

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) Chief Building Surveyor/New Territories West, Buildings Department;
- (c) Director of Agriculture, Fisheries and Conservation;
- (d) Commissioner for Transport;
- (e) Chief Highway Engineer/New Territories West, Highways Department
- (f) Chief Engineer/Mainland North, Drainage Services Department;
- (g) Chief Engineer/Construction, Water Supplies Department;
- (h) Director of Fire Services;
- (i) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (j) Director of Environmental Protection;
- (k) Head of Geotechnical Engineering Office, CEDD;
- (l) District Officer/Yuen Long, Home Affairs Department; and
- (m) Commissioner of Police.

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the Site comprises Government land (GL) and Old Schedule Agricultural Lot(s) 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 subject lot (i.e. Lot 19 in D.D. 135) is covered by a Short Term Waiver (STW) No. 3674 for Recreation Use (Fishing Ground) purpose;
 - (iii) no permission is given for occupation of remaining part of GL (about 1,083m² subject to verification) included in the Site. Any occupation of GL without Government's prior approval is an offence under Cap. 28 Land (Miscellaneous Provisions) Ordinance; and
 - (iv) the STW holder will need to apply to his office for modification of the STW conditions where appropriate and Short Term Tenancy(s) (STTs) to permit the structure(s) erected within the private lot and the occupation of GL. The application(s) for STW/STT 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;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains. The run-in/out from Nim Wan Road to the Site shall be constructed and maintained by the applicant. The run-in/out shall be removed and the public road shall be reinstated to the satisfaction of HyD after use;
- (d) to note the comments of the Commissioner for Transport that sufficient manoeuvring spaces shall be provided within the Site or its adjacent area and no vehicles are allowed to queue back to public roads or reverse onto/from public roads;
- (e) to note the comments of the Director of Environmental Protection that the applicant is reminded to observe and comply with all prevailing environmental legislation. The applicant is also advised that septic tank outside the Site shall be avoided as there could be issue concerning the access right for future operation and maintenance of the septic tank;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:

- (i) the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal;
 - (ii) the applicant/owner is reminded that their drainage facilities shall be properly designed, constructed and maintained in good condition without causing adverse drainage impact to the adjacent area at all times;
 - (iii) the applicant/owner is required to rectify/modify the drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the application; and
 - (iv) the applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the drainage systems caused by their application;
- (g) to note the comments of the Director of Fire Services that if the proposed structure are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) 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;
 - (ii) 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 the building plan submission stage;
 - (iii) if the existing structure (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application;
 - (iv) 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;
 - (v) 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 BA should be obtained, otherwise they are UBW under the BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;

- (vi) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings and are subject to the control of Part VII of the B(P)R; and
- (vii) detailed checking under BO will be carried out at building plan submission stage;
- (i) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
 - (i) existing water mains will be affected as shown on the plan at **Appendix IV**. The cost of any necessary diversion shall be borne by the applied development;
 - (ii) in case it is not feasible to divert the affected water mains, a waterworks reserve within 1.5 metres from the centre line of the water main shall be provided to WSD. No structure shall be built or materials stored within this waterworks reserve. Free access shall be made available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - (iii) no tree or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main shown on the plan at **Appendix IV**; and
 - (iv) Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site; and
- (j) to note the comments of the Commissioner of Police that in view of public safety, the applicant shall maintain smooth traffic flow of the concerned location and provide sufficient safety precaution to avoid obstruction or danger caused to any person or vehicle on the road.

- SUBJECT SITE**

- PRIVATE LOT
BOUNDARY
(FOR REF. ONLY)**


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Water Supplies Department