

**Proposed Rezoning From “AGR” To “G/IC” for
a Proposed “Social Welfare Facilities” (Residential Care Homes for The Elderly) (RCHE)
Lot 111 S.B RP, 111 S.B ss.1 to 3, 111 S.B ss.4 RP, 111 S.B ss.4 S.A, 111 S.B ss.5 to 6,
111 S.B ss.7 RP, 111 S.B ss.7 S.A, 111 S.B ss.8 RP, 111 S.B ss.8 S.A, 111 S.B ss.9 RP,
111 S.B ss.9 S.A to S.C, 111 S.B ss.10 to 14 AND Adjoining Government Land in D.D. 7, Tai Wo, Tai Po, N.T.
S12A Application for Planning Application No. Y/NE-KLH/4
Response-to-Comment – ASD
(Updated 25 September 2025)**

Comments	Response
Comments of the Architectural Services Department as follows: 1. From the photomontages provided, the indicative scheme with an overall plot ratio (PR) of 4.499, a site coverage (SC) of 63.07% and a maximum building height (BH) of 54.4mPD appears to be bulky as compared with the surrounding low-density village type setting and aesthetically monotonous. The applicant is suggested to articulate the building form and elevation design in order to avoid large blank walls facing the neighbourhood which might create an adverse visual impact.	Noted.

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S12A Application for Planning Application No. Y/NE-KLH/4
Response-to-Comment – SWD
(Updated 25 September 2025)**

Comments	Response
Comments of the Social Welfare Department as follows: <u>Service Perspective (RCHE)</u> 1. The design and construction of the proposed RCHE (including but not limited to the accessibility, building height, ceiling height, barrier free access, passage and doorway, habitation area, all basic facilities, minimum area of floor space for each resident, etc) shall be in full compliance with prevailing statutory and licensing requirements, such as the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) and its subsidiary legislation, the Residential Care Homes Legislation (Miscellaneous Amendments) Ordinance 2023 gazetted on 16 June 2023, and the latest version of the Code of Practice for Residential Care Homes (Elderly Persons) (CoP). 2. The proposed RCHE shall incur no financial implication, both in capital and recurrent, to the Government. 3. As indicated in the supplementary information provided vide PlanD’s email dated 12.9.2025, the proposed RCHE would be operated as a private elderly home <u>participating in Residential Care Service Voucher Schemes (RCSV)</u>. In view that the participation of RCSV Scheme will have implication to the recurrent commitment of the Government, <u>the applicant is required to clarify/ confirm whether the participation in RCSV Scheme is a premise of the proposed RCHE</u>.	Noted. Noted. The premise of the proposed RCHE is to operated as a private RCHE only. At this stage, the applicant does not intend to participate in the Residential Care Service Voucher Scheme.

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4. Having examined the applicant's submitted documents, including the Plans and Drawings, Supplementary Planning Statement, etc., we have the following comments for the applicant to follow-up – Building height - The proposed building height of the block is 31 m where facilities on and above 8/F are above a building height of 24m. Under section 20 of the Residential Care Homes (Elderly Persons) Regulation, Cap. 459A, no part of an RCHE shall be situated at a height more than 24 m 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 that the RCHE possesses facilities for fire safety, evacuation and rescue, and appropriate evacuation, contingency and fire drill plans to the satisfaction of the Director of Social Welfare (DSW), the DSW may approve the ancillary facilities of the RCHE to which the residents normally do not have access (e.g. kitchen, laundry room, office, staff resting room) to be situated at a height more than 24 m above the ground. Layout design and usage of facilities - Every passage and doorway shall be wide enough to accommodate residents using walking aids or wheelchairs. Please ensure that the clear width of every passage	The area above 24m would be un-accessible for residents and comply with COP of fire safety that the RCHE possesses facilities for fire safety, evacuation and rescue, and appropriate evacuation, contingency and fire drill plans. The clear width of every passage and doorway are more than 1050mm and 800mm respectively.

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and doorway shall not be less than 1 050 mm and 800 mm respectively. • Please countercheck and confirm the number of beds for residents in suites and dormitories on each floor. • Please provide the area of floor space for each resident. • Please consider adding door for each dormitory in view of the privacy concern. • Please clarify whether there is any lift in the RCHE for accommodating a stretcher bed measuring 2 050 mm x 560 mm for conveyance of bed-bound residents. • Please clarify/indicate whether there is any Dumb Waiter to be provided in the RCHE. If it is not provided, please clarify the method of meal delivery from the kitchen to residents on different floors. • Please clarify if there is/are any general store(s) for storage and keeping things for daily use or use in the future. If this facility is not provided in the RCHE, please indicate any alternative arrangement. • On G/F Plan, please indicate the Loading/Unloading Bay as stated in paragraph 3.2.5 of Planning Statement.	Revised. Refer to G-01, Planning Statement P.1, 3, 13a, VIA P.6a, Landscape Master Plan P.5a and P.8. Total dorm floor area = 962.41m² x 6 storey = 5774.46 m² Total No. of beds = 291 Total floor space for each resident = 5774.46/ 291 = 19.843m²/ppl To maximize the privacy of residents, all beds of dorm are partitioned by 2m height partition wall. This door would not be provided for the dorm. The proposed lift internal size = 2500m x 2100m. The lifts in the RCHE are accommodate a stretcher bed. Provide next to the lift 1 and indicated on plans. Please refer to G-02 to G-08. 1.9m x 2.3m store add for daily use refer to G-04 to G-06. Loading/ Unloading Bay is mark as L/UL on G-02.

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- On G/F Plan, please indicate/clarify any door at the ‘Entrance’ on the left of Reception. - On G/F Plan, private car parking spaces are not regarded as the provision of RCHE and should not be included in the GFA of the RCHE from service perspective. - Please confirm that all facilities (such as Canteen, Library, Gym/Rehabilitation Area on 1/F) of the RCHE should solely serve the RCHE and solely be used by residents of the RCHE and should not be opened to the use of public. - On 1/F Plan, please indicate the name of the room on the left of the Library and indicate its usage. - For 2/F-7/F, isolation rooms are placed inside Dormitory 3. The design implies residents needed for isolation will access to the isolation room through Dormitory 3. It is not desirable for purpose of infection control. Please review the design. - Regarding the balconies on 2/F- 7/F and roof garden on the R/F, the applicant should follow paragraph 16.2.4 of the Code of Practice for Residential Care Homes (Elderly Persons) June 2024, which states that "Residents of RCHE should be provided with a safe and protected living environment; effective measures shall be implemented and notices be posted to prevent residents from colliding with large floor-to-ceiling glass and entering prohibited areas such as the server	Door added. Refer to G-02. Noted. All facilities (such as Canteen, Library, Gym/Rehabilitation Area on 1/F) of the RCHE should solely serve the RCHE and solely be used by residents of the RCHE and should not be opened to the use of public. This is plant room and indicated on G-03. Isolation Rooms are relocated to be accessible from corridor. Refer to G-04 to G-06. All balcony and flat roof should be fence off with 2m heigh metal cages.

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room, rooftop or balcony". - For 5/F- 7/F, please add indications for ‘DORM. 4’. - For 5/F- 7/F, in accordance with the Code of Practice for Residential Care Homes (Elderly Persons) June 2024 (Revised Edition), every room used for habitation in RCHEs shall be provided with adequate natural lighting and ventilation for compliance with sections 29, 30, 31, 32 and 33 of the Building (Planning) Regulations (Cap. 123 sub leg. F). As there will be Suites 2-4 designed in Dormitory 4, whether natural lighting and ventilation is enough for Beds 18-20 will be deferred to licensing perspective. - On 8/F, please clarify the users for the two meeting rooms. - On 8/F, Staff Room 1 – 5 are regarded as staff quarter. They are not regarded as the provision of RCHE and should not be included in the GFA of the RCHE from service perspective. - From the legend on the left of 8/F Plan, changing room is marked as Plant. Please review/clarify the usage of the area. - On Roof Plan, the Roof Garden is designed as an Open Roof Garden for the Leisure of the Staffs and Visitors. Yet, it is also stated in paragraph 8.15 of the planning statement, it is a large outdoor area for user entertainment and space for	Added. Refer to G-04. The natural lighting and ventilation of Bed. 18-20 would be provided through prescribed window facing Dorm 7, which required under B(P)R. The two meeting room is for meeting of staffs and visitor. Noted. Diagram revised. Refer to G-07. Residents shall not be granted access to R/F.

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events & activities where users can enjoy high-quality views and the equipment in their accommodation experience. As stated above, R/F is above 24m, residents shall not be granted access to R/F. Incentive Scheme Regarding the applicant’s intention of joining the Incentive Scheme, would the applicant please indicate the level of care to be provided by the RCHE and the exact number of operators of the RCHE. <u>Licensing Perspective (RCHE)</u> 5. From the licensing perspective, the applicant’s attention is drawn that for a licence of residential care home for the elderly (RCHE) to be issued, the intended RCHE has to comply with the licensing requirements as stipulated in the Residential Care Homes (Elderly Persons) Ordinance, Cap. 459, its subsidiary legislation and the latest version of the Code of Practice for Residential Care Homes (Elderly Persons) (CoP). All requirements refer to those prevailing at the time when the application for a licence is processed by the Licensing Office of Residential Care Homes for the Elderly of our Department. 6. As noted from the project documents provided, the proposed RCHE is situated from G/F to R/F. The floor height of 7/F (topmost floor of the dormitory) is 24m from G/F (i.e.	The applicant intend to operate the RCHE as Care and attention home. The number of operators is 49 according to COP of RCHE. Noted. Noted.

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47.4m minus 23.4m). Therefore, the proposed RCHE for dormitory is considered within 24m height limit. However, the floor height of 8/F and R/F (topmost floor) is 27.5m (i.e. 50.9m minus 23.4m) and 31m (i.e. 54.4m minus 23.4m) respectively from G/F. Regarding the height restriction of RCHEs, the applicant’s attention is drawn to Paragraphs 5.3.1 and 5.3.2(a) of the CoP, which stipulates that “Under section 20 of the Residential Care Homes (Elderly Persons) Regulation, subject to paragraph 5.3.2 below, no part of an RCHE shall be situated at a height more than 24 m 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 that the RCHE possesses facilities for fire safety, evacuation and rescue, and appropriate evacuation, contingency and fire drill plans to the satisfaction of the Director of Social Welfare (DSW), the DSW may approve the ancillary facilities of the RCHE to which the residents normally do not have access (e.g. kitchen, laundry room, office, staff resting room) to be situated at a height more than 24 m above the ground floor”. In this connection, the proposed ancillary facilities of the proposed RCHE on 8/F and R/F shall be limited to the RCHE staff only but not be accessible to any residents. Moreover, additional fire safety requirements of Fire Services Installation and management of the RCHE with a view to meeting the needs of rescue, evacuation and contingency management, have to be	

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fulfilled. These proposals would be assessed on case-by-case basis in consultation with the Fire Services Department during the licence application stage. 7. It is noted that the proposed RCHE occupies a gross floor area exceeding 230 m.sq., please note the fire safety requirements as stipulated in Para. 5.4.4 of the CoP shall be complied with.	The applicant confirm 5.4.4 of CoP would be complied.

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Comments	Response
Comments of the Urban Design & Landscape Section, Planning Department as follows: <u>Urban Design and Visual perspective</u> <u>General Comment</u> 1. The subject site (the Site) falls within an area zoned “Agriculture” (“AGR”) on the approved Kau Lung Hang Outline Zoning Plan (OZP) No. S/NE-KLH/11. It is sandwiched by Fanling Highway to its west and Tai Wo Village to its east. Across the Fanling Highway is Tai Hang Village and some rural settlements such as Tai Hang Garden, Prince Garden and Mannes Villa. These village houses and rural settlements are with BHs ranging from 26mPD to 46mPD / 1 to 3 storeys. Stretches of agricultural land is also found to the south of Site. <u>The proposed development with a BH of 54.4mPD/9 storeys is comparatively taller than the village houses/ rural settlements nearby, and would inevitably bring forth visual changes to its immediate surroundings.</u> 2. Apart from proposed various design measures including building setback and vertical greenery to support the development proposal, to substantiate the application and facilitate the consideration of the RNTPC, <u>the Consultant may consider to provide/explore design measures in making appropriate response to the immediate rural and low-rise locality.</u>	Noted. Noted.

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<u>Supporting Planning Statement</u> 3. Paras. 3.1.9 and 5.3.3 – For the proposed BH and PR, discrepancies between those in the table under para. 3.1.9 and the statement in para 5.3.3 (a BH of 9 storeys vs 10 storeys and a PR of 4.499 vs 5.53) are noted, please clarify and rectify. 4. Drawing G-01 – Development Schedule & Section - For clearer illustration of the indicative scheme, please supplement the height of the rooftop E&M structures. 5. All relevant mitigation measures (i.e. building setback and vertical greenery, etc.) shall be clearly indicated on plan(s)/section(s), preferably with different colours. <u>Appendix 1 – Visual Impact Assessment</u> 6. Para 4.1 – For the Consultant’s information, according to Town Planning Board Guideline (TPB-PG) No. 41, the initial assessment area is three times the BH of the proposed development. Please review. 7. According to TPB-PG No. 41, the effects of the visual changes in the “Effect on Public Viewers” can be graded qualitatively in terms of magnitude as <u>substantial, moderate, slight or negligible</u>. Hence, grading on the "Effect on Public Viewers" for VP1 to VP5 with reference to TPB-PG No.41 should be provided at the end of respective paragraph. The grading should also be justified with reference to the overall visual impact of each of the VP.	Due to the revision of plans para. 3.19 and 5.3.3 are revised accordingly. 5.2m is for life provision while 3.1m are for other plant room provision. Refer to G-01. Noted. Vertical greener added on plans. Refer to G-06. Noted. Figure 3 is revised accordingly. Revised. Refer to VIA P.13, 14a, 14b, 15-17.

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8. Para. 5.2 – According to TPB-PG No. 41, please note that “<u>adverse</u>” is not one of the threshold of the visual impact. With reference to the photomontage and the ‘High’ visual sensitivity of VP2, please review if it would be more tenable to grade the visual impact of VP2 as “<u>moderately adverse</u>”. In this connection, please also review and revise paras 6.1 and 6.2. 9. Para. 5.5.3 – With reference the photomontage, please consider if it would be more tenable to revise the statement to “the proposed development would cause <u>slight</u> visual obstruction to the skyline and ridgeline in the background”. 10. Para. 6.4 – According to TPB-PG No.41, “<u>acceptable</u>” is not one of the threshold of the visual impact. Please consider to revise the statement to “the Proposed Scheme is considered to be <u>negligible to moderately adverse</u> in terms of visual impact”. 11. There are some observations on the accuracy of the photomontages, please review: (a) VP1 - the proposed development should appear to be shorter (i.e. the proposed development should be of similar height with the nearby village houses); (b) VP2 - the proposed development should shift to the left of the photomontage (i.e. lower half of the building should be screened off by the trees); (c) VP3 - the proposed development should appear to be shorter and shift to the left of the photomontage; and	Revised. Refer to VIA P.14, 18-19. Revised. Refer to VIA P.17. Revised. Refer to VIA P.19. Revised. Refer to Figure 4. Revised. Refer to Figure 5. Revised. Refer to Figure 6.

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(d) VP5 - the proposed development should appear to be slightly taller beyond the ridgeline at the back. <u>Landscape Planning perspective</u> <u>General Comment</u> 1. Based on the aerial photo of 2025, the site is situated in an area of settled valleys landscapes character comprising low-rise residential development, village houses, car parks, vegetated area and clusters of trees. It is observed that the new proposed development involves a 9 storeys Residential Care Home for the Elderly (RCHE) with an overall building height of 31m (+54.4mPD). <u>The scale of the development may alter the surrounding landscape character, which currently dominated by the low-rise residential development and village houses approximately 3 storeys.</u> <u>Figure 7 – Conceptual Design in the planning statement</u> 2. The applicant should provide a proposed development tallied with landscape mitigation measure set out in Appendix 4 – Landscape Master Plan. <u>Appendix 4 – Landscape Master Plan</u> 3. Refer to <i>section 9.0 - Soft landscape design elements</i>, the proposed spacing of tree planting and large shrub planting is considered inadequate. A minimum spacing of 4,000 mm should be adopted to allow for the healthy and future growth of tree canopies.	Revised. Refer to Figure 8. Noted. Noted. Spacing revised. Refer to Appendix 4 – LMP P.15.

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Moreover, the applicant is advised to provide an indicative number of proposed new trees and size within the application site. 4. Refer to <i>figure 3 to 9 – Conceptual Landscape Plans and Detail Section</i>, the applicant should provide separate legends with distinct colours/ shape for trees and shrubs on the landscape plans with planting schedule for clarity. 5. Refer to <i>figure 9 – Detail Section</i>, the applicant is advised to provide an additional sectional drawing, including a view facing Fanling Highway, to facilitate assessment of the landscape quality. 6. The applicant should ensure that all landscape drawings are fully consistent with the proposed landscape mitigation measures across the application package. 7. Refer to <i>section 7.0 – Green Coverage</i>, according to the requirement of <i>Sustainable Building Design Guidelines</i> (SBDG), new development with site area ranging from <u>1,000 sq.m to 20,000 sq.m</u> is required to achieve a minimum of 20% greenery coverage. The statement in <i>Section 7.0 – Green Coverage in Appendix 4 – Landscape Master Plan</i>, which currently specifies a range of 1,000 sq.m to 2,000 sq.m, should therefore be rectified. 8. The applicant should be advised that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant is reminded to	Noted. Refer to Figure 3-8. Additional section add. Refer to New Drawing Figure 9a. Noted. The range is revised to “1,000 sq.m to 20,000 sq.m”. Refer to LMP P.9. Noted.

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111 S.B ss.7 RP, 111 S.B ss.7 S.A, 111 S.B ss.8 RP, 111 S.B ss.8 S.A, 111 S.B ss.9 RP,
111 S.B ss.9 S.A to S.C, 111 S.B ss.10 to 14 AND Adjoining Government Land in D.D. 7, Tai Wo, Tai Po, N.T.
S12A Application for Planning Application No. Y/NE-KLH/4
Response-to-Comment – PlanD(UD&L)
(Updated 29 September 2025)**

Comments	Response
seek approval for any proposed tree works from relevant departments prior to commencement of the works.	

General Revision
Landscape Master Plan Figure 10, 11, 13 revised.

