

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

The following government departments have no objection to or 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) Chief Building Surveyor/New Territories West, Buildings Department;
- (h) Project Manager (West), Civil Engineering and Development Department;
- (i) Chief Engineer/Construction, Water Supplies Department;
- (j) Director of Electrical and Mechanical Services;
- (k) Commissioner of Police; and
- (l) District Officer (Tuen Mun), Home Affairs Department.

**Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD) that:
- (i) the application site (“the Site”) comprises an Old Schedule Agricultural Lot 694 S.L RP in D.D. 130 (“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 and Government land (GL);
  - (ii) the Lot is covered by Short Term Waiver (STW) No.758 and the GL in the Site is covered by Short Term Tenancy (STT) No.1261;
  - (iii) due to the change of ownership and user, the applicant submitted applications for a new STW and a new STT to regularise the existing structures. The applications are under processing. If the planning application is approved, the applications of STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW and STT, if approved, will be subject to such terms and conditions including the payment of waiver fee, rent, and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered;
  - (iv) the Site is accessible via a local access on GL leading from Lam Tei Main Street. His office does not carry out maintenance works for the said GL nor guarantee that any right-of-way to the Site will be given. The applicant shall be responsible for his own access arrangement; and
  - (v) 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 GL 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;
- (b) to note the comments of the Commissioner for Transport (C for T) that:
- (i) in view of the close proximity of the Site to the existing Lam Tei Main Street, any part of the applied structure should have a minimum horizontal clearance of 500mm from the carriageway for the sake of traffic safety;
  - (ii) no parking and/or loading/unloading demand shall be generated from the applied use, as neither parking spaces nor loading/unloading spaces would be required for the Site, as stated by the applicant; and
  - (iii) the applied use shall not generate/attract additional trips to/from the Site;

- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant shall maintain the drainage facilities as per the drainage proposal to ensure that it will not cause adverse drainage impact to the adjacent area and to submit condition records of existing drainage facilities of the Site;
- (d) to note the comments of the Director of Fire Services (D of FS) that the existing fire service installations implemented on the Site shall be maintained at all times during the planning approval period; and
- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
  - (i) there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site, his office is not in a position to offer comments on their suitability for the use applied in the application;
  - (ii) if any existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
  - (iii) 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 Building Authority (BA) should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
  - (iv) for UBWs erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the Site under BO;
  - (v) fire barriers with sufficient fire resistance rating should be provided to separate the building and the adjacent unit under Section 35 of the Building (Construction) Regulation at the building plan submission stage;
  - (vi) the proposed office should be provided with windows in compliance with Regulations 30 and 31 of the Building (Planning) Regulations; and
  - (vii) detailed comments under BO will be provided at the building plans submissions stage.