

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the proposed use with the concerned owner(s) and/or occupant(s);
- (b) the application site (the Site) falls within Innovation and Technology (I&T) Cluster 3 under the endorsed Planning and Design Brief (PDB) for Sites zoned “Other Specified Uses” annotated “I&T” (the I&T sites) on the San Tin Technopole Outline Zoning Plan. Under the PDB, the project proponent for development at the I&T sites shall take into account the planning and design requirements specified in the PDB and submit Master Plan(s) demonstrating the compliance with the PDB for consideration and approval by the Designated Committee under the Development Bureau. The applicant should refer to the endorsed PDB for the planning and design of the proposed I&T Hub and submit Master Plan(s) to the Designated Committee for approval before commencement of substantive works of the proposed I&T Hub. For the PDB, which is attached to the adopted San Tin Technopole Outline Development Plan No. D/STT/1, please refer to https://www.pland.gov.hk/file/resources/plan_schedules/adopted-misc/pdf/es/D_STT_1_en.pdf;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site falls within portions of private lot, i.e. Lot 764 RP in D.D. 99, which is an Old Schedule Agricultural Lot held under the Block Government Lease. No structure shall be erected without prior written approval of the Government;
- (d) to note the comments of the Secretary for Transport and Logistics that:
 - (i) cross-boundary operation of low-altitude flights is one of the application scenarios tested under the Low-altitude Economy Regulatory Sandbox X. Any future operation of such application scenarios would be subject to the prevailing policies and regulatory guidelines to be promulgated taking into account the experience of Sandbox X; and
 - (ii) as the Site is in the vicinity of ecologically sensitive areas, the applicant should consult the related environmental groups, local communities and bureaux/departments;
- (e) 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 nearby lands near the Site are not under the Transport Department’s purview. The applicant shall obtain consent of the owners/managing department of the lands for using them as the vehicular accesses to the Site;

- (f) 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 (i.e. San Tin Tsuen Road); and
 - (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (g) to note the comments of the Project Manager (North), Civil Engineering and Development Department (CEDD) that:
 - (i) the Site falls within Phase 1 Stage 2 development of the Technopole. The applicant should observe the requirements/ recommendations/ proposed mitigation measures in the approved Environmental Impact Assessment (EIA) report (AEIAR-261/2024 - Project Title: San Tin/Lok Ma Chau Development Node) and its approval conditions, associated Environmental Monitoring and Audit Manual, submissions specified in the approval conditions, and Environmental Permits issued/to be issued for the Designated Projects as stated in the approved EIA Report, that are applicable to the Site and associated development and pond filling proposal, in particular:
 - (1) the applicant should liaise and coordinate with CEDD and relevant authorities regarding the pond filling sequence and programme to ensure that potential adverse impacts to the wetlands due to proposed construction activities can be minimised; and
 - (2) no pond filling works shall be allowed prior to commencement of construction of the ecologically enhanced fish ponds at the planned Sam Po Shue Wetland Conservation Park; and
 - (ii) the construction access routes proposed by the applicant will traverse, and may consequently be affected by, the proposed site formation works, roadworks and the revitalisation works of the San Tin Western Main Drainage Channel. The applicant should keep close liaison with CEDD;
- (h) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) the proposed I&T Hub includes staff quarters use, and the Site partly falls within Deep Bay Buffer Zone 2. The applicant is reminded that a residential development, other than New Territories Exempted Houses, within Deep Bay Buffer Zone 1 or 2 is a Designated Project under the EIA Ordinance, and an Environmental Permit is required for the construction and operation; and
 - (ii) given the Site overlaps with the project boundary of the Technopole, for which CEDD is the project proponent, the applicant is reminded to liaise closely with CEDD on project interface issues, including the implementation of and compliance with the recommendations of the approved EIA Report and related approval conditions;

- (i) to note the comments of the Director of Agriculture, Fisheries and Conservation that the Site is in close proximity to a constructed wetland provisioned under a drainage project, namely San Tin Constructed Wetland (Lotus Pond). The applicant shall consider any indirect ecological impacts affecting the Lotus Pond arising from the project and the interface with other ongoing/planned projects in the vicinity, including the New Nature Conservation Policy Management Agreement projects administered by Countryside Conservation Office;
- (j) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that the approval of the application does not imply approval of tree works, if any, such as pruning, transplanting and felling. Application for any tree works should be submitted direct to relevant authority(ies) for approval;
- (k) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (DSD) that:
 - (i) no public sewerage maintained by DSD is currently available for connection. No sewerage collected from the Site should be discharged to the drainage system. For sewage disposal and treatment, agreement from DEP shall be obtained;
 - (ii) the applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas. It is noted that existing drains are running through the Site. The applicant should ensure the flow remains unobstructed during the period;
 - (iii) the applicant is reminded that the proposed drainage proposal/works as well as the Site boundary should not cause encroachment upon areas outside his jurisdiction;
 - (iv) the applicant should consult DLO/YL regarding all the proposed drainage works outside the lot boundary in order to ensure the unobstructed discharge from the Site in future; and
 - (v) all the drainage facilities should be constructed and 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;
- (l) to note the comments of the Director of Fire Services that detailed fire services requirements will be formulated upon receipt of formal submission of short term tenancy/short term waiver, general building plans or referral of application via relevant licensing authority as appropriate. Furthermore, the emergency vehicular access provision in the captioned work shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the Buildings Department (BD); and
- (m) to note the comments of the Chief Building Surveyor/New Territories West, BD that:
 - (i) it is noted that 14 structures and associated filling of ponds are proposed in the subject application. 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 unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person should be appointed as the coordinator for the proposed 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 structures are erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed use under the subject application;
- (v) for UBW erected on leased land, enforcement action may be taken by 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.