

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

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

- (a) Commissioner for Transport;
- (b) Chief Highway Engineer/New Territories West, Highways Department (HyD);
- (c) Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- (d) Director of Environmental Protection;
- (e) Director of Agriculture, Fisheries and Conservation;
- (f) Project Manager (West), Civil Engineering and Development Department;
- (g) Chief Engineer/Mainland North, Drainage Services Department;
- (h) Chief Engineer/Construction, Water Supplies Department;
- (i) Chief Building Surveyor/New Territories West, Buildings Department;
- (j) Director of Fire Services;
- (k) Commissioner of Police;
- (l) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (m) District Officer (Yuen Long), Home Affairs Department;
- (n) Director of Electrical and Mechanical Services; and
- (o) Director of Leisure and Cultural Services.

**Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
- (i) the application site (the Site) comprises Old Schedule Agricultural Lot No. 20 RP in D.D. 101 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 private land of Lot No. 20 RP in D.D. 101 are covered by Short Term Waiver (STW) No. 4259 to permit structures for the purpose of “Temporary Shop and Services (Metal Hardware Shop and Household Items Retail Store)”; and
  - (iii) the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate. 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/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;
- (b) to note the comments of the Commissioner for Transport that:
- (i) sufficient manoeuvring spaces shall be provided within the Site or its adjacent area. No vehicles are allowed to queue back to public roads or reverse onto/from public roads; and
  - (ii) the local track connecting the Site is not under the Transport Department’s purview. Consent of the owners/managing department of the local track shall be obtained for using it as the vehicular access to the Site;
- (c) 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 Mai Po South Road/ Castle Peak Road - Mai Po, including the local track, if any; and
  - (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (d) to note the comments of the Director of Environmental Protection (DEP) that:
- (i) the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ shall be followed; and
  - (ii) sewage discharge from the Site should be directed to nearby public sewer. In case of unavailability of public sewer, proper sewage collection and treatment and disposal facilities should be provided in accordance with the requirements in

Professional Persons Environmental Consultative Committee Practice Notes 1/23  
(ProPECCN 1/23);

- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (DSD) that:
  - (i) all existing flow paths should be properly intercepted and maintained without increasing the flooding risk of the adjacent area;
  - (ii) the drainage proposal/works as well as the Site boundary should not cause encroachment upon areas outside his jurisdiction;
  - (iii) no public sewerage maintained by DSD is currently available for connection. For sewage disposal and treatment, agreement from DEP shall be obtained;
  - (iv) DLO/YL, LandsD should be consulted regarding all the drainage works outside the lot of the Site in order to ensure unobstructed discharge from the Site in the future; and
  - (v) all the drainage facilities should be maintained by the applicant at his own cost. The applicant should ensure and keep all drainage works on site under proper maintenance at all times;
- (f) 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
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
  - (i) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised building works (UBW) under the Buildings Ordinance (BO). An Authorized Person should be appointed as the co-ordinator for the applied building works in accordance with the BO;
  - (ii) 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;
  - (iii) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
  - (iv) if the existing structure is erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any applied use under the application;
  - (v) for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing 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;

- (vi) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R; and
  - (vii) detailed checking under the BO will be carried out at building plan submission stage; and
- (h) to note the comments of the Director of Electrical and Mechanical Services that:
- (i) there is a high pressure underground town gas transmission pipeline along San Tam Road in the vicinity of the Site;
  - (ii) the applicant/works contractor shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations in the vicinity of the proposed work areas and any required minimum set back distance away from them during the design and construction stages of work; and
  - (iii) the applicant/works contractor is required to observe the requirements of the Electrical and Mechanical Services Department's Code of Practice on "Avoidance of Damage to Gas Pipes" 2nd Edition for reference. The Code can be downloaded via the following web-link: [https://www.emsd.gov.hk/filemanager/en/content\\_286/CoP\\_gas\\_pipes\\_2nd\\_\(Eng\).pdf](https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_(Eng).pdf).