

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

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the applied use with the concerned owner(s) and/or occupant(s) of the application site (the Site);
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that:
 - (i) 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;
 - (ii) there is/are unauthorised structure(s) on Lot 616 S.B RP in D.D. 114 which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and
 - (iii) the lot owner(s) shall apply to his office for Short Term Waiver(s) (STWs) to permit the structure(s) erected within the said private lot. The application for STWs will be considered by the Government in its capacity as landlord and there is no guarantee that they will be approved. The STW 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(s) will be considered;
- (c) to note the comments of the Commissioner for Transport that:
 - (i) the Site is connected to the public road network via a section of a local access road which is not managed by Transport Department (TD). The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
 - (ii) sufficient manoeuvring space shall be provided within the Site; and
 - (iii) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:
 - (i) the access arrangement of the Site should be commented and approved by TD;
 - (ii) HyD shall not be responsible for the maintenance of the access connecting the Site and Kam Tin Road, including any local tracks;
 - (iii) if the access on Kam Tin Road is approved by TD, a run-in/out shall be constructed in accordance with the latest version of HyD Standard Drawings No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement; and

- (iv) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) to note the comments of the Director of Environmental Protection that:
 - (i) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities to be carried out at the Site;
 - (ii) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site;
 - (iii) the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' shall be followed;
 - (iv) the 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' shall be followed;
 - (v) adequate supporting infrastructure/facilities shall be provided for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
 - (vi) the statutory requirements under relevant environmental legislation shall be observed;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that:
 - (i) the existing drainage facilities implemented under the previous application No. A/YL-SK/352 shall be maintained; and
 - (ii) for any change of existing ground level and associated works proposed by the applicant that could affect adjacent land and cause other impacts and/or other issues to public, technical assessment(s) in other aspect(s) shall be submitted and comment from relevant departments shall be sought as necessary;
- (g) to note the comments of the Director of Fire Services that:
 - (i) the detailed comments on the fire services installations (FSIs) proposal previously provided shall be taken into account in the revised FSIs proposal; and
 - (ii) if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire services requirements will be formulated upon receipt of formal submission of general building plans;
- (h) to note the comments of the Director of Agriculture, Fisheries and Conservation that pollution or disturbance on the adjacent watercourse (**Plan A-2**) shall be avoided during the operation of the applied use; and

- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
 - (i) 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 unauthorised building works (UBW) under the BO and should not be designated for any applied use under the application;
 - (ii) 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;
 - (iii) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of 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;
 - (iv) 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
 - (v) 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.