

Recommended Advisory Clauses

- (a) to note DLO/YL, LandsD's comments that the application site (the Site) is located on unleased land/unallocated Government Land (GL). No permission is given for occupation of GL (about 1,580m² subject to verification) included in the Site. The applicant's attention is drawn to the fact that the act of occupation of GL without government's prior approval is not allowed. The Site is accessible to Fairview Park Boulevard through both GL and private land. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way. The Site does not fall within Shek Kong Airfield Height Restriction Area. The applicant has to apply for a direct grant STT for use of the Site. Such application will be considered by the Lands Department (LandsD) acting in the capacity as landlord 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 imposed by LandsD;
- (b) to note C for T's comments that the Site is connected to the public road network via a section of a local access which is not managed by Transport Department (TD). The land status of the local access road should be clarified with LandsD by the applicant. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
- (c) to note CHE/NTW, HyD's comments that his department does not and will not maintain any access connecting the Site to Bauhinia Road South/ Fairview Park Boulevard. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (d) to note DEP's comments that the applicant is reminded that all wastewater from the Site shall comply with the requirements stipulated in the Water Pollution Control Ordinance. The applicant should also follow the relevant mitigation measures listed in Annex 1 of the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites", so as to minimize the water quality impact to the fish ponds abutting the boundary of the Site;
- (e) to note DAFC's comments that the applicant is advised to adopt appropriate measures to avoid causing pollution or disturbance to the adjacent fishponds. Existing trees on site should also be preserved;
- (f) to note D of FS's comments that the arrangement of emergency vehicular access (EVA) shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the Building Department;
- (g) to note CTP/UD&L, PlanD's comments that the applicant is reminded that for any proposed tree works or removal scheme within the Site, the applicant should approach relevant authority/ government department(s) direct to obtain the necessary approval. The applicant shall take reference to the following information/ guideline published by the Greening, Landscape & Tree Management Section, Development Bureau for tree maintenance and carrying out good practices of annual exercise of Tree Risk Assessment:
 - (i) Information About Tree Maintenance For Private Properties (https://www.greening.gov.hk/en/tree_care/Handbook_on_Tree_Management.html) and

(ii) Pictorial Guide for Tree Maintenance (https://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf);

- (h) to note DLCS's comments that from tree preservation point of view, every possible effort should be made to preserve existing trees within and adjacent to the Site and minimise the adverse impact to them during the works periods. If trees are inevitably affected, Tree Preservation and Removal Proposal (TPRP) should be made to LandsD for approval in accordance with Development Bureau Technical Circular (Works) No. 7/2015. He reserves the right to comment on TPRP (if any) when he receives LandsD's request for giving advice; and
- (i) to note DFEH's comments that no Food and Environmental Hygiene Department's (FEHD) facilities will be affected and such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding. For any waste generated from the operation / activities, the applicant should arrange its disposal properly at her own expenses. Proper licence/permit issued by FEHD is required if there is any catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.