

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) as follows:
- (i) the lot under application is Old Schedule lot held under the Block Government Lease (demised for agricultural use) without any guaranteed right of vehicular access. The applicant should make its own arrangement, and there is no guarantee that any adjoining Government Land will be allowed for vehicular access of the proposed use;
 - (ii) the existing structures on the Site were erected without approval from her office. The aforesaid structures are not acceptable under the Leases concerned. Her office reserves the right to take enforcement actions against the aforesaid structures;
 - (iii) the application lot encroaches on the boundary of historical or archaeological interest; and
 - (iv) should planning approval be granted, the owner of the lot concerned shall apply to his office for a Short Term Waiver (STW) covering all the actual occupation area. The application for STW will be considered by Government in its landlord's capacity and there is no guarantee that it will be approved. If the STW is approved, its commencement date would be backdated to the first date of occupation and it will be subject to such terms and conditions to be imposed including payment of waiver fee and administrative fees as considered appropriate by her office;
- (b) to note the comments of the Commissioner for Transport (C for T) that the vehicular access between the Site and Ng Chow Road is not managed by Transport Department. The applicant should seek comment from the responsible party;
- (c) to note the comments of the Chief Highway Engineer/NT East, Highways Department (CHE/NTE) that the section of Ng Chow Road adjacent to the Site is not under HyD's maintenance purview;
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the Site is in an area where no public sewerage connection is available;
- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) as follows:
- (i) before any new building works are to be carried out on the Site, the prior approval and consent of BD should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (ii) for UBW erected on leased land, enforcement action may be taken by the BA 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;

- (iii) any temporary shelters or converted containers for storage or washroom or workshop or other uses are considered as temporary buildings are subject to the control of Pt. VII of the Building (Planning) Regulations (B(P)Rs)
 - (iv) the site shall be provided with means of obtaining access thereto from a street under Building (Planning) Regulations (B(P)Rs) 5 and emergency vehicular access shall be provided under B(P)Rs 41D;
 - (v) if the Site is not abutting on a specified street having a width not less than 4.5 m, the development intensity shall be determined by the BA under B(P)Rs 19(3) at the building plan submission stage; and
 - (vi) formal submission under the BO is required for any proposed new works, including any temporary structures. Detailed comments under BO will be provided at the building plan submission stage;
- (f) to note the comments of the Director of Fire Services (D of FS) as follows:
- (i) the applicant should be advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of where the proposed FSI 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 Building Ordinance (Cap.123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (g) to note the comment of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should be reminded to avoid causing any damage or disturbance to the existing trees and the natural environment nearby; and
- (h) to note the comment of the Director of Environmental Protection (DEP) that the applicant is advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' (COP) and ProPECC PN 1/94 Construction Site Drainage and should also comply with all environmental protection/ pollution control ordinances, including Water Pollution Control Ordinance, since there is a watercourse about 25m away from the Site.