

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises an Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The lot owner(s) of the lot without Short Term Waiver (STW) will need to apply to his office for permitting the structures to be erected or to regularise any irregularities on Site, if any. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) for any of the above will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by LandsD. The Site is accessible from Tin Ha Road through private lots. His office does not guarantee any right-of-way to the Site;
- (b) 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/drain. HyD shall not be responsible for the maintenance of any access connecting the Site and Tin Ha Road;
- (c) 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 Emergency Vehicular Access (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 Building (Planning) Regulation (B(P)R) 41D which is administered by the Buildings Department;
- (d) to note the comments of Director of Health (D of H) that according to the World Health Organisation (WHO), with compliance with the relevant International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, exposure to extremely low frequency electromagnetic fields, such as those generated by electrical facilities would not pose any significant adverse effects to workers and the public. As such, the project proponent must ensure that the installation complies with the relevant ICNIRP guidelines or other established international standards. WHO also encourages effective and open communication with stakeholders in the planning of new electrical facilities;
- (e) to note the comments of Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that the excavation works should be carried out under the supervision of a competent person. According to the Building (Minor Works) Regulation, excavation with a depth between 0.3m to 3m falls within the items of Class I or Class II minor works and subject to the Minor Work Control System. The excavation works should be supervised by competent persons, who are Professional and/or Prescribed Registered Contractor. Please note more details at the website (<http://www.bd.gov.hk/english/index.html>). Adequate precautionary measures and suitable working procedures should be adopted in carrying out the above works to safeguard the stability of any building, structure, land, street or services. Any precautionary measures, which involve new building works, are subject to the followings. When any natural, formed or man-made land has due to any cause been

rendered so dangerous or liable to become so dangerous that it will collapse, or be likely to collapse, and thereby will cause, or will be likely to cause, a risk of injury to any person or damage to any property, enforcement action may be taken by his Department. If there are existing structures (not being a New Territories Exempted House) erected on leased land without the approval of the Buildings Department (BD), they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the captioned application. For 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. Before any new building works (including containers/open sheds as temporary buildings, site formation works such as excavations on sloping land, filling) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorised Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO. 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 the Building (Planning) Regulations respectively. 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) Regulation at the building plan submission stage;

- (f) to note the comments of 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 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. The parties concerned 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; and
- (g) to note the comments of Director of Leisure and Culture Services (DLCS) that there may be excavation works at the vicinity. If excavation is beyond the Site boundary and will affect any trees maintained by LCSD, prior written consent from LCSD must be obtained.