

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

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 Government Land (GL) and Old Schedule Agricultural Lot 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;
 - no permission is given for occupation of GL (about 50 m² as mentioned in the application form) included in the Site. Any occupation of GL without Government's prior approval is an offence under Cap.28. According to the prevailing land policy, regularization for illegal occupation of unleased and unallocated GL on or after 28.3.2017 would not be considered by his office; and
 - the lot owner(s) shall apply to his office for a Short Term Waiver (STW) and Short Term Tenancy (STT) to permit the structure(s) erected within the said private lot(s) and the occupation of the GL. The application(s) for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW and STT, if approved, will be subject to such terms and conditions, including the payment of waiver fee, rent and administrative fee as considered appropriate by his department. Besides, given the proposed 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 (C for T) that:
- sufficient manoeuvring space should be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
- HyD shall not be responsible for the maintenance of any access connecting the Site and Tai Tong Shan Road;
 - if the proposed access on Tai Tong Shan Road is approved by the Transport Department, the applicant should ensure a run-in/out is 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
 - adequate drainage measures should be provided to prevent surface water running from the Site to nearby public roads and drains;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- 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, please submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary;

- he has inspected the drainage facilities of the subject site and considered that the condition of the drainage facilities was not satisfactory. Our comments are listed below:
 - (i) no proper access to inspect some of the drainage facilities;
 - (ii) insufficient width and depth of 450UC;
 - (iii) honeycombing/deterioration of concrete was observed within the 450UC;
 - (iv) unidentified cables and pipes were found within the drainage facilities which could obstruct water flow;
 - (v) contaminated water with foul odour was observed inside the catchpit, which was suspected to have arisen from an improper connection;
 - (vi) uncharted U-channel was observed, which is inconsistent with the agreed drainage proposal; and
 - (vii) decked/buried U-channels were observed, which obstruct surface runoff to be collected at the U-channels;
- (f) to note the comments of the Director of Fire Services that the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times;
- (g) to note the comments of the Director of Environmental Protection (DEP) that:
 - the applicant shall follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites” issued by EPD to minimize the potential environmental nuisances on the surrounding area; and
 - the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use. If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of EPD's Professional Persons Environmental Consultative Committee Practice Note (ProPECC PN) 1/23 including completion of percolation test and certification by Authorized Person. If portable toilet will be used, licensed collectors should be arranged to collect and dispose the sewage and waste from the applied use; and
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - 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;
 - 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;
 - if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Buildings Department (BD), they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed 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 BD's 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 shed as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW under the BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
- any temporary shelters or converted containers for office, storage, washroom or other uses considered as temporary buildings are subject to the control of Part VII of the B(P)R; and
- detailed checking under the BO will be carried out at the building plan submission stage.