

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department:

- No adverse comment on the application.
- There is no Small House application approved or under processing at the application site (the Site).
- Advisory comments as detailed in **Appendix III**.

2. Traffic

(a) Comments of the Commissioner for Transport:

- No adverse comment from traffic engineering perspective.
- Advisory comments as detailed in **Appendix III**.

(b) Comments of the Chief Highway Engineer/New Territories West, Highways Department:

- No adverse comment on the application from highways maintenance perspective.
- Advisory comments as detailed in **Appendix III**.

3. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- No in-principle objection to the application from the public drainage point of view provided that all existing drains/watercourse should be maintained and the overland flow from adjacent lands should not be affected.
- Should the application be approved, conditions should be stipulated to request the applicant to submit a drainage proposal and to implement and maintain the drainage facilities for the proposed use to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- Advisory comments as detailed in **Appendix III**.

4. Fire Safety

Comments of the Director of Fire Services:

- No in-principle objection to the proposal subject to the fire service installations and water supplies for firefighting being provided to the Site.
- Advisory comments as detailed in **Appendix III**.

5. Environment

Comments of the Director of Environmental Protection:

- No objection to the application.
- No environmental complaint concerning the Site has been received in the past three years.
- Advisory comments as detailed in **Appendix III**.

6. Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- No objection to the application.
- It is noted that one structure is proposed at the Site. Before any new building works (including containers/ open shed as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorized building works (UBWs). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance.
- Advisory comments as detailed in **Appendix III**.

7. District Officer's Comments

Comment of the District Officer (Yuen Long), Home Affairs Department:

His office has not received any comments on the application from the village representatives in the vicinity of the Site.

8. Other Departments

The following departments have no objection to/no comment on the application:

- Chief Engineer/Construction, Water Supplies Department;
- Project Manager (West), Civil Engineering and Development Department;
- Director of Agriculture, Fisheries and Conservation;
- Director of Electrical and Mechanical Services; and
- Commissioner of Police.

Recommended Advisory Clauses

- (a) any unauthorized development on the Site would be subject to planning enforcement action;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lots 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
 - (ii) if the planning application is approved, the lot owner(s) shall apply to LandsD for a Short Term Waiver (STW) to permit the structure(s) erected within the Site. The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that the application(s) will be approved. The STW, 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 that the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (d) to note the comments of the Commissioner for Transport that:
 - (i) 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; and
 - (ii) the local track and footpath leading to the Site are not under Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track and footpath for using the local track and footpath as the access to the Site;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) HyD should not be responsible for maintaining any access connecting the Site and Yau Shin Street; and
 - (ii) adequate drainage measures should be provided to prevent surface water running from the Site to nearby public roads and drains;
- (f) to note the comment of the Chief Engineer/Mainland North, Drainage Services Department 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, the applicant should be required to submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary;

- (g) to note the comments of the Director of Fire Services that:
 - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of the proposed FSI to be installed should be clearly marked on the layout plans; and
 - (ii) if the proposed structure(s) is 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 Director of Environmental Protection that:
 - (i) to 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 Environmental Protection Department (EPD) to minimise the potential environmental nuisances on the surrounding areas; and
 - (ii) to arrange licensed collectors to collect the sewage and waste generated from the proposed use regularly as committed in the applicant’s justifications; and
- (i) 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 building plan submission stage;
 - (iii) for UBWs erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBWs 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;
 - (iv) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R;
 - (v) the 6m high structure is considered excessive. It should be justified upon formal plan submission to BD; and
 - (vi) detailed comments under the BO will be carried out at building plan submission stage.