

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/Yuen Long, Lands Department;
- (b) Commissioner for Transport;
- (c) Chief Highway Engineer/New Territories West, Highways Department;
- (d) Chief Engineer/Mainland North, Drainage Services Department;
- (e) Director of Fire Services;
- (f) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (g) Director of Agriculture, Fisheries and Conservation;
- (h) Chief Building Surveyor/New Territories West, Buildings Department;
- (i) District Officer (Yuen Long), Home Affairs Department;
- (j) Project Manager (West), Civil Engineering and Development Department;
- (k) Chief Engineer/Construction, Water Supplies Department; and
- (l) Director of Electrical and Mechanical Services.

Recommended Advisory Clauses

- (a) failure to reinstate the application site (the Site) as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (b) to resolve any land issues relating to the applied use with the concerned owner(s) and/or occupant(s);
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lots 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 following private lots are covered by Short Term Waivers (STWs):

STW No.	Lot No. (in D.D. 110)	Purposes
3418	126 RP	Storage of Construction Materials, Ancillary Office & Other Directly Related and Ancillary Uses
3530	126 S.B	Storage of Construction Materials & Ancillary Office Use

- (iii) the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate to permit the structure(s) erected within the said private lot(s). The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application(s), if approved, will be subject to such terms and conditions including the payment of waiver fee 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;
- (d) to note the comments of the Commissioner for Transport that:
 - (i) the Site is connected to the public road network via a section of a local access road which is not managed by the Transport Department. The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
 - (ii) sufficient maneuvering space shall be provided within the Site; and
 - (iii) no vehicle is allowed to queue back to or reverse onto/from public road at anytime during the planning approval period;

- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:
 - (i) HyD shall not be responsible for the maintenance of the proposed access connecting the Site and Kam Tai Road, including any local tracks; and
 - (ii) adequate drainage measures should be provided to prevent surface water running from the Site to nearby public road and drains;
- (f) to note the comments of the Director of Environmental Protection that:
 - (i) the applicant shall ensure that sand stored at the Site is covered with canvas at all times, as far as practicable
 - (ii) the applicant shall follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
 - (iii) the applicant shall follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs), in particular the ProPECCPN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department';
 - (iv) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
 - (v) the applicant shall meet the statutory requirements under relevant environmental legislation, in particular the Cap. 311 Air Pollution Control Ordinance;
- (g) to note the comments of the Director of Fire Services that the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times; and
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
 - (i) if the existing structures are erected on leased land without approval of BD (not being New Territories Exempted Houses), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the captioned application;
 - (ii) before any new building works (including ancillary office and storage 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 unauthorized building works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by 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 BO;

- (iv) 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; and
- (v) 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 B(P)R at building plan submission stage.