Recommended Advisory Clauses

(a) to note that the permission is only given to the proposed Small House development under application. If provision of an access road is required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complies with the provisions of the relevant statutory plan and obtain planning permission from the Town Planning Board where required before carrying out the road works;

(b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that should the planning approval be given to the review application and Small House application is received and due for processing, DLO/YL, LandsD will consider that Small House application acting in the capacity as the landlord at its sole discretion in accordance with the New Territories Small House Policy. There is no guarantee that such Small House application will be approved. Any Small House application, if approved, will be subject to such terms and conditions including, among others, the payment of premium and/or administrative fees may be imposed by LandsD;

(c) to note the comments of the Commissioner of Transport that the local village access leading to the application site (the Site) from Kam Tin Road is not managed by the Transport Department (TD). 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;

(d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:

   (i) the proposed access arrangement of the Site should be commented and approved by TD;

   (ii) HyD is not responsible for the maintenance of any access connecting the Site to Kam Tin Road, including the local track; and

   (iii) adequate drainage measures should be provided to prevent surface water running from the Site to nearby public road and drains;

(e) to note the comments of the Director of Environmental Protection that:

   (i) the applicant shall follow the good engineering practice set out in 'Recommended Pollution Control Clauses for Construction Contracts';

   (ii) the applicant shall follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PNs) in particular the ProPECC PN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' including the requirements for minimum clearance distance, percolation test and certification by Authorized Person for the proposed septic tank system;

(iii) the applicant shall provide adequate supporting infrastructure facilities for proper collection, treatment and disposal of waste/wastewater generated; and

(iv) the applicant shall meet the statutory requirements under relevant environmental legislation;

(f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (DSD) that the Site is in an area where no DSD stormwater drain and public sewerage connection are available. The applicant is advised to undertake all necessary precautionary measure during construction to avoid muddy water and debris flushed into existing drains; and

(g) to note the comments of the Director of Fire Services that:

(i) the applicant shall observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' which is administrated by LandsD;

(ii) the proposed Small House shall not encroach on any existing emergency vehicular access (EVA) or planned EVA under application in accordance with LandsD's record; and

(iii) detailed fire safety requirements would be formulated upon receipt of formal application referred by LandsD.