

**Disclaimer:** Pursuant to paragraph 23 of the Tender Notice, the Government will only answer questions of a general nature concerning Hung Shui Kiu Town Lot No. 18, Hung Shui Kiu Town Lot No. 19, Hung Shui Kiu Town Lot No. 20, Hung Shui Kiu Town Lot No. 21, Hung Shui Kiu Town Lot No. 23 and Hung Shui Kiu Town Lot No. 24 (collectively “the Lots”) and the tender exercise and will not provide legal or other advice in respect of the Conditions of Sale or any other documents referred to in the Tender Notice (including its annexes) or any statutory provisions relating to the Lots. Prior to submitting any tender for the Lots, prospective purchasers of the Lots may seek independent professional advice on issues concerning the Lots.

**The enquirer made enquiries on the following matters for Hung Shui Kiu Town Lot No. 19 (“HSKTL 19”):**

**Q1:**

**Regarding “Proposed Road D6” adjacent to the southern boundary of HSKTL 19, please provide further technical details, including the proposed alignment, width, and the anticipated implementation timeline for its construction.**

**A1:**

Please refer to paragraphs 2(c) and 5 of the Information Statement and the Conditions of Sale governing HSKTL 19, including but not limited to Special Condition No. (3), for information which may be relevant to the enquiry.

**Q2:**

- (i) Regarding “Proposed Footpath” adjacent to the eastern boundary of HSKTL 19, please provide further technical details, including the proposed alignment, width, and the anticipated implementation timeline for its construction.**
  
- (ii) Is there flexibility for the Purchaser to relocate the vehicular ingress/egress to the eastern boundary of the Site? Furthermore, would the Director permit the use of this footpath as emergency vehicular access or for heavy goods vehicles access in the future?**

**A2(i):**

Please refer to the Government’s response to Q1 above.

A2(ii):

Please refer to paragraphs 2(c) and 5 of the Information Statement and the Conditions of Sale governing HSKTL 19, including but not limited to Special Conditions Nos. (3) and (15), for information which may be relevant to the enquiry.

**Q3:**

**Under the Notes of the Outline Zoning Plan for HSKTL 19, “Industrial Use (not elsewhere specified)” is listed under Column 2. In the event the Purchaser successfully obtains approval from the Town Planning Board (“the Board”) for the storage of dangerous goods, would the Lands Department be prepared to process a lease modification or waiver to accommodate dangerous goods related operations?**

A3:

Please refer to the Conditions of Sale governing HSKTL 19, including but not limited to Special Condition No. (5), for information which may be relevant to the enquiry. According to paragraph 1.2(b) of the Marking Scheme at Annex II to the Tender Notice (“Marking Scheme”), one of the Mandatory Requirements of Non-Premium Submission (as defined in the Marking Scheme) is that the Industry Proposal (as defined in the Marking Scheme) shall not involve any uses that are not permitted under the Conditions of Sale governing HSKTL 19. Any tender with Non-Premium Submission (as defined in the Tender Notice) that does not comply with any of the Mandatory Requirements of Non-Premium Submission will not be considered further.

Any application for lease modification or waiver will be considered by the Government at its absolute discretion acting in the capacity of a landlord. There is no guarantee that such application will be entertained or eventually approved. If such application is approved, it will subject to such terms and conditions (including payment of premium and fee) as considered appropriate by the Government. In general, any application for major modification of the Conditions of Sale governing a lot sold within 5 years from the date of sale will not be entertained by the Government.

**Q4:**

**If the proposed strategic industrial building features a clear headroom**

**exceeding 10 meters, would this trigger any additional gross floor area (“GFA”)?**

A4:

Please refer to the Conditions of Sale governing HSKTL 19, including but not limited to Special Condition No. (34), for information.

The Buildings Department (BD), Lands Department and Planning Department have jointly published the Joint Practice Note No. 4, which is available on the Lands Department’s website ([www.landso.gov.hk/en/resources/practice-notes/jpn.html](http://www.landso.gov.hk/en/resources/practice-notes/jpn.html)), regarding development control. The Joint Practice Note stipulates that BD will become the sole agent responsible for verifying the gross floor area (GFA) computation for building facilities, features and structures of developments for the purposes of processing General Building Plan under the planning, building and land administration regimes.

BD has been exercising its discretion in accepting proposals with high headroom designs without additional GFA in the calculation according to the special nature and operational needs of private projects, such as logistics centres, data centres, airport terminals, hospitals and sports stadiums. According to section 42 of the Buildings Ordinance (BO) (Cap. 123), if in the opinion of the Building Authority (BA) special circumstances render it desirable, the BA may permit an application for modifications of the provisions of the BO. Currently, upon receiving such an application, the BD, after consulting relevant departments, will consider it through the Building Committees, and the BA will grant a permission or exemption based on the special circumstances, including the project’s uniqueness, the intended use of the proposed building and its operational needs, and measures or proofs for ensuring the void will not be abused. Prospective purchasers of the Lots are advised to obtain their own appropriate expert advice before submitting any tender for the Lots.