress and regress conferred under sub-clause (i) of the Condition, and no claim shall be made by the Tenant in respect of any loss, damage, nuisance or disturbance;
 - (iii) no development which requires resiting of the Government Water Mains will be allowed;
 - (iv) details of site formation work shall be submitted to the Water Authority for approval prior to commencement of works;
 - (v) unless approval is given by the Water Authority, no structure shall be built or materials stored within 1.5 metres from the centre line(s) of the Government Water Mains;
 - (vi) no trees or shrubs with penetrating roots may be planted within 1.5 metres from the centre line(s) of the Government Water Mains. No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of the Water Authority. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5 metres or less, and the

barrier must extend below the invert level of the Government Water Mains;

- (vii) no planting or obstruction of any kind except turfing shall be permitted within the space of 1.5 metres around the cover of any valve of the existing water mains or within a distance of 1 metre from any hydrant outlet of the Government Water Mains; and
 - (viii) tree planting within 1.5 metres from the centre line(s) of existing water mains may be prohibited in the event that the Water Authority considers that there is any likelihood of damage being caused to the Government Water Mains;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:
- (i) the applicant is advised that approval of s.16 application by the Board does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. Applicant is reminded to approach relevant authority / government department(s) direct to obtain the necessary approval on tree works;
 - (ii) the applicant is reminded of the importance of undertaking proper tree care for existing trees within the site. Useful information published by the GLTM Section, DEVB on general tree maintenance and tree risk management is available for reference in the following links:
 - 護養樹木的簡易圖解:
http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf
 - 樹木管理手冊:
https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html
 - 樹木風險評估及管理安排:
https://www.greening.gov.hk/tc/tree_care/tra_arrangements.html
 - 護養樹木 保障安全:
http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Chinese_Leaflet_Big_font_size_v1_2012_03_29.pdf
 - 減低樹木風險的樹木護養簡易圖解 :
[http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk\(eng\).pdf](http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk(eng).pdf)
 - 工程期間的樹木護理
https://www.greening.gov.hk/filemanager/content/pdf/knowledge_database/tree_column/tree_management_practice_note_no.1.pdf; and
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that it is mentioned in the proposal that the existing footpath between two pieces of site (i.e. CS-225 and CS-226 in Drawing A-1 of the RNTPC Paper) will be retained. If it is the case and the footpath is remained as GL, the development intensity and the site areas of the two pieces of site shall be separately

considered. Otherwise, if the case of existing footpath is to be included in site areas and required to be retained as part of any street under Regulation 2 of the Building (Planning) Regulations (B(P)R), it may be deducted from the site area for the purpose of plot ratio and site coverage calculations under Regulation 23(2)(a) of the B(P)R. Detailed comments will be provided at the building plans submission stage. The applicant's attention is drawn to the following points:

- (i) if the existing structures are erected on leased land without approval of BD (not being a New Territories Exempted House), they are unauthorized under BO and should not be designated for any approved use under the application;
- (ii) before any new building works (including shelters, containers and structures for temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorised 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 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;
- (iv) in connection with (ii) above, 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 the B(P)R respectively;
- (v) 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; and
- (vi) sanitary fitment and barrier free accessibility facilities shall be provided to the development.