

**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 Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
  - (i) the Site is held under Block Government Lease demised for agricultural purpose, no structure shall be erected thereon without prior approval from LandsD; and
  - (ii) if the STW application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD including the payment of waiver fee and administrative fee as considered appropriate. There is no guarantee to the grant of a right of way to the Site or approval of Emergency Vehicle Access (EVA) thereto;
- (c) to note the comments of the Director of Environmental Protection (DEP) that the applicant should follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling Environmental Aspects of Open storage and Temporary Uses;
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
  - (i) there is no public drain maintained by DSD in the vicinity of the Site. The development should have its own stormwater collection and discharge systems to cater for the runoff generated within the Site and overland flow from surrounding of the Site. The applied use will increase the impervious area, resulting in a change of the flow pattern and an increase of the surface runoff and thus the flooding risk in the area. The applicant should take this into account when preparing the drainage proposal. The applicant/owner is also required to maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems; and
  - (ii) the applicant should design the drainage proposal based on the actual site conditions for DSD's comment/agreement. In the design, the applicant should consider the workability, the impact to the surrounding environment and seek comments from other concerned parties/departments if necessary. He should make sure no adverse impact will be caused to the area due to the proposed works. The existing natural streams, village drains, ditches and the adjacent areas should not be adversely affected;

- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application;
  - (ii) for UBW erected on leased land, enforcement action may be taken by the BD to mobilize 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) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
  - (iv) in connection with (iii) above, the Site shall be provided with means of obtaining access thereto from a street and EVA in accordance with Regulations 5 and 41D of the Building (Planning) Regulations respectively; and
  - (v) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulations at the building plan submission stage;
- (f) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
- as surface run off from the Site will be directly discharged to the Lam Tsuen River, in order to safeguard the raw water quality in WGG, the applicant shall ensure that there is no overall material increase in pollution effect resulting from the development and activities, particularly for the followings:
    - (i) no discharge of effluent or foul water into adjoining land, storm water drain, channel, stream or river course is allowed. Such foul water or effluent shall be collected and disposed of outside the WGG;
    - (ii) all solids and sludge arising from the development shall be disposed of properly outside WGG;
    - (iii) the use and storage of pesticides, toxicants, flammable solvents, tar and petroleum oil are strictly prohibited within WGG;
    - (iv) no chemicals including laticidal oil, rodenticide and fertilizers shall be used without the prior approval from the Water Authority;

- (v) oil leakage or spillage shall be prevented within WGG at all times;
  - (vi) the loading/unloading spaces under the application shall be as far away from any water course as possible;
  - (vii) fencing shall be erected on the sides facing the nearest stream course to trap all wind-blown litters such as paper, plastic bags, bottles and boxes within the Site;
  - (viii) the loading and unloading spaces shall be surrounded by kerbs and drains. Drainage traps such as grease traps and petrol interceptors shall be installed at each of the drainage outlets and shall be under proper maintenance;
  - (ix) oil and grease decontamination kit such as absorbent pads shall be made available by the vehicle park owner to decontaminate any possible oil leakage or spillage; and
  - (x) no activity other than storage of tile, operation of the warehouse and the loading/unloading activities specified shall be allowed;
- (g) to note the comments of the Director of Fire Services (D of FS) that:
- (i) the applicant should submit relevant layout plans incorporated with the proposed fire service installations (FSIs) for his approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSI to be installed should be clearly marked on the layout plans; and
  - (ii) if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (h) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that there is a high pressure underground town gas transmission pipeline (running along Lam Kam Road) in the vicinity of the Site. The project proponent/consultant/works contractor shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations in the vicinity of Site and any required minimum set back distance away from them during the design and construction stages of development. Also, they are required to observe the Electrical and Mechanical Services Department's requirements on the "Avoidance of Damage to Gas Pipes 2<sup>nd</sup> Edition" for reference.