

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 the District Land Officer/North, Lands Department as follows:
 - (i) the lots under application are Old Schedule Lots held under Block Government Lease (demised for agricultural use) without any guaranteed right of access. The applicant should make his own arrangement for acquiring access. The Government should accept no responsibility in such arrangement, and there is no guarantee that any adjoining Government land will be allowed for the vehicular access of the applied use;
 - (ii) the actual occupation area does not tally with the application;
 - (iii) the existing structures on the Site were erected without approval from his office. The aforesaid structures are not acceptable under the lease concerned. This office reserves the right to take enforcement actions against the aforesaid structures; and
 - (iv) if the application is approved, the individual owner of the lots concerned shall apply to his office for a Short Term Waiver (STW) covering all the actual occupation area. The applications for STW will be considered by government in its landlord's capacity and there is no guarantee that they will be approved. If the STW applications are approved, their 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 fee as considered appropriate by his office.
- (c) to note the comments of the Commissioner for Transport that the vehicular access between the Site and Sha Tau Kok Road – Ma Mei Ha is not managed by the Transport Department. The applicant should seek comment from the responsible party. The applicant should also demonstrate the satisfactory manoeuvring along this vehicular access, preferably using the swept path analysis;
- (d) to note that comments of the Chief Engineer/Construction, Water Supplies Department 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 standards;
- (e) 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;
- (f) to note the comments of the Chief Building Surveyor/ New Territories West, Buildings Department as follows:
 - (i) if the existing structures are erected on the leased land without approval of the

Buildings Department (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 captioned application;

- (ii) before any new building works are to be carried out on the Site, the prior approval and consent of the Building Authority (BA) 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) the shades for car park are considered as temporary buildings which are subject to control under Building (Planning) Regulation (B(P)R) Pt. VII;
 - (iv) the Site shall be provided with means of obtaining access thereto from a street under the B(P)R 5 and emergency vehicular access shall be provided under the B(P)R 41D;
 - (v) if the Site is not abutting on a specified street having a width not less than 4.5m wide, the development intensity shall be determined under B(P)R 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 building plan submission stage;
- (g) to note the comments of the Director of Fire Services as follows:
- (i) in consideration of the design/ nature of the proposed use, the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his satisfaction;
 - (ii) 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
 - (iii) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (h) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department that the access road adjacent to the Site is not maintained by Highways Department; and
- (i) to follow the environmental mitigation measures as set out in the latest "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the DEP in order to minimize any possible environmental nuisances.