

Advisory clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department that Old Schedule Agricultural Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government. The Site is accessible from Castle Peak Road- Hung Shui Kiu through government land (GL). Her office provides no maintenance works for the GL involved and does not guarantee any right-of-way. The lot owners will need to apply to her office to permit structures to be erected or regularise any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by her department acting in the capacity of the landlord or lessor 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 her department;
- (c) to note the comments of the Commissioner for Transport that the applicant is reminded that sufficient manoeuvring space should be provided within the Site ;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that if the proposed run-in/run-out is agreed by the Transport Department (TD), the applicant should provide the run-in/run-out at Castle Peak Road- Hung Shui Kiu in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. If the proposed modification of footpath, cycle track and its associated traffic facilities are agreed by TD, the applicant should submit the detail modification plan for his department's agreement before commencement of any site works. The modification works shall be completed to the satisfaction of TD and his department and the applicant is required to arrange a joint site inspection before handing over the completed to TD and his department for management and maintenance. Adequate drainage measures should be provided at the Site, including the access, to prevent surface water flowing from the Site to the nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Castle Peak Road- Hung Shui Kiu;
- (e) to note the comments of the Director of Environmental Protection that to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storages Sites" issued by the Environmental Protection Department to minimise any potential environmental nuisances. The applicant should be reminded to comply with all relevant environmental pollution control ordinance during construction of the development and to implement appropriate mitigation measures/ practices as set out in the Recommended Pollution Control Clauses for Construction Contracts which are available at the following website:
https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc_1.html.
The applicant should also be reminded to properly design and maintain the proposed toilet and to make reference to Sections 5.2.8, Chapter 9 of the Hong Kong Planning Standards and Guidelines for sewage collection and disposal. Sewage arising from the proposed toilet should be directed from the Site to nearby public sewer. If septic tank and soakaway system is used in case of unavailability of public sewer, its design and construction should follow

the requirements of the Practice Note for Professional Persons (ProPECC PN) 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department” and are duly certified by an Authorised Person (AP);

- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape that approval of the landscape proposal does not imply approval of tree works such as pruning, transplanting and felling under lease. Tree removal applications should be submitted direct to DLO for approval. The applicant is reminded of the importance of undertaking proper tree care for the existing trees. Useful information published by the Greening, Landscape & Tree Management Section, Development Bureau on general tree maintenance and tree risk management is available for reference in the following links: Pictorial Guide for Tree Maintenance (護養樹木的簡易圖解): http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf; Handbook on Tree Management (樹木管理手冊): https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html; Tree Risk Assessment and Management Arrangement (樹木風險評估及管理安排): https://www.greening.gov.hk/tc/tree_care/tra_arrangements.html; Minimising Tree Risks (護養樹木保障安全): http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Chinese_Leaflet_Big_font_size_v1_2012_03_29.pdf; Pictorial Guide for Tree Maintenance to Reduce Tree Risks (減低樹木風險的樹木護養簡易圖解): [http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk\(eng\).pdf](http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk(eng).pdf);
- (g) to note the comments of the Director of Fire Services that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. 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 and the location of where the proposed FSIs to be installed should also be clearly marked on the layout plans. The applicant is also reminded that if the proposed structure(s) is required to comply with Buildings Ordinance (BO) (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 Chief Building Surveyor/New Territories West, Buildings Department (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 unauthorised building works (UBW) under the BO. An AP should be appointed as the co-ordinator 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 (B(P)R) 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 B(P)R at the building plan submission stage.