

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL of LandsD) that:
- (i) the Site comprises an Old Schedule Agricultural Lot 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;
 - (ii) the Site is accessible from Route Twisk via Government Land (GL). His office provides no maintenance work for GL involved and does not guarantee any right-of-way over GL to the Site;
 - (iii) the Site falls within the Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structures shall not exceed relevant airfield height limit within SKAHRA; and
 - (iv) the lot owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application(s) 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 LandsD.
- (b) to note the comments of the Commissioner for Transport (C for T) that the local access between Route Twisk and the Site is not managed by Transport Department (TD). The land status of the local access road should be checked with LandsD. 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 the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW of HyD) that:
- (i) Woolwich Road is not/shall not be maintained by HyD;
 - (ii) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Route Twisk; and
 - (iii) adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to nearby public roads or exclusive road drains.
- (d) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that construction wastes were observed at the southern part of the Site, which may be a case of “destroy first, develop later” that should not be encouraged.

- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L of PlanD) that a natural stream runs through the southern part of the Site from east to west (**Plan A-2**). Appropriate treatment of the existing stream is necessary to minimize the potential adverse impact to the landscape resources arising from the proposed development.
- (f) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) noting that part of the Site is located within “CA” zone, the applicant is reminded that all projects including new access roads, railways, sewers, sewage treatment facilities, earthworks, dredging works and other building works partly or wholly in a conservation area is a designated project (DP) under Item Q.1, Schedule 2 Part I of the Environmental Impact Assessment (EIA) Ordinance, except those listed under Items Q.1(a) to (j). An environmental permit (EP) is required for the construction and/or operation of a DP. There is no valid EP issued in relation to the proposed use at the Site; and
 - (ii) the applicant is also reminded that effluent discharges from the proposed development are subject to control under the Water Pollution Control Ordinance. It is the obligation of the applicant to meet all statutory requirements under relevant pollution control ordinances and provide necessary mitigation measures to prevent polluting the watercourse adjacent to the Site.
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN of DSD) on the submitted drainage proposal that:
 - (i) the gradients and the dimension of the proposed U-channels should be shown on the drainage plan;
 - (ii) the invert levels of the proposed catchpits should be shown on the drainage plan for reference;
 - (iii) the existing drainage facilities, to which the stormwater of the development from the Site would discharge, are not maintained by his office. The applicant should identify the owner of the existing drainage facilities to which the proposed connection will be made and obtain consent from the owner prior to commencement of the proposal works. In the case that it is a local village drains, DO/YL of HAD should be consulted;
 - (iv) the applicant should check and ensure the hydraulic capacity of the existing drainage facilities would not be adversely affected by the development;
 - (v) the location and details (i.e. cross section) of the proposed hoarding/peripheral wall, if any, should be shown on the proposed drainage plan and overland flow from adjacent area should not be obstructed;
 - (vi) the development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.; and

- (vii) the applicant should consult DLO/YL of LandsD and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works.
- (h) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
 - (i) for the operation of any type of food business, relevant food licences should also be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132); and
 - (ii) if the proposal involves any commercial/trading activities, no environmental nuisance should be generated to the surroundings. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses.
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW of BD) that:
 - (i) if the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of the Building Authority (BA), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
 - (ii) 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 unauthorized building works (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;
 - (iii) 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 the BA should be obtained, otherwise they are UBW under BO. An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with BO;
 - (iv) 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 respectively; and
 - (v) 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 Building (Planning) Regulations at the building plan submission stage.
- (j) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) in consideration of the design/nature of the proposal, fire service installations are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations 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 fire service installations to be installed should be clearly marked on the layout plans; and

- (ii) the applicant is reminded that if the proposed structure(s) is required to comply with the BO, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (k) to liaise with the locals to address local concerns.