

Advisory Clauses

- (a) the approval of the application does not imply that the GFA concession of the proposed underground public vehicle park would be granted by the Building Authority (BA). The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if the GFA concession for the proposed underground vehicle park is not granted by the BA such that the resultant GFA of the proposed development at the Site exceed the maximum plot ratio (PR) of the "R(A)" zone under the OZP, a fresh planning application to the Board would be required;
- (b) to note the comments from Chief Estate Surveyor/Urban Renewal, Lands Department that:
 - (i) URA is required to clarify which party is responsible for the construction and subsequent operation, maintenance and management of the public vehicle park;
 - (ii) should the application be approved by the Board and in case the government decides to invoke the Lands Resumption Ordinance, Cap. 124 to resume the remaining properties in the DP, the URA is required to submit land grant application to LandsD for implementation of the development proposal. There is no guarantee that the maximum GFA and other development parameters will be incorporated in the future land grant conditions. Appropriate lease conditions will be considered at a later stage after the planning approval is granted and after the approval of the land resumption application. If the land grant is approved by LandsD acting in its capacity as the landlord at its absolute discretion, it will be subject to such terms and conditions, including but not limited to payment of premium, as may be imposed; and
 - (iii) the appropriate lease conditions including whether the GFA of the public vehicle park is exempted under lease will be considered at the land grant stage after the planning approval is granted and after the approval of the land resumption application;
- (c) to note the comments from Chief Building Surveyor/Kowloon, Buildings Department that:
 - (i) the scheme involves extinguishment of existing lands/streets between the buildings with erection of new buildings over, under, upon and/or on the existing lanes/streets, which would contravene section 31 of the Buildings Ordinance (BO);
 - (ii) exemptions and/or modifications with or without condition(s) under the BO may be considered for the proposed extinguishment of the existing lanes/streets and inclusion of the existing lanes/existing streets/the proposed through road in site area for the purposes of PR and site coverage calculations under the Building (Planning) Regulation (B(P)R), but they will only be considered on its individual merits based on relevant information or justification submitted to the BA. In this connection, the applicant is advised to appoint an Authorized Person to submit a

pre-submission enquiry on the issues arisen under the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) ADM-19 at an early stage to seek determination from the Building Authority in these respects.

- (iii) PNAP APP-151 on Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 on Sustainable Building Design Guidelines are applicable to the proposed development at the Site;
 - (iv) PNAP APP-2 spells out the criteria on the application of B(P)R 23(3)(b) in respect of carparking spaces, associated ramps and facilities to be disregarded from GFA calculation. 100% GFA concession may be granted for underground carparks while only 50% GFA concession may be granted for aboveground carparks; and
- (d) to note the comments of the Director of Fire Services that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.