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 Engineer/Mainland North, Drainage Services Department;

(d) Chief Highway Engineer/New Territories West, Highways Department;

(e) Chief Building Surveyor/New Territories West, Buildings Department;

(f) Chief Engineer/Construction, Water Supplies Department;

(g) Director of Fire Services;

(h) District Officer (Yuen Long), Home Affairs Department;

(i) Commissioner of Police; and

(j) Project Manager (West), Civil Engineering and Development 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 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

- as the Pre-Clearance Survey for the project "Hung Shui Kiu/Ha Tsuen New Development Area Remaining Phase Development and Lau Fau Shan New Development Area Phase 1 Development" has been conducted for the Site, this office will not process either regularisation or new applications for short term waiver in this case. Noting that this is a renewal application, the current application is submitted by the same applicant at the same site with the same use, development parameters and layout. If there is/are unauthorised structure(s) on the private lot(s), the lot owner(s) should immediately rectify on the lease breaches and this office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

(c) to note the comments of the Commissioner for Transport that:

- sufficient manoeuvring spaces shall be provided within the Site or its adjacent area. No vehicles are allowed to queue back to public roads or reverse onto/from public roads; and

- the local track leading to the Site is not under Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;

(d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:

- the current vehicular access from Ping Ha Road to the Site is not maintained by HyD and HyD will not take up the maintenance responsibility of the access; and

- 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 Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) 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 systems 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;

(f) 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;

(g) 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";
- to follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs). 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 ProPECC PN 1/23 "Drainage Plans subject to Comment by the Environmental Protection Department" including completion of percolation test and certification by Authorized Person;
- to provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
- to meet the statutory requirements under relevant environmental legislation;

(h) to note the comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) that:

- the Site falls within the study area of Lau Fau Shan Development under the consultancy Agreement No. CE 5/2024 (CE) "Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai areas – Investigation", which is the Investigation Study and jointly commissioned by the Planning Department and CEDD; and
- the implementation and land resumption/clearance programme of the Lau Fau Shan, Tsim Bei Tsui and Pak Nai Developments are currently being reviewed under the Investigation Study and subject to change. The applicant should be reminded that the Site may be resumed at any time during the planning approval period for potential development project and shall be advised not to carry out any substantial works therein;

(i) 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 the 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 Building Authority (BA), they are unauthorised building works (UBW) under the Building 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 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 under the BO. An Authorized 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 are 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 building plan submission stage; and

(j) 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 precautions to avoid obstruction or danger caused to any person or vehicle on the road.