

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 government land (GL) and Old Schedule Agricultural Lots 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. No permission is given for occupation of GL (about 188.6m² subject to verification) included in the Site. Attention is drawn to the fact that any occupation of GL without Government's prior approval is not allowed. The Site is accessible from Yuen Lung Street via GL. Her office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The lot owner(s) will need to apply to her office to permit the structures to be erected or regularise the irregularities on site, if any. Besides, given the applied 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 portion from the Site or apply for a direct grant Short Term Tenancy for use of the Site. Application for any of the above will be considered by her department 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 her department;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that the proposed access arrangement of the Site from Yuen Ching Road should be commented by Transport Department, as his office does not and will not maintain any access connecting the application site and Yuen Ching Road, the applicant should be responsible for his own access arrangement. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains. The portion of adjacent Slope No. 6NW-B/F87 under his department's maintenance should not be affected;
- (e) to note the comments of the Director of Environmental Protection that the applicant is advised 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 her department to minimise any potential environmental nuisances;
- (f) 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. The applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of where the proposed FSIs to be installed should also be clearly marked on the layout plans. The applicant is also reminded that 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. The applicant is advised to clarify whether there is access for emergency vehicles being provided to reach 30m travel distance from the enclosed structures;

- (g) to note the comments of the Comments of the Chief Building Surveyor/New Territories West, Buildings Department that if the existing structures (not being a New Territories Exempted House) are 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, 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) are to be carried out on the Site, prior approval and consent of BD should be obtained, otherwise they are unauthorised building works (UBW) under BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with 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, and 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 B(P)R at the building plan submission stage; and
- (h) to note the comments of the Director of Leisure and Cultural Services that the short-term use of the Site should not restrict or adversely affect the future development of the sports centre and open space, the allocatee/operator should facilitate her department, Architectural Services Department and/or their work agent(s) in visiting the Site whenever necessary and carrying out site investigation works for the construction of the project, including but not limited to topographical survey, ground investigation, removal of obstructions, etc. during the allocation period, her department will not be requested to re-provision the short-term use when the Site is resumed for redevelopment; and her department may resume the land without compensation to the allocatee/operator when the Yuen Long District Council requests to kick off the development on the Site.