

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site is located within the Lot which is an old schedule agricultural lot held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The ownership particulars of the Lot forming the Site have to be examined in details at the land exchange application stage, if applied. The Site has an area of about 450.7m², of which site area, site boundaries, lease details, etc. are subject to verification upon receipt of land exchange application (if any). Land exchange would be required to implement the proposal. Upon receipt of the land exchange application, LandsD will consider the application in its private capacity as landlord and there is no guarantee that the land exchange, including but not limited to the grant of any right of way (if any), for the proposed development will be approved. The land exchange, if approved, will be subject to such terms and conditions, including, among other things, payment of premium, administrative fee and other applicable fees, to be imposed by LandsD as at sole discretion;
- (b) to note the comments of the Commissioner for Transport (C for T) that the Site is connected to the public road network via a section of local access which is not managed by Transport Department. The land status of the local access road should be clarified with the 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. Prohibition of vehicles longer than 7m entering Ngau Tam Mei Road from San Tam Road is currently implemented. Only private car or light goods vehicle not exceeding 7m length are allowed to access the Site. No vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that the section of Ngau Tam Mei Road between Greenacres Villa and the Site is not and will not be maintained by his Department;
- (d) to note the comments of the Director of Environmental Protection (DEP) that the provision of septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the Environmental Protection Department (EPD)'s Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the EPD" and are duly certified by an Authorized Person (AP);
- (e) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant shall propose necessary measures to avoid polluting the adjacent natural stream during construction and operation of the proposed use;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant should submit a drainage proposal showing how the existing watercourse at eastern side will be protected and not be adversely affected by the proposed works, considering the overland flow from the west of the Site could be maintained across the Site, and including measure(s) to show how the flow paths of overland flow from and/or across the Site could be intercepted and disposed

properly without including adverse drainage impact to both surrounding areas and the Site, and to implement the drainage proposal for the development;

- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of the BA, they are unauthorized building works (UBW) under the Building Ordinance (BO) and should not be designated for any approved 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 the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing works or UBW on the Site under the BO. Before any new building works (including containers and open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, the prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorized 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) Regulation (B(P)R) respectively. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage. For features applied to be excluded from the calculation of the total gross floor area, it shall be subject to compliance with the requirements laid down in the relevant Joint Practice Notes and Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP). For example, the requirements of building set back, separation and site coverage of greenery as stipulated in PNAP APP-152. Detailed checking will be carried out during building plan submission stage;
- (h) 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 P(Planning) Regulation 41(D) which is administered by the BD;
- (i) to note CE/C of WSD's comments that existing water mains will be affected as shown on the plan (plan enclosed in **Appendix IIIa** refers). A waterworks reserve within 1.5m from the centreline of the water mains shall be provided to WSD. No structure shall be built or materials stored within this waterworks reserve. Free access shall be available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works. No trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main shown on the plan. Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site; and
- (j) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that the applicant shall approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within or in the vicinity of the application site. Based on the cable plans and the relevant drawings obtained, if there

is underground cable and/or overhead line within or in the vicinity of the application site, the applicant shall carry out the following measures:

- (i) For Site within the preferred working corridor of high voltage overhead lines at transmission voltage level 132kV or above as stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG) published by the Planning Department, prior consultation and arrangement with CLP Power is necessary;
- (ii) Prior to establishing any structure within the application site, the applicant and/or his contractors shall liaise with the electricity supplier and, if necessary, ask CLP Power to divert the underground cable and/or overhead line away from the vicinity of the proposed structure; and
- (iii) The Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation shall be observed by the applicant when carrying out works in the vicinity of the electricity supply lines.

