

**Government Bureau/Departments with No Objection/No Adverse Comment**

The following government bureau/departments have no objection to/no adverse comment on the application:

- (a) District Lands Officer/Tuen Mun, Lands Department;
- (b) Commissioner for Transport;
- (c) Chief Highway Engineer/New Territories West, Highways Department;
- (d) Director of Environmental Protection;
- (e) Chief Engineer/Mainland North, Drainage Services Department;
- (f) Director of Fire Services;
- (g) Director of Food and Environmental Hygiene Department;
- (h) Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office, Development Bureau;
- (i) District Officer (Tuen Mun), Home Affairs Department;
- (j) Chief Building Surveyor/New Territories West, Buildings Department;
- (k) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (l) Chief Engineer/Construction, Water Supplies Department;
- (m) Director of Agriculture, Fisheries and Conservation;
- (n) Director of Electrical and Mechanical Services;
- (o) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (CEDD);
- (p) Project Manager (West), CEDD; and
- (q) Commissioner of Police.

**Recommended Advisory Clauses**

- (a) to resolve any land issues relating to the development with concerned owner(s) of the application site (the Site);
- (b) to note the comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD):
  - (i) the Site comprises an Old Schedule Agricultural Lot No. 241 in D.D. 385 (“the 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;
  - (ii) the Site is accessible via a local access on other private lot and Government Land (GL) leading from Tai Lam Chung Road. His office does not carry out maintenance works for the said GL nor guarantee that any right-of-way over the GL to the Site will be given. The applicant shall be responsible for his own access arrangement; and
  - (iii) his office reserves the right to take lease enforcement actions as considered appropriate against any unauthorised erection/extensions/alterations of the structures erected or to be erected within the Lot or any unauthorised occupation of Government land at any time irrespective of whether planning permission will be given or not. Enforcement action will be taken should any structure or structures be found erected without prior approval given by his office or be in breach of the approval given;
- (c) to note the comments of the Commissioner for Transport (C for T) that:
  - (i) the applicant is reminded that sufficient space within the Site should be provided for manoeuvring of vehicles. In addition, no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period; and
  - (ii) the Site is connected to the public road network (Tai Lam Chung Road) via a local unnamed access road which is not managed by her department. The land status of the unnamed local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of that local access road should be clarified with the relevant lands and maintenance authorities accordingly;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to follow the relevant mitigation measures and requirements in the “Revised Code of Practice on Handling Environmental Aspects of Open Storage and other Temporary Uses”;
- (f) to note the comments of the Chief Engineer/Mainland North of the Drainage Service Department (CE/MN, DSD) that:
  - (i) the applicant is reminded to maintain his drainage facilities/system properly and rectify them if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of any damage and/or nuisance caused by failure of his facilities/system; and

- (ii) the existing drainage facilities, watercourse, river, channel and the like should not be affected and obstructed by the construction materials, waste or debris from the proposed development;
- (g) to note the comments of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office, Development Bureau (ES(AM)/AMO, DevB) that:
- (i) pursuant to the Antiquities and Monuments Ordinance (Cap. 53), the applicant is required to inform her office immediately when any antiquities or supposed antiquities under the ordinance are discovered in the course of works; and
  - (ii) the applicant is required to inform her office the work schedule of the Site for her office to conduct site inspections as and when necessary;
- (h) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
- (i) the application should not affect the operation/maintenance/any refurbishment/facelifting of the Tai Lam Chung Tsuen Public Toilet in the future; and
  - (ii) the associated works and operations shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding. For any waste generated from the operations and works, the project proponent should arrange its proper disposal at their own expenses; and
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) it is noted that there is no structure proposed on the Site. However, if any new building works are to be carried out on the Site, prior approval and consent of the Buildings Authority (BA) should be obtained, otherwise they are unauthorised building works (UBWs) under the Buildings Ordinance (BO). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
  - (ii) if any existing structure is erected on leased land without the approval of the BA, they are UBWs under the BO and should not be designated for any proposed use under the current application;
  - (iii) for UBWs erected on the leased land, enforcement action may be taken by the Buildings Department to effect their removal in accordance with the prevailing 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; and
  - (iv) if the proposed use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.