

**Proposed Minor Relaxation of Building Height Restriction for Permitted Social Welfare Facility (Residential Care Home for the Elderly) and Proposed House Use with Conservation Proposal in “Government, Institution or Community (1)” Zone at Lots 1695 S.E ss.1 RP, 1695 S.F ss.1 and 1695 S.H RP (Part) in D.D.120 and Adjoining Government Land, Tai Kei Leng, Yuen Long, New Territories
(Application No. A/YL/302)**

Response-to-Comment Table

Departmental Comments	Response
Email from PlanD received on 26 April 2023 refers: Transport Department:	
(a) As there is change in planning parameters, the applicant shall provide updated traffic impact assessment for our review.	There is a reduction of 40 beds (from 281 to 241) as compared with the previous approved application. Therefore, the expected traffic generation/attraction will be less than the previous submission, and hence should be acceptable in traffic terms.
(b) The applicant shall state clearly how the proposed development connects to Tai Tong Road.	It is the same as the previous approved application. Pleaser refer to the G/F Layout Plan as attached in Appendix 1 .
(c) The applicant shall provide layout plan demonstrating that there are sufficient spaces for parking, loading/unloading and manoeuvring.	Please find attached the swept path diagrams in Appendix 1 showing sufficient maneuvering spaces for vehicles. (Remarks: The G/F plan is revised to allow more space for manoeuvring.)
(d) The local track abutting the subject site is not under Transport Department’s purview. The applicant shall obtain consent of the owners/managing parties of the local track for using it as the vehicular access to the subject site.	Noted.
(e) Sufficient space should be provided within the application site for manoeuvring of vehicles. In addition, no parking, queueing and reverse movement of vehicles on public road are allowed.	Noted and agreed. Please refer to response on (c).

<p>Email from PlanD received on 26 April 2023 refers: Fire Services Department:</p>	
<p>(a) Considering a petrol filling station (PFS) is located in the vicinity to the social welfare facility, a separation distance between the filling point/vent pipe and utilities outside the boundary of PFS should be maintained for the sake of safety, particularly for the vulnerable occupant(s) of RCHE. The applicant should be reminded the wall forming part of an occupied building should not be located within 12m of the filling points of PFS from the dispensers of the PFS. Moreover, additional fire safety requirements may be imposed upon vetting of the building details with regard to the safety distance of the petrol filling station at the vicinity.</p>	<p>Noted with thanks. The following mitigation measures are proposed to address the associated risks:</p> <ol style="list-style-type: none"> 1) A solid reinforced concrete wall, with a Fire Resistance Rating of at least 2 hours and a thickness of at least 300 mm, to be built from G/F to 2/F along the wall of the proposed building facing the nearby PFS; 2) No intake / exhaust openings of the proposed building should be built within 12m from the dispenser of the PFS; and 3) No emergency exit / entrance of the proposed building should be built within 12m from the dispenser of the PFS.
<p>(b) The applicant should be reminded for any new development proposed to be constructed in a close proximity of an existing licensed store, it should be ensured that the existing licensed store is not adversely affected.</p>	<p>Noted with thanks.</p>
<p>Email from PlanD received on 26 April 2023 refers: Civil Engineering and Development Department:</p>	
<p>(a) The applicant is reminded to submit plans of the proposed building works and site formation works to the Buildings Department for approval as required under the provisions of the Buildings Ordinance.</p>	<p>Noted with thanks.</p>
<p>(b) The applicant is reminded that the subject site is located within the Scheduled Area No. 2 and may be underlain by cavernous marble. Depending on the nature of foundation of the new development proposed at the site, extensive geotechnical investigation may be required as necessary. This would require a</p>	<p>Noted with thanks.</p>

<p>high-level involvement of experienced geotechnical engineer(s), both in the design and supervision of geotechnical aspects of the works to be carried out on the site.</p>	
<p>Email from PlanD received on 26 April 2023 refers: Social Welfare Department:</p>	
<p><u>Salient points on design of the Residential Car Home for the Elderly (RCHE)</u></p> <p>(a) <u>24m height restriction of the RCHE</u></p> <p>- As indicated in the planning statement submitted by the applicant (P.12 refers), the RCHE is situated on "Not more than 31.65 mPD (NB: Ground Level at 6.2 mPD and Mean Street Level at 5.75 mPD)".</p> <p>- According to para 5.3 of the Code of Practice for Residential Care Homes (Elderly Persons) January 2020 (Revised Edition) (CoP), "...no part of the RCHE shall be situated at a height more than 24 metres above the ground floor, measuring vertically from the ground of the building to the floor of the premises in which the RCHE is to be situated.... If an RCHE operator can prove the RCHE possesses facilities for fire safety, evacuation and rescue, and appropriate evacuation, contingency and fire drill plans to the satisfaction of the DSW, the DSW may approve the ancillary facilities of the RCHE to which the residents normally do not have access (e.g. kitchen, laundry rooms, office, staff resting room) to be situated at a height more than 24m above the ground....".</p>	<p>All facilities provided for the elderlies from G/F to 5/F are situated at a height within 21.85m above the ground floor (6.2mPD - 28.05mPD). The proposed RCHE is in full compliance with relevant licensing and statutory height requirements.</p>

<p>- In this light, the applicant is advised to ensure provision of the height of the proposed RCHE shall be in full compliance with relevant licensing and statutory height requirements.</p>	
<p>(b) <u>Heating, Lighting and Ventilation Requirements</u></p> <p>- Regarding the Heating, Lighting and Ventilation Requirements for RCHE as set out in para 4.9 of CoP which has been updated in February 2023, the applicant shall take note of all the latest requirements stipulated in the para. Among others, he shall pay special attention that the proposed RCHE should adopt the requirements on fresh air intake of mechanical ventilation system in compliance with the principles as stated at para 4.9.3a.</p>	<p>Noted with thanks.</p>
<p>(c) <u>Minimum Area of Floor Space of Each Resident</u></p> <p>- While the proposed RCHE is intended to provide 240-260 bed spaces within the intended Gross Floor Area (GFA) of 5,400 sqm., the applicant shall ensure the area of floor space to be provided for each resident of the proposed RCHE shall be in compliance with the statutory and licensing requirements.</p> <p>- The applicant should especially take note of the proposed upward adjustment of the statutory minimum area of floor space per resident for different care levels of RCHEs as proposed in the Residential Care Homes Legislation (Miscellaneous Amendments) Bill 2022 (the Bill) (i.e. the proposed statutory minimum floor space per resident for the "High Care Level Homes" will be increased from 6.5 sqm. to 9.5 sqm., whereas the proposed statutory minimum floor</p>	<p>A minimum floor space per resident at 9.5 sqm is allowed which is in compliance with the statutory and licensing requirements.</p>

<p>space per resident for the "Medium and Low Care Level Homes" will be enhanced from 6.5 sqm. to 8 sqm. upon passage of the Bill and according to its different implementation stages).</p>	
<p><u>Views on support-worthiness of the Applicant's intention for joining the Incentive Scheme</u></p> <p>(d) For the present S.16 planning application, we note that applicant has further expressed his intention to join "Scheme to Encourage Provision of RCHE Premises in New Private Developments" (Incentive Scheme).</p>	<p>The Applicant intends to seek Formal Policy Support to the proposed RCHE development at the subject site under the "Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments" to grant concessions to exempt the proposed RCHE from payment of land premium.</p>
<p>(e) Subject to the result of the planning permission considered by Town Planning Board, the consideration of the Planning Department (PlanD) and other government departments, and the applicant's clarification that the proposed RCHE as an independent building separating from the historic building "Siu Lo" and with its independent support facilities (including but not limited to the E&M facilities, parking and loading/ unloading provision) for the operation of the proposed RCHE, we may consider the worth-supportiness of the proposed RCHE under the Premium Concession Scheme upon receipt of a formal referral from Lands Department and seek policy support from Labour and Welfare Bureau on the application when suitable.</p>	<p>Noted with thanks.</p>
<p>Email from PlanD received on 26 April 2023 refers: Food and Environmental Hygiene:</p>	
<p>a) No Food and Environmental Hygiene Department's (FEHD) facilities will be affected and all related work or operation shall not</p>	<p>Noted with thanks.</p>

cause any environmental nuisance, pest infestation and obstruction to the surrounding.	
(b) For any waste generated from such operation or activity, the applicant should arrange disposal properly at his own expenses.	Noted with thanks.
(c) Proper licence / permit issued by FEHD is required if there is any catering service / activities regulated by the Director of Food and Environmental Hygiene under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.	Noted with thanks.
Email from PlanD received on 26 April 2023 refers: Urban Design and Landscape:	
(a) According to the application no. A/YL/263-1 approved on 16.3.2023, the building height of the proposed RCHE development at the Ex-Hang Heung Factory Site is 33.1mPD instead of 36.7mPD as shown in Figures 4 and 5 and 28.7mPD as indicated in Section 6 of the Visual Impact Assessment (VIA).	The concerned building height of the Ex-Hang Heung Factory Site as mentioned in the VIA, including the statement in para. 3.4 and Section 6, Figures 4 and 5, are amended accordingly. Please refer to Appendix 2 – Replacement Pages of Visual Impact Assessment and Figures. (Remarks: A typo in the photomontage of the proposed scheme shown in Figure 6 is observed and replaced.)
(b) Para. 5.7.1 of the planning statement and paras. 6.3.5 & 6.6.3 (VP3 & VP6) and Section 7 of VIA – Judging from the photomontages, the entire development is perceivable at these two vantage points (VPs) and the open sky view is apparently obstructed. The visual impact to these two VPs can hardly be regarded as slightly adverse when comparing to the existing condition.	For VP3 (para. 6.3.5), it is considered that the visual impact caused by the Proposed Development from this VP is graded as moderately adverse. For VP6 (para. 6.6.3), it is considered that the resultant visual impact of the Proposed Development is considered moderately adverse.

	Please refer to Appendix 2 – Replacement Pages of Visual Impact Assessment and Figures.
(c) The Applicant should provide the Legend to show the design elements shown on all Landscape Plans.	<p>The Legend has been included to show the design elements. Please refer to Appendix 3 – Replacement Pages of Development Scheme.</p> <p>(Remarks: As the layout of G/F is slightly refined to allow more space for manoeuvring, the plans attached in the Appendix 1 of the planning statement submitted on 24 March 2023, including G/F Layout Plan, Landscape Plan (G/F), Landscape Plan (Master Layout Plan), EVA Plan-1 and Heritage Conservation Strategy, will be replaced correspondingly by the plans attached in Appendix 3 – Replacement Pages of Development Scheme.)</p>
(d) Please be reminded that the approval of the s.16 application by the Town Planning Board does not imply approval of site coverage of greenery requirements under APP PNAP-152 and/or under the lease. The site coverage of greening calculation should be submitted separately to BD for approval.	Noted with thanks.