

**Advisory clauses**

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department that the Site comprises Old Schedule Lots (OSLs) and a New Grant Lot. The mother lots of Lot Nos. 1387 S.A RP, 1387 RP, 1389 S.A RP and 1389 RP in D.D. 121 are OSL of house and agricultural status. Lot Nos. 1396 S.A, 1396 S.B and 1396 RP in D.D. 121 are OSL of agricultural status. OSL of agricultural status held under Block Government Lease contains the restriction that no structures are allowed to be erected without the prior approval of the Government. Apart from that, Lot No. 1388 in D.D. 121 is a New Grant lot which shall not be used for any purpose other than agricultural use. No permission is given for occupation of Government land (GL) (about 37 m<sup>2</sup> subject to verification) included in the Site. Any occupation of GL without Government's prior approval is not allowed. Lot Nos. 1387 S.A RP and 1389 S.A RP in D.D. 121 are covered by Short Term Waiver (STW) No. 863 to permit structures erected thereon for the purpose of "Storage of Rubber Materials". The Site is accessible from Ma Fung Ling Road via GL. Her office does not provide maintenance work for GL involved and does not guarantee any right-of-way over the GL to the Site. The STW holder(s) will need to apply to her office for modification of the STW conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to her office to permit the structures to be erected or regularise any irregularities on the Site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Furthermore, the applicant has to either exclude the GL from the Site or apply for a formal approval prior to the actual occupation of the GL. Applications for any of the above will be considered by her department acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application 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 her department;
- (d) to note the comments of the Commissioner for Transport that sufficient space should be provided within the Site for manoeuvring of vehicles;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Ma Fung Ling Road;
- (f) to note the comments of the Director of Environmental Protection that suitable treatment facilities should be provided to handle sewage arising from the proposed use. Effluent discharges from the proposed use are subject to control under the Water Pollution Control Ordinance (WPCO). A discharge licence under the WPCO shall be obtained before a new discharge is commenced. If septic tank and soakaway system are proposed, its design and construction should follow the requirements of the Professional

Persons Environmental Consultative Committee Practice Note No. 5/93 (ProPECC PN 5/93) – “Drainage Plans Subject to Comment by the Environmental Protection Department”. 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 should be followed to minimise any potential environmental nuisances on the surrounding area;

- (g) to note the comments of the Director of Fire Services that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Relevant layout plans incorporated with the proposed FSIs should be submitted to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should also be clearly marked on the layout plans. If the proposed structure(s) is required to comply with the Buildings Ordinance (BO)(Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of BD, they are unauthorised building works (UBW) under 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 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 BO. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of BD should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with 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 4.5 m wide, its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at the building plan submission stage; and
- (i) to note the comments of the Chief Engineer/Housing Projects 2, Civil Engineering and Development Department that the Site falls within the Housing Department (HD)’s Phase 2 Public Housing Development at Long Bin. The construction of site formation and infrastructure works at Phase 2 Public Housing Development under the Agreement No. CE 75/2017 (CE) “Site Formation and Infrastructure Works for Public Housing Development at Long Bin, Yuen Long – Investigation, Design and Construction” is targeted to commence in end 2022/early 2023 for completion in end 2025/early 2026 to facilitate HD’s population intake in 2029. The applicant should ensure that the proposed use would not contaminate the Site as any contamination would seriously affect the construction programme of the site formation works.