

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) to note the comments of District Lands Officer/North, Lands Department that the Site is an Old Schedule Agricultural Lot without any guarantee of right of vehicular access. The applicant should make his own arrangement for acquiring access. The Government shall accept no responsibility in such arrangement. If the planning application is approved, the owner of the lot concerned shall apply to his office for a Short Term Waiver (STW) to cover the proposed structures on site. 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, it will be subject to such terms and conditions to be imposed including payment of waiver fee and administrative fee as considered appropriate by his office;
- (c) to note the comments of Commissioner for Transport that the vehicular access between Sha Tau Kok Road and the Site is not managed by Transport Department. The applicant shall seek agreement/comment from the responsible party for the management and maintenance measures to be implemented for the vehicular access;
- (d) to note the comments of Chief Highway Engineer/New Territories East, Highways Department that the village track leading to the Site is not maintained by his department;
- (e) to note the comments of Chief Town Planner/Urban Design and Landscape, Planning Department that all existing trees within the Site should be maintained at all times during the approval period;
- (f) to note the comments of Chief Engineer/Mainland North, Drainage Services Department that the Site is in an area where no public sewerage connection is available;
- (g) to note the comments of Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) on the following:
 - (i) the proposed temporary building/structure is subject to control of Part VII of the Building (Planning) Regulations (B(P)Rs). The proposed building works require prior approval and consent under the Buildings Ordinance (BO);
 - (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 BA should be obtained, otherwise they are Unauthorised Building Works (UBW). An Authorised Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iii) for any 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;

- (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 B(P)Rs respectively;
 - (v) if the Site is not abutting on a specified street having a width not less than 4.5m, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)Rs at the building plan submission stage; and
 - (vi) detailed comments under the BO will be provided at the building plan submission stage;
- (h) to note the comments of the Director of Fire Services on the following:
- (i) emergency vehicular access arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by the BD; and
 - (ii) detailed fire safety requirements will be formulated upon receipt of formal submission of the general building plans;
- (i) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the development, the applicant may need to extend the 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 WSD's standard;
- (j) to note the comments of the Director of Agriculture, Fisheries and Conservation that precautionary measures to avoid water pollution to the nearby stream should be provided; and
- (k) to note the comments of the Director of Environmental Protection to follow ProPECC PN 5/93 to prevent water pollution and install devices such as gully grates to prevent rubbish from entering the drain and any stream in vicinity of the Site during operation (and, if any, constructions). It is noted that an oil interceptor will be installed and the applicant is reminded to provide regular cleaning of the above devices and to follow the environmental mitigation measures as set out in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by Director of Environmental Protection in order to minimize any possible environmental nuisances.