

Recommended Advisory Clauses

- (a) to note the comments of the Secretary for Home Affairs that the proposed facilities should be an upgrade to the Penfold Park with an aim to enhance the public enjoyment and hence the detailed operation model should be developed in due course in accordance with its aim.
- (b) to note the comments of the District Lands Officer/Shia Tin, Lands Department (DLO/ST, LandsD) that:
 - (i) the Grantee shall throughout the term develop and maintain the Penfold Park as shown and marked on the Approved Master Layout Plans for the use of all members of the public free of costs for recreational purposes the nature of which shall have regard to the Grantee's requirements for the security of the remainder of the lot and the Grantee's requirement for the operation of horse-racing but shall in all respects be to the satisfaction of the SHA or his/her delegated officer; and
 - (ii) apply to LandsD for an amendment of the Master Layout Plan approval for felling or pruning of trees or such modification to the lease conditions (if required). However, there is no guarantee that the application(s) must be approved. Such application(s), if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion and any approval would be subject to such terms and conditions as may be imposed by LandsD.
- (c) to note the comments of the New Territories East (1) and Licensing Section, Buildings Department that:
 - (i) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the application site, the prior approval and consent of Buildings Department (BD) should be obtained, otherwise they are Unauthorised 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);
 - (ii) if the proposed use under application is subject to the issue of a licence, please be reminded that any existing structures on the application site intended to be used for such purposes are required to comply with the building safety requirements as may be imposed by the licensing authority;
 - (iii) if the application site does not abut on a specified street 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;
 - (iv) in connection with paragraph (c)(i) above, the application site shall be provided with means of obtaining access thereto from a street and emergency vehicular access (EVA) in accordance with regulations 5 and 41D of the Building (Planning) Regulations respectively; and
 - (v) detailed comments on compliance with the BO will be carried out upon receipt of resubmission of general building plans

- (d) to note the comment of the Director of Fire Services that:
 - (i) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
 - (ii) the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the BD.
- (e) to note the comment of the Chief Town Planner/Urban Design and Landscape, Planning Department that:
 - (i) the use of other visual mitigation measures (such as screen planting, roof green or vertical greening strategy etc. where applicable) should be considered for the administrative block and stable to further minimise respective visual impacts on nearby visual sensitive receivers (including viewers from the spectators stand at the race course) and capture the opportunity to enhance the user experiences of Penfold Park;
 - (ii) approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. Tree removal applications should be submitted direct to DLO/ST, LandsD for approval; and
 - (iii) the applicant should make reference to the information published by the Greening, Landscape and Tree Management Section of Development Bureau on general tree maintenance and tree risk management.