

Government Departments with No Objection / No Adverse Comment

The following government departments have no objection to or no adverse comment on the application:

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

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the applied use with the concerned owner(s);
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that:
 - (i) the application site (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 303 in D.D. 110 which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularization on the lease breaches as demanded by LandsD; and
 - (iii) the lots owner(s) shall apply to his office for a Short Term Waiver(s) (STWs) to permit the structure(s) erected within the said private lots. The application for STWs will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STWs, 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 the Transport Department. The land status of the local access road should be checked with 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) HyD shall not be responsible for the maintenance of proposed access connecting the Site and Kam Tin Road including the local track, if any; and
 - (ii) adequate drainage measures should be provided to prevent surface water running from the Site to nearby public road and drains;

- (e) to note the comments of the Director of Environmental Protection that:
- (i) no vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked or stored on or enter or exit the Site at all times;
 - (ii) no dismantling, maintenance, repairing, cleaning, paint-spraying or other workshop activities are allowed at the Site at all times;
 - (iii) the applicant shall follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
 - (iv) the applicant shall follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN), in particular the ProPECC PN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department';
 - (v) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
 - (vi) the applicant shall meet the statutory requirements under relevant environmental legislation; and
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- (i) it is noted that one structure and associated filling of land are involved in the application. Before any new building works (including containers or open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are Unauthorized Building Works (UBW) under the Buildings Ordinance (BO) (Cap. 123). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (ii) 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;
 - (iii) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity of each individual site shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
 - (iv) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any applied use under the subject application;
 - (v) 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;

- (vi) 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; and
- (vii) detailed checking under the BO will be carried out at the building plan submission stage.