

Advisory Clauses

- (a) note DLO/YL, LandsD's comments that the Site is located on unleased Government Land (GL). No permission is given for occupation of GL (about 11.95m² subject to verification) included in the Site. Any occupation of GL without Government's prior approval is not allowed. The Site is accessible to San Tam Road via GL. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The applicant has to apply for a formal approval prior to the actual occupation of the GL. Such application(s) 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 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 the LandsD;
- (b) note CHE/MN, NTW/HyD's comments that HyD is not and shall not be responsible for the maintenance of the access road connecting the Site and San Tam Road. 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;
- (c) note CE/RD1-1, RDO, HyD's comments that the Site falls within the administrative route protection boundary for the NOL. The applicant shall satisfy itself as to the extent of the railway to be constructed within the NOL route protection boundary. The applicant shall ensure that the activities to be carried out within the NOL route protection boundary will not cause disruption to the construction, use and operation of the NOL. If required by the Government or MTR Corporation Limited, the applicant shall at his own expense, relocate the proposed structures to facilitate the implementation of the NOL. The applicant shall, at all times, permit the Government, MTR Corporation Limited or other duly authorized officers, servants and contractors without payment of any nature whatsoever the right of ingress/egress and regress to, from and through including occupation and staying at the lot or any part of the lot at all times with or without tools, vehicles, machinery or equipment to carry out works, and for the purposes of any survey, inspection, examination, maintenance, operation, improvement or development in connection with the NOL. The development in connection with the NOL includes, but not limited to, using the lot or any part of the lot as temporary works site, or temporary carriageway or footpath, etc., for the construction of or re-construction of NOL. The applicant should be reminded that although the programme and the alignment of the proposed NOL are still under review, those areas within the administrative route protection boundary may be required to be vacated at the time for the construction of the NOL;

- (d) note D of FS's comments that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. The Emergency Vehicular Access 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 (Planning) Regulation 41D which is administered by the Buildings Department;
- (e) note DEMS's comments that for the design and operation of electricity package substation, CLP Power has to comply with the Electricity Ordinance and relevant statutory requirements. As the electricity package substation is to provide electricity supply to some future developments in the vicinity, the associated electricity demand should be provided by the nearby substation as far as possible. 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 and his contractors when carrying out works in the vicinity of electricity supply line;
- (f) note D of Health's comments that according to the World Health Organization (WHO), with compliance with the relevant International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, exposure to extremely low frequency electromagnetic fields, such as those generated by electrical facilities would not pose any significant adverse effects to workers and the public. As such, the project proponent must ensure that the installation complies with the relevant ICNIRP guidelines or other established international standards. WHO also encourages effective and open communication with stakeholders in the planning of new electrical facilities; and
- (g) note CBS/NTW, BD's comments that if the existing structures are erected on leased land without approval of the 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. Before any new building works (including container/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 co-ordinator for the proposed building works in accordance with the BO. 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 works or UBW on the Site under 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) Regulations respectively. If the Site does not abut on a specified street of not less than 4.5 m wide, its permitted development

intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulations at the building plan submission stage.

