

**Advisory Clauses**

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (b) prior planning permission should have been obtained before commencing the applied use at the Site;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the proposed development will be in breach of the lease conditions governing the lots. The lot owner will need to apply to the Lands Department for a land exchange to effect the proposed development. The areas of the applied lots will be verified at the land exchange stage. Such application will only be considered by the Lands Department acting in its capacity as a landlord at its sole discretion and there is no guarantee that the application for the land exchange for the proposed development, including the grant of any additional Government land, will be approved. In the event that any such land exchange application is approved, it would be subject to such terms and conditions including among other things, the payment of premium and administrative fee, as may be imposed by Lands Department at its sole discretion. In the event that the proposed land exchange for seminary is to be granted at nominal/concessionary premium, policy support from HAB is required. As mentioned in para. 4.4.2 and Figure 3 in the Environmental Assessment at Appendix 4 to the Planning Statement (**Appendix Ia**), there is no existing sewer directly connected to the Site. A new (approximately 90m long) sewer pipe is proposed to connect to the existing sewerage system at manhole reference no. FMH1018715. The proposed sewer pipe (which is known as dark blue line on the Plan A-2) runs across an adjoining private lot, Lot No. 167 RP and Government Land in D.D. 121, comments should be sought from DSD on such proposed sewer pipe connection. If the local track is not managed nor maintained by TD, HyD or DO, the applicant is reminded to note that any right of access over the local track is not guaranteed to be given by LandsD and will be considered at land exchange application stage, if received. As shown on Plan 1 at Annex B of Part I of **Appendix Id**, pedestrian access to the Site will pass through an adjoining private lot, namely Lot No. 176 RP in D.D. 121. Notwithstanding that there is a private agreement between the applicant and the owner of Lot No. 176 RP in D.D. 121 to use the private lot as an access to the Site as contained in Appendix I of the Planning Statement dated July 2017 (**Appendix Ia**), there is no guarantee that any right of access for pedestrian access will be given to the Site;
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that as there is no record of approval by the Building Authority for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application. If the existing structures (not being New Territories Exempted Houses) are erected on leased land without 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. For the 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. Presuming the site is abutting on a specified street of less than 4.5m wide, then the development density shall not exceed the permissible figures under the First Schedule of the Building (Planning) Regulations [B(P)R]. Otherwise, the development intensity shall be determined under B(P)R 19(3) during plan submission stage and his comment on the maximum and plot ratio is reserved. The Site shall be provided with means of obtaining access there to from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the B(P)R respectively. The accessible parking space(s) shall be provided in accordance with B(P)R 72 and paragraph 8 in Schedule 3 of the B(P)R. Before any new building works are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building work. An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO. Detailed checking of plans will be carried out upon formal submission of building plans;

- (e) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads. The local track leading to the Site is not under TD's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains. HyD shall not be responsible for the maintenance of any access connecting the Site and Hung Tin Road or Castle Peak Road- Ping Shan;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that peripheral channels should be provided along the lot boundary to intercept the overland flow from the adjacent lands and to collect the surface runoff accrued on the Site. The land to the west of the Site is hilly and the ground level is over +40mPD. The surface runoff will be conveyed to the Site by overland flow. The applicant has to demonstrate how the surface runoff will be properly intercepted and discharged. The catchment area and runoff calculation should be provided in the drainage proposal. The gradients and the sizes of the proposed U-channels should be shown on the revised drainage plan. The cover levels and invert levels of the proposed U-channels, catchpits/sand traps should be shown on the revised drainage plan for his consideration. Cross sections showing the existing and proposed ground levels of the Site with respect to the adjacent areas should be given. Calculation should be provided to demonstrate whether the proposed drainage facilities area adequate to collect, convey and discharge the surface runoff passing through and accrued on the Site. Based on the topography, external catchments to the west of the Site should be taken into account. The existing drainage facilities to which the applicant proposes to discharge the stormwater from the Site should be indicated on plan. The relevant connection details should be provided for comments. In the case that it is a local village drains, DO/YL should be consulted. Sand trap or provision alike should be provided before the collected runoff is discharged to the public drainage facilities. Standard details should be

provided to indicate the sectional details of the proposed U-channel and the catchpit. Where walls or hoarding are erected are laid along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the Site. The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc. The applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works. The applicant is reminded to meet the full satisfaction of EPD, the planning authority of sewerage infrastructure, for the proposed sewage disposal scheme. Section 4.4.2 and Figure 3 of **Appendix Ia** – The 90m (approx.) long proposed sewer connection mostly falls on private lands. The applicant should consult DLO/YL, LandsD and seek consent from the relevant owners for any sewerage works to be carried out outside his lot boundary before commencement of the drainage works. Details of the proposed sewer connection to existing manhole FMH1018715 should be provided for comment;

- (h) to note the comments of the Director of Environmental Protection (DEP) that the applicant proposed to connect the proposed redevelopment to public sewer. The applicant should solve all technical issues and seek agreement from relevant land owners/government departments of the need to lay and operate the sewers in their land lots. The applicant is reminded to seek agreement from DSD about the proposed sewer works with respect to the actual alignment and connection point, maintenance of new sewer to be built by the applicant;
- (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 his/her 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;
- (j) to note the comments of the Director of Fire Services (D of FS) that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. The EVA 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 B(P)R 41D which is administrated by the BD;
- (k) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the applicant is reminded that the approval of the Landscape Plan under the Town Planning Board approval condition does not imply approval of tree works such as felling/transplanting or pruning under lease. Any proposed tree preservation/removal scheme involving trees outside site in particular, the applicant shall be reminded to approach relevant authority/government department(s) direct to obtain the necessary approval. Noted that the planting area and/or shrub layer is not currently indicated on plan. The planting area should be indicated on plan upon submission for compliance;
- (l) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that for any waste generated from the commercial/trading activities, the applicant

should arrange disposal properly at their own expenses. A relevant licence should be obtained from his Department if food business or related place of entertainment is involved. The operation of any eating place should be under a food licence issued by FEHD. If the operator intends to operate a restaurant business in the territory, a general restaurant/light refreshment restaurant licence should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap 132). The application for restaurant licence, if acceptable by FEHD, will be referred to relevant government departments, such as BD, FSD, PlanD for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance of all the requirements. Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment with Places of Public Entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement. A place of public entertainment licence should be obtained from FEHD whether the general public is admitted with or without payment. The application for PPE licence, if acceptable by FEHD, will be referred to relevant government departments, such as BD, FSD, PlanD, Police for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements. There should be no sanitary nuisance created to the surrounding during the operation of food business;

- (m) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines. For any development that introduces a substantial increase of nearby population to the aforesaid filling station, the original Quantitative Risk Assessment (QRA) study would no longer be valid. As such, it is required to conduct another QRA study taking into account the proposed development to substantiate that the government risk guidelines can still be met. Besides, the requirement in Section 3.7 "Special Requirements Relevant to LPG Filling Stations or Petrol Filling Station with LPG Filling Facilities" of Chapter 12 "Miscellaneous Planning Standards and Guidelines" of Hong Kong Planning Standards and Guidelines should be observed and followed; and
- (n) to note the comments of the Secretary for Education (EDB) that for school registration procedures, registration of schools is granted in accordance with the stipulated requirements under the Education Ordinance (Cap. 279) and relevant Guidelines. Clearance from the Town Planning Board and the LandsD should be

obtained in respect of the proposed school premises, in addition, the premises should be suitable for school use in terms of fire safety and building safety as confirmed by the FSD and the BD respectively. The applicant should also submit the documentary proof of the right to use the premises, Occupation Permit (for premises designed and constructed as a school), the proposed curriculum, courses and fees information, etc for his consideration.