

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 Building Surveyor/New Territories West, Buildings Department;
- (d) Chief Engineer/Construction, Water Supplies Department;
- (e) Chief Engineer/Mainland North, Drainage Services Department;
- (f) Chief Highway Engineer/New Territories West, Highways Department;
- (g) Director of Fire Services;
- (h) Director of Environmental Protection;
- (i) District Officer (Yuen Long), Home Affairs Department; and
- (j) 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:
 - the Site comprises 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; and
 - the lot owner(s) should apply to his office for Short Term Waiver(s) (STWs) to permit the structure erected within the subject private lot. The application for STWs will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application, 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 will be considered;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - the accesses leading from nearby public road including San Sik Road and Ha Tsuen Road to the Site is not currently maintained by HyD and HyD is not going to take up the maintenance responsibility of the accesses; and
 - 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 Chief Engineer/Mainland North, Drainage Services Department that:
 - 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; and
 - the drainage facilities shall be properly designed, constructed and maintained in good condition without causing adverse drainage impact to the adjacent area at all times, and the applicant/owner is required to rectify/modify the drainage system if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the application. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by the failure or ineffectiveness of the drainage systems caused by his application;
- (e) to note the comments of the Director of Fire Services that the existing fire service installations implemented on the Site should be maintained in efficient working order at all times;

- (f) to note the comments of the Director of Environmental Protection that the applicant is advised:
- to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”; and
 - to meet the statutory requirements under relevant environmental legislation;
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- if the existing structures (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 applied use under the captioned application;
 - 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;
 - 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 BA should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - 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
 - 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 the Regulation 19(3) of the B(P)R at building plan submission stage; and
- (h) to note the comments of the Commissioner of Police that in view of public safety, the applicant must maintain the 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.