Appendix II of RNTPC
Paper No. A/YL-KTN/1285

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 Service Department;

(e) Director of Environmental Protection;

(f) Director of Fire Services;

(g) Chief Town Planner/Urban Design and Landscape, Planning Department;

(h) Director of Agriculture, Fisheries and Conservation;

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

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

(k) Project Manager (West), Civil Engineering and Development Department;

(l) Chief Engineer/Construction, Water Supplies Department; and

(m) Director of Electrical and Mechanical Services.

Recommended Advisory Clauses

(a) failure to reinstate the application site (the Site) as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;

(b) to resolve any land issues relating to the applied use with the concerned owner(s) and/or occupant(s);

(c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (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;

(ii) the following private lot is covered by Short Term Waiver (STW) as below table:

STW No.	Lot No. (in D.D. 110)	Purposes
3745	422 S.C RP	Temporary Open Storage of Vehicles and Vehicle Parts for Export

(iii) the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate, and the lot owner(s) without STW shall apply to his office for STW(s) to permit the structure(s) erected within the private lot(s) covered by the application. The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application(s), if approved, will be subject to such terms and conditions including the payment of wavier 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; and

(iv) it is noted that "staff common room" is proposed. According to the established practice, application for STW of structures for domestic/residential uses on private agricultural land will not be entertained. His office will not consider approving/regularising any structure(s) erected/to be erected on the lots covered by the application for domestic/residential uses;

(d) 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. 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;

(e) 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 the proposed access connecting between the Site and Kam Tai Road, including the local tracks, if any; and

(ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;

(f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that the detailed comments on the record of the existing drainage facilities previously provided to the applicant shall be taken into account in the revised record of the existing drainage facilities;

(g) to note the comments of the Director of Environmental Protection that:

(i) the applicant shall ensure that no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are carried out at the Site;

(ii) the applicant shall ensure that no vehicles exceeding 5.5 tonnes, including container/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site;

(iii) the applicant shall follow the revised '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 (ProPECCPNs), in particular the ProPECCPN 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;

(h) 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; and

(i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (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 a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at

building plan submission stage;

(iii) if the existing structures are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any applied use under the captioned application;

(iv) 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 BO;

(v) 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 BA should be obtained, otherwise they are UBW under BO. An Authorized Person should be appointed as the co-ordinator for the building works in accordance with 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 B(P)R; and

(vii) detailed checking under BO will be carried out at building plan submission stage.