

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 site falls within “Ngau Hom Shek Site of Archaeological Interest” (AM 77-0051). The site is accessible to Deep Bay Road through a local road on Government land (GL). His Office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the site. Should the application be approved, the lot owner(s) will need to apply to his Office to permit the structures to be erected or regularize any irregularities on site. Such application will be considered by LandsD acting in the capacity of the landlord at its sole discretion and there is no guarantee that such application will be approved. If such application 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;
- (b) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that the applicant should remind visitors to arrive the site by using public transport services;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that the access arrangement should be commented by TD. Adequate drainage measures should be provided at the site access to prevent surface water flowing from the site to nearby public roads and drains. HyD shall not be responsible for the maintenance of any access connecting the site and Deep Bay Road;
- (d) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should adopt appropriate measures to avoid impacts on existing trees on Government land adjacent to the site;
- (e) to follow the relevant mitigation measures and requirements in the latest ‘Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses’ issued by the Environmental Protection Department. Please note that septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the ProPECC PN 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department” and are duly certified by an Authorized Person (AP);
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that 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 unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO. 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. 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) Regulations at the building plan submission stage;

- (g) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans. The applicant is reminded that if the proposed structure(s) is required to comply with the BO (Cap. 123), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (h) to note the comments of the Chief Town Planning/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the landscape proposal under the application or approval condition does not imply approval of tree works such as felling/transplanting or pruning under lease. For any proposed tree preservation/removal scheme involving trees outside site in particular, the applicant shall approach relevant authority /government department(s) direct to obtain the necessary approval. The applicant may wish to consider planting tree species of fruiting or ornamental nature in support of the proposed hobby farm use in lieu of the proposed tree species *Ficus microcarpa* which displays wide spreading canopy and roots (as well as aerial/prop roots) habit. Any proposed farm area should be set back away from the drip line of existing trees to avoid damage to the roots (a likely cause of decline in tree health) of existing trees;
- (i) to note the comments of the Antiquities and Monuments Office (AMO) of Leisure and Cultural Services Department (LCSD) that the applicant should inform the AMO immediately in case of discovery of antiquities or supposed antiquities within the site; and
- (j) 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, organizing and supervising any activity near the underground cable or overhead line under the mentioned 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 concerned 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.