

Comments from Relevant Government Departments

1. Building Matters

Comment of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) He has no objection to the application. Detailed comments under the Building Ordinance will be made at building plan submission stage;
- (b) Unallocated government lands are noted between the lots and Ma Sik Road / Fan Leng Lau Road. If the Site does not abut specified street(s) of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulation at the building plan submission stage;
- (c) The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 5 and 41D of the Building (Planning) Regulations respectively;
- (d) The proposed carpark may be disregarded from GFA calculation subject to compliance with PNAP APP-2;
- (e) GFA concession for the club house and the proposed RCHE (if apply for) would be subject to compliance with the pre-requisites in PNAP APP-151 & 152;
- (f) The proposed RCHE is subject to the issue of a licence and required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
- (g) Height of storey over 4.5m (for G/F domestic), 3.5m (for upper floors domestic) and 5m (for non-domestic) is normally not acceptable unless justification from Authorized Person (AP) is found satisfactory;
- (h) Lot No. 1984 in D.D. 51 is a landlocked site surrounded by the Site. Its access would be affected if the development is completed. Provision of any right of way on the site for Lot No. 1984 in D.D. 51 should be considered;
- (i) Lot No. 1981 RP in D.D. 51 is alienated from the other lots of D.D. 51 in the subject development. These 2 sites should be considered as separated sites for the purpose of plot ratio, site coverage and compliance with other provision under the Buildings Ordinance in the development; and
- (j) Detail comments will be made at building plan submission stage.

2. Landscape

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- (a) He has no objection to the application from the landscape planning perspective;
- (b) The Site, located at the junction of Ma Sik Road and Fan Leng Lau Road, falls within an area zoned "Village Type Development" ("V") on the approved Fanling/Sheung Shui OZP No. S/FSS/22. The Site consists of 2 separated areas with the proposed RCHE as main area and a small area (with no proposed development) a distance to its southeast corner. The Site is not subject of any previous application;
- (c) Based on the latest aerial photo of 2017, the Site is situated in an area of rural fringe landscape character area comprising of low-rise residential developments, village houses, scattered tree groups and an open carpark with high-rise residential development at a further distance. The proposed 3 to 4 storeys including basement carpark are not incompatible with the surrounding area;
- (d) According to the site photo record from the Fanling, Sheung Shui and Yuen Long East District Planning Office dated 2.5.2018, the main area of the Site is hard paved without significant vegetation and used as car park. The small area is vegetated but no development is proposed in the application. Significant adverse impact to landscape resource arising from the proposed development is not anticipated;
- (e) Should the application be approved by the Board, approval condition requiring the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Board is recommended;

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/North, Lands Department that the applicant is required to submit a land exchange application for the proposed development. Lands Department acting in the capacity as landlord will consider the land exchange application, which, if approved, will be subject to such terms and conditions as appropriate including the payment of premium and administrative fee. There is no guarantee that the land exchange application will be approved nor the right of way over the concerned government land between the Site and Ma Sik Road will be granted. In any event, any structures existing on the Site should be cleared at the applicant's own expense to make way for the proposed development, if approved;
- (b) to note the comments of Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that
- (i) unallocated government lands are noted between the lots and Ma Sik Road / Fan Leng Lau Road. If the Site does not abut specified street(s) of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulation at the building plan submission stage;
 - (ii) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 5 and 41D of the Building (Planning) Regulations respectively;
 - (iii) the proposed carpark may be disregarded from GFA calculation subject to compliance with PNAP APP-2;
 - (iv) GFA concession for the club house and the proposed RCHE (if apply for) would be subject to compliance with the pre-requisites in PNAP APP-151 & 152;
 - (v) the proposed RCHE is subject to the issue of a licence and required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
 - (vi) height of storey over 4.5m (for G/F domestic), 3.5m (for upper floors domestic) and 5m (for non-domestic) is normally not acceptable unless justification from Authorized Person (AP) is found satisfactory; and
 - (vii) lot no. 1984 in D.D. 51 is a landlocked site surrounded by the Site. Its access would be affected if the development is completed. Provision of any right of way on the site for Lot No. 1984 in D.D. 51 should be considered.
 - (viii) lot no. 1981 RP in D.D. 51 is alienated from the other lots of D.D. 51 in

the subject development. These 2 sites should be considered as separated sites for the purpose of plot ratio, site coverage and compliance with other provision under the Buildings Ordinance in the development;

- (ix) the new Quality and Sustainable Built Environment (QBE) requirements and the new GFA concession policy are applicable to the proposed development; and
 - (x) detailed comments will be made at building plan submission stage.
- (c) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that
- (i) the section of Ma Sik Road adjacent to the Site is under HyD's maintenance purview. From the schematic master layout plan, he noted that the applicant had put down a vehicular access road from Ma Sik Road routing through the footpath, cycle track and a portion of unallocated government land (UGL) to the Site. As part of the access road is on UGL which is outside HyD's jurisdiction. The maintenance responsibility of this part of access road should be sorted out with DLO/N; and
 - (ii) to re-construct the run-in/out, the applicant is required to apply for an excavation permit.
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant should be drawn to attention of "Technical Note to prepare a Drainage Submission" issued by DSD in November 2011 – Section 3(a) that for development sites, which are less than 1 ha in size and neither fall within floor prone filling and substantial earth filling, are regarded as simple sites.
- (e) to note the comments of Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standard.
- (f) to note the comments of the Director of Fire Services (D of FS) that
- (i) EVA arrangement shall comply with Section 6, Part D of the Code of Practice of Fire Safety in Buildings 2011 administered by Buildings Department;
 - (ii) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and

- (iii) the height restriction for RCHE as stipulated in section 20 of Residential Care Homes (Elderly Persons) Regulations, Cap 459A should be observed.
- (g) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that
- (i) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site; and
 - (ii) to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

