

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Kowloon East of Lands Department (DLO/KE, LandsD) that the proposed 8-storey RCHE is in contravention of the user, building height and curtilage restrictions of the above lease conditions. If the subject application is approved by the Board, the applicant shall apply to LandsD for lease modification to implement the proposal. There is no guarantee that the lease modification would be granted or approved, which, if granted or approved by LandsD in the capacity of a landlord, shall be subject to such terms and conditions including payment of premium and administrative fee as may be considered appropriate by LandsD. The applicant is advised to demonstrate the carving out history of the parent lots of KIL 4011 and KIL 4168. He reserves his comments on the existing site area and proposed gross floor areas quoted in the planning statement until more information is available at the stage of lease modification application;
- (b) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to observe the requirements of the Noise Control Ordinance and avoid/minimise adverse noise impact or noise nuisance to the nearby noise sensitive receivers;
- (c) to note the comments of the Director of Social Welfare (DSW) that the design and construction of the proposed RCHE shall comply with all relevant licensing and statutory requirements including but not limited to the Buildings Ordinance (BO) (Cap. 123), Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) and its subsidiary legislation and Code of Practice for Residential Care Homes (Elderly Persons) [March 2013(Revised Edition)]. The applicant should be reminded that in accordance with section 20(1) of the Residential Care Homes (Elderly Persons) Regulation, no part of a residential care home shall be situated at a height more than 24 metres above ground floor, measuring vertically from the ground of the building to the floor of the premises in which the residential care home is to be situated;
- (d) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) that all building works are subject to compliance with the BO. A RCHE which is for habitation is a domestic use under the BO. The applicant is advised to appoint an Authorized Person to submit building plans to demonstrate compliance with the BO, including (but not limited to) adequate means of escape shall be provided in compliance with Building (Planning) Regulation (B(P)R) 41(1); access and facilities for use by persons with a disability shall be provided in compliance with B(P)R 72 and Design Manual: Barrier Free Access 2008; service lane shall be provided in compliance

with B(P)R 28; and the prescribed windows for habitation shall face into external air in compliance with B(P)R 31. His comments on the building proposal of the development would be subject to application for the approval under the BO; and

- (e) to note the comments of the Director of Fire Services (D of FS) that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. The applicant is reminded that the height restrictions as stipulated in Section 20(1) of “Residential Care Homes (Elderly Persons) Regulation, Cap. 459A” shall be observed.