

Advisory Clauses

- (a) to note the comments of District Lands Officer, North (DLO/N), Lands Department:
- (i). any land exchange application to be submitted to effect the s.16 application should be submitted by all owners of the concerned lots and the titles have to be unified prior to surrender;
 - (ii). as revealed from planning statement, the area under application has encroached the adjoining government land with fence/ boundary wall, DLO/N reserves the right to take appropriate land control action;
 - (iii). as revealed from planning statement, apart from the building under building licence (No. 880/58), there is another structure in Lot 344B s.2 RP in D.D. 94, DLO/N reserves the right to take appropriate lease enforcement action against that structure; and
 - (iv). if the lot owner applies to Lands Department for a land exchange, such application will be considered by the Lands Department 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 as considered appropriate including but not limited to the revision of site boundary, the payment of premium and administrative fee. There is no guarantee that any government land involved will be granted.
- (b) to note the comments of Chief Building Surveyor/New Territories West, Buildings Department:
- (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 the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
 - (ii). before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorized 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 the 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; and
 - (iv). detailed consideration will be made at the building plan submission stage.
- (c) to note the comments of the Director of Environmental Protection on the Traffic Noise Impact Assessment and to rectify the deficiencies when preparing the Noise Impact Assessment (NIA) report:
- (i). s.4.4.2 and Appendix B – Hang Tau Road is a local road with 2 lanes only. The predicted road traffic noise levels at the proposed houses (max. 76dB(A)) are exceptionally high for such local road. Transport Department (TD)'s agreement on the traffic data adopted for road traffic noise assessment shall be provided. Should TD only express no comment on the methodology for the traffic forecast, the consultant should provide written confirmation from respective competent party (e.g. traffic consultant) that the TD's endorsed methodology has been strictly adopted in preparing the traffic forecast and hence the validity of the traffic data;
 - (ii). Table 4-1, s.4.7.4 to s.4.7.7 – According to the Table 4-1, exceedance (70.5dB(A)) is also predicted at assessment point 22 (BLK1_1F_MBedroom). Mitigation measures for this ventilation opening is required. Please review;
 - (iii). s.4.7.6 and Appendix C – Acoustic window (baffle type) are proposed for the ventilation openings of master bedroom of the 2 houses. When room size(s) and configuration(s) of the acoustic window (baffle type) are available in the development of MLP/GBP, figures showing specific configurations, and further justification to substantiated the noise reduction performance of the acoustic window (baffle type) shall be provided. Otherwise, other at-receiver mitigation measures shall be adopted to achieve 100% compliance with traffic noise standard;
 - (iv). Figure 2 and Figure 3 – Please clarify if the fence wall provided for the 2 houses will be solid fence wall;
 - (v). Noise model – the height of fence wall in the noise model is 3m instead of 2.82m as shown in Figures 2 – 4. With the corrected height of 2.82m for the fence wall, assessment points 22 – 25 of

MBedroom would exceed the noise limit of 70dB(A). The applicant shall incorporate additional measures in the MLP/GBP to mitigate the adverse road traffic noise impacts;

- (vi). please address if there is any fixed noise sources(s) in the surrounding environment and whether there will be any fixed noise source impacts on the proposed houses;
 - (vii). please address if there is any fixed noise source(s) within the proposed development, and whether HKPSG noise standards can be complied with; and
 - (viii). an undertaking letter from the developer shall be provided as part of the NIA report.
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that detail comments will be provided upon receipt of the drainage and sewerage proposal, for instance, sewer connection pipes should have size of at least 200mm diameter and the terminal manholes should be located within the lot as near to the lot boundary as possible;
 - (e) to note the comments of the Director of Agriculture, Fisheries and Conservation that there is a pond located to the east of the application site. The applicant should avoid causing pollution to the pond; and
 - (f) to note the comments of the Chief Engineer/Construction, Water Supplies Department that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to his department's standards.

