

Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the subject lot (i.e. TSWTL No.4) together with other lots (i.e. TSWTL No. 1 to 3, 5 to 7) are all governed by New Grant No. 3466 dated 21.5.1985 as varied and modified by various modification letters (hereinafter collectively referred to the New Grant) for non-industrial (excluding godown) purposes. Under Special Condition (“S.C.”) (10) of the New Grant, the total gross floor area (GFA) of building(s) erected on all of the lots, i.e. the subject lot and the other lots, for either residential or non-residential purposes shall be specified in the Development Schedule of the Master Layout Plan (MLP) as referred to in S.C. (4)(a)(I) of the New Grant, which shall not exceed 972,000m² for residential purposes and shall not exceed a total of 135,000m² for non-domestic purposes for all seven lots. According to the S.C. (8)(a) of the New Grant, the lot shall be developed in all respects complying with the MLP and the Landscaping Proposals. The GFA figures and relevant details of the existing development as mentioned in the planning statement have not been verified at this stage. It will be considered in detail at the lease modification application stage. It is stated in the Executive Summary of the Planning Statement that the existing shopping centre would be retained such that there would be no reduction in non-domestic GFA for shopping centre. This seems to be contradictory, especially he still cannot see the rationale for no change in non-domestic GFA after checking the comparison plan of G/F and 2/F bearing in mind the layouts of shopping centre in G/F and 2/F under the proposed scheme are different to the existing layout. The applicant should clarify this statement and demonstrate the rationale. The proposed parking provision would be greatly increased. Noting that the existing basements (B2/F and B1/F) would be retained, the applicant should clarify how the retained basements could accommodate the additional parking provisions. The owners are required to apply to LandsD for modification of the lease and amendment of MLP or Landscaping proposals, if applicable, for the proposed scheme. However, there is no guarantee that the said application, including the granting of any Government land (if any), will be approved. Such application will be dealt with by LandsD acting in the capacity as the landlord at LandsD’s discretion, and if it is approved will be subject to such terms and conditions including among others, the payment of such appropriate fees as may be imposes by LandsD. The Site does not fall within the Shek Kong Airfield Height Restriction;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that any necessary road modification and/or road realignment shall be implemented by the applicant at its own cost to the satisfaction of Transport Department (TD) and HyD. Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains;
- (d) to note the comments of the Director of Environmental Protection (DEP) that the applicant should address the following technical comment in the Noise Impact Assessment report to be submitted under the planning approval condition:

the applicant should address any possible squeal noise from Light Rail Transit,

having regard to any squeal noise heard during the on-site measurement of Sound Exposure Level, distance from Noise Sensitive Receivers to curved track and radius of curvature of the track.

- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that it is noted that artificial lawn proposed on 3/F is demarcated as open space with reference to Figure 2 in Appendix 8 of the planning statement. The applicant should specify the proposed functions of the lawn area on landscape plan. To enhance the quality of the landscape amenity, real lawn instead of artificial lawn is a better option to be considered. According to Figure 4.1 in Appendix 9 – Visual Appraisal of the planning statement, it is noted that full height vertical greening (“VG”) on residential towers is proposed in artist’s impression. The full height VG on residential towers should be clearly delineated on plan and elevation to illustrate the design intent of the VG location, extent, spacing, interface with residential flat, maintenance access etc. The applicant is reminded to take into consideration the long-term commitment to provide proper maintenance of the proposed VG from the aspects of healthy plant growth, hygiene of the residence and proper operation of building services;
- (f) to note the comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) that the building length of tower at TSW Area 23 appears to exceed 60m, which may have adverse impact on the air ventilation and visual permeability. The applicant is advised to comply with the building separation requirements of the design guidelines promulgated in PNAP APP-152;
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that before any new building works 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). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO). 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 lot is comprised of two parcels of individual sites and the site classification is Class A according to the record building plans. The permitted development intensity of the sites shall be determined separately under the First Schedule of the B(P)R at building plan submission stage. If the applicant applies for GFA concession under PNAP APP-151, compliance with the SBD guideline on building separation, building setback and site coverage of the greenery stipulated in PNAP APP-152, where applicable, is required. For any carparking spaces to be disregarded from GFA calculation under Regulation 23(3)(b) of the B(P)R, the applicant shall comply with PNAP APP-2. According to the submitted supporting planning statement and the record building plans, the area used for the existing back of house area serving hotel is proposed to be converted to car parking space area on basement floors. Unless such area is converted to car parking spaces and/or mandatory plant rooms which shall be disregarded from the GFA calculation under Regulation 23(3)(b) of the B(P)R, such area and its circulation area shall be GFA accountable. For sky-gardens at residential towers to be exempted from GFA calculation, compliance with the requirements stipulated in JPN1 is required. If the proposed sky-gardens are also serving the purpose of refuge floors, the requirements under

PNAP APP-122 shall also be complied with. Besides, he reserves the comment on the high headroom of about 7m for the sky gardens in the planning application stage and detailed comment under the BO on the high headroom issue will be carried out at building plan submission stage. Detailed checking under the BO will be carried out at building plan submission stage;

- (h) to note the comments of the Director of Fire Services (D of FS) that the EVA provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the B(P)R 41D which is administered by the BD. Detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (i) to note the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO) CEDD) that the applicant should be reminded to submit the proposed building works to the BD for approval as required under the provisions of the BO. The applicant should also be reminded that the Site is located within Scheduled Area No. 2 and may be underlain by cavernous marble. Depending on the nature of foundation, if necessary, of the new development at the proposed area, extensive geotechnical investigation may be required. Such investigation may require a high level of involvement of an experienced geotechnical engineer both in the design and in the supervision of geotechnical aspects of the works required to be carried out on the Site; and
- (j) to note the comments of the Director of Food and Environmental Hygiene (DFEH):
 - (i) no Food and Environmental Hygiene Department's (FEHD) facilities will be affected and such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surroundings;
 - (ii) proper licence / permit issued by FEHD is required if there is any catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public;
 - (iii) for the domestic waste collection, the following comments are suggested:
 - The refuses collection point (RCP) of domestic waste and the commercial waste should be clearly separated. The share use of RCP for both domestic and commercial waste is not recommended.
 - The RCP should be designed to such a condition that within which a refuse collection vehicle (RCV) of 3.0m in width and 10m in length can make a 3 point turn and park without restriction.
 - A designated operational space with dimension 5m (W) X 12m (L) should be provided in the RCP and the headroom of RCP should not be less than 4.5m.
 - The RCP should be provided with a water point and foul water drainage system for clean-up of the RCV and discharge of foul water before leaving of RCV.
 - The width of driveway of RCV should be 4m in width (single direction) and the headroom along the driveway.
 - As the RCP may be located at the basement, it should be provided with adequate ventilation and an effective RCV exhaust extractor with related coupling/ detaching device.

- The ground surface of the driveway should be designed to withstand the weight of a vehicle up to 25T GVW.
 - No part of the access road including the part connecting the entrance/ exit and the roadway of RCV should exceed the gradient of 1 in 10 and in no case the change of slope at any point should exceed 8 degrees.
 - For any waste generated from building and residential development, the applicant should arrange its disposal properly at her own expenses.
 - If domestic waste collection service of FEHD is required, prior comments from this Department on the waste collection plan should be sought.
- (iv) if the proposal involves any commercial/trading activities, no environmental nuisance should be generated to the surroundings. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses.

**Provision of Major Community Facilities and Open Space in Tin Shui Wai OZP Plan No. S/TSW/14
(for A/TSW/72)**

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG)	HKPSG Requirement (based on planned population)	Provision		Surplus/ Shortfall (against planned provision)
			Existing Provision	Planned Provision (including Existing Provision)	
District Open Space	10 ha per 100,000 persons [#]	28.65 ha	22.79	30.2	+1.55
Local Open Space	10 ha per 100,000 persons [#]	28.65 ha	66.99	69.38	+40.73
Secondary School	1 whole-day classroom for 40 persons aged 12-17	373 classrooms	608	608	+235
Primary School	1 whole-day classroom for 25.5 persons aged 6-11	481 classrooms	785	785	+304
Kindergarten/ Nursery	34 classrooms for 1,000 children aged 3 to 6	156 classrooms	263	269	+113
District Police Station	1 per 200,000 to 500,000 persons	0	0	0	0
Divisional Police Station	1 per 100,000 to 200,000 persons	1	1	2	+1
Hospital	5.5 beds per 1,000 persons [^]	1623 beds	300	1100	-523
Clinic/Health Centre	1 per 100,000 persons	2	2	2	0
Magistracy (with 8 courtrooms)	1 per 660,000 persons	0	0	0	0
Child Care Centre	100 aided places per 25,000 persons ^{#@}	1146 places	287	375	-771
Integrated Children and Youth Services Centre	1 for 12,000 persons aged 6-24 [#]	3	8	8	+5

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			Existing Provision	Planned Provision (including Existing Provision)	
Integrated Family Services Centre	1 for 100,000 to 150,000 persons [#]	1	3	3	+2
District Elderly Community Centres	One in each new development area with a population of around 170,000 or above [#]	N.A.	0	0	N.A.
Neighbourhood Elderly Centres	One in a cluster of new and redeveloped housing areas with a population of 15,000 to 20,000 persons, including both public and private housing [#]	N.A.	5	5	N.A.
Community Care Services (CCS) Facilities	17.2 subsidised places per 1,000 elderly persons aged 65 or above ^{#*@}	1661 places	303	303	-1358
Residential Care Homes for the Elderly	21.3 subsidised beds per 1,000 elderly persons aged 65 or above ^{#@}	2057 beds	271	271	-1786
Library	1 district library for every 200,000 persons ⁷	1	2	2	+1
Sports Centre	1 per 50,000 to 65,000 persons [#]	4	4	5	+1
Sports Ground/ Sport Complex	1 per 200,000 to 250,000 persons [#]	1	1	1	0
Swimming Pool Complex – standard	1 complex per 287,000 persons [#]	1	0	1	0

Note:

The planned resident population in Tin Shui Wai is about 286,499. If including transients, the overall planned population is about 294,972. (Included the redevelopment of hotels into residential development at TSWTL No.4).

The requirements exclude planned population of transients.

^ The provision of hospital beds is to be assessed by the Hospital Authority on a regional basis.

* Consisting of 40% centre-based CCS and 60% home-based CCS.

@ This is a long-term goal and the actual provision would be subject to the consideration of the Social Welfare Department in the planning and development process as appropriate.

π Small libraries are counted towards meeting the HKPSG requirement.

Oct 2020