

**Proposed Rezoning From “AGR” & “GB” To “G/IC” for  
a Proposed “Social Welfare Facilities” (Residential Care Homes for The Elderly) (RCHE)  
Lot 232 RP, 232 S.A RP, 232 S.A ss. 1 to 14, 232 S.B RP, 232 S.B ss. 1 to 27,  
232 S.C to 232 S.E, 233 RP, 233 S.A to 233 S.M, 237 RP, 237 S.A to 237 S.R,  
239 RP, 239 S.A to 239 S.G in D.D.23, Tung Tsz, Tai Po, N.T.  
S12A Application for Planning Application No. Y/NE-TK/19  
Response-to-Comment – SWD  
(Updated 11 July 2025)**

Comments	Response
<p><b>1. Comments of the Director of Social Welfare as follows:</b></p> <p><i>Service Perspective (RCHE)</i></p> <p>From service point of view, please find our comments on the FI as follows –</p> <ul style="list-style-type: none"> <li>Re other comments on the full set of amended/updated layout plan: <ul style="list-style-type: none"> <li>G-04: Doors of Dorm 1-9 are still not found in the layout plan.</li> <li>G-04A: Doors are still not found in Dorm 1,2,4,5,6,7,8,9 in the layout plan.</li> </ul> </li> </ul> <p>Entrance/door is still not found in Dorm 3 of the layout plan.</p> <p><i>Licensing Perspective (RCHE)</i></p> <ul style="list-style-type: none"> <li>The applicant has addressed to our previous comment and LORCHE has no additional comment, please.</li> </ul>	<p>Revised accordingly.</p> <p>Noted.</p>

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Date	Comments	Response
21-Feb-25	<i>Whether the design of proposed RCHE comply with relevant requirements and standards</i>	
1	The applicant is reminded that all the design and construction of the RCHE shall comply with all relevant licensing and statutory requirements including but not limited to (i) the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) and its subsidiary legislation and (ii) the latest version of the Code of Practice (CoP) for Residential Care Homes (Elderly Persons).	Noted.
2	The proposed building height of the block is 31 m. 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.	According to S20 of Residential Care Home (Elderly Person) Regulation, we would seek the approval from Director of Social Welfare Department on the part of RCHE were exceed a height of 24m from G/F during the licensing application process.
3	Regarding the flat roof on 7/F and roof garden on 8/F, the applicant should follow para.16.2.4 of the CoP 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 room, rooftop or balcony". To address the safety concern, please provide more safety measures in addition to the basic requirement of a 1100 mm parapet wall and ensure that precautions to be taken for the open sitting areas.	Noted. All parapets are 1.1m above finish floor level.
4	According to Section 21(c) of Residential Care Homes (Elderly Persons) Regulation, Cap. 459A, the ceiling of every room shall, unless otherwise permitted by the DSW, be situated at a height of not less than 2.5 m measuring vertically from the floor or not less than 2.3 m measuring vertically from the floor to the underside of any beam.	Noted. Would be complied in detail design.
5	Barrier free access for the disabled has to be provided in the RCHE premises.	Complied.
6	The applicant should ensure that the RCHE shall be accessible by emergency services.	The RCHE is accessible by emergency services like Ambulance.
7	It is noted that two beds inside the 2-bed suites are placed adjacent to each other without any passage between the beds. According to Section 21(a) of Residential Care Homes (Elderly Persons) Regulations, Cap. 459A, every passage and doorway shall be wide enough to accommodate residents using walking aids or wheelchairs. According to para. 4.4.1 of the CoP, the clear width of every passage and doorway shall not be less than 1 050 mm and 800 mm respectively, so as to facilitate residents using wheelchairs or walking aids to enter or pass through any rooms, including bedrooms and toilets/bathrooms, without assistance and unnecessary difficulty. Would the applicant please review the size and layout design of the two-bed suites.	Revised. Refer to G-05, G-06.
8	All facilities (such as CAFE and GYM on LG/F, SALON and MEDICAL CLINIC on UG/F) of the RCHE should be solely used by residents of the RCHE and should not be opened to other parties or public use. The applicant is advised to confirm such arrangement.	Confirmed. The arrangement RCHE should be solely used by residents of the RCHE and should not be opened to other parties or public use.
9	Staff quarters on 8/F is not a provision for RCHE and should not be included in the proposed RCHE.	Noted.
10	Please clarify whether the canteen and work stations on 8/F are for the staff use. Staff canteen is not a provision for RCHE.	8/F is for staff use. Canteen is for convenience of the staff.
11	Please name all the boundary/extent on the upper left corner of the layout plans.	
12	The kitchen is situated on 8/F. Please indicate/clarify if there is/are any dumb waiter for meal delivery to other floors and indicate alternative arrangement(s) if this facility is not provided.	Dumb waiter provided. Refer to G-07.
13	Please indicate the parking/loading/unloading area for emergency vehicles including ambulances.	Revised. Please refer to G-02. The loading/unloading is for both mini-bus and emergency vehicles.
14	The basic facilities in the RCHE shall include dining/sitting area. Please indicate on the layout plan if this is provided.	Revised. Please refer to G-04 to G-06.
15	According to para. 6.2 of the CoP, please ensure that the minimum area of floor space for each resident should be 9.5 sq m.	Confirmed.
16	Please confirm that all habitation area of the RCHE should be provided with openable/prescribed window(s). Furthermore, no part of the area used for habitation shall be more than 9 m, measured within the habitation area from the prescribed window(s).	Confirmed.
17	Please clarify if there is any rehabilitation area and indicate alternative arrangement(s) if this facility is not provided.	Tai Chi square and outdoor – exercise equipments in roof garden would be provided for rehabilitation.
18	Please provide a more detailed layout of the attached toilets cum bathrooms/shower rooms inside the dormitories and suites.	Revised. Please refer to G-04 to G-06.
	<b>Whether Premium Concession Scheme is applicable to the proposed RCHE</b>	
	The proposed RCHE should comply with all the requirements of the Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments (the Incentive Scheme) as set out in Lands Department (LandsD)'s Practice Note Issue No. 5/2023.	Noted.
	As stated in paragraph 7 of the Guidance Note on the Incentive Scheme, SWD will support development proposals that provide Nursing Homes or Care and Attention Homes. The applicant should clarify the nature of RCHE to be provided.	The RCHE is Nursing House.
	Subject to the result of the s.12A planning application, the applicant shall indicate his intention to join the Incentive Scheme when submitting the land exchange application to LandsD. SWD would render comments on the detailed design of the RCHE upon receiving LandsD's referral and would seek policy support from LWB on the application for premium concession when suitable.	Intent to join the Incentive scheme.
	<b>Any comments from the RCHE licensing perspective</b>	

28-Mar-25	<p>According to the provided drawings, ancillary facilities such as offices, meeting rooms, kitchen, laundry, and staff quarters on the 8th floor, to which residents typically do not have access, will be situated at a height exceeding 24m from the ground floor.</p> <p>According to the para. 5.3.2(a) of CoP, "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", the Licensing Office of RCHE has no adverse comment in principle to the proposed ancillary facilities. However, 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 fulfilled.</p> <p>These proposals will be evaluated on a case-by-case basis in collaboration with the Fire Services Department during the licence application stage and the consultation remarks are based solely on the current documents and plans submitted. Detailed feedback can only be provided during the submission of the licence application.</p>	Noted.
	<b>Any concerns on the local settings with no proper footpath along the local track leading to Ting Kok Road to access the Site and no public transport provision at the immediate surroundings of the Site</b>	
	The absence of proper footpath may pose danger and cause inconvenience to pedestrians. Besides, inadequate provision of public transportation and unsatisfactory accessibility of the site may discourage the potential service users from applying for the RCHE places and also induce difficulty in recruitment of staff working in the RCHE. The applicant or operator of the RCHE would need to provide shuttle bus or other transport services for residents and their family members as well as visitors in case of need.	Revised. Proper footpath provided. Please refer to Figure 4.
	<b>Any other comments in relation to the provision of RCHE apart from the above</b>	
	While the current design of the proposed RCHE, including the layout plan, number of beds, as well as the level of care to be provided, etc., are considered at a very initial stage, the applicant is required to make necessary changes/adjustments on its submitted design drawings so as to address our comments as set out above. We will offer further comments as and when appropriate.	Noted.
	<b>Comments from Service Perspective (RCHE):</b>	
	<b>Whether the design of proposed RCHE comply with relevant requirements and standards</b>	
	Item 1: No further comments.	
	Item 2: No further comments.	
	Item 3: Regarding the height of parapets, "1.1 m above finish floor level" is the basic requirement of all buildings. With a view to protecting the safety of the residents who are frail elderly, the applicant's attention is drawn to para. 16.2.4 of the Code of Practice for Residential Care Homes (Elderly Persons) (CoP) quoted in our previous comments. Based on the applicant's response stated in the FI, we consider that the flat roof on 7/F and roof garden on 8/F would be prohibited areas for residents to enter if the parapets would only be 1.1 m above finish floor level.	All parapets are revised to 1.5m above finish floor level.
	Item 4: No further comments.	
	Item 5: No further comments.	
	Item 6: No further comments.	
	Item 7: In the 2-bed suites on 6/F (layout plan G-05), the clear width of every passage and doorway shall not be less than 1050 mm and 800 mm respectively. Every passage and doorway shall be wide enough to accommodate residents using walking aids or wheelchairs. Please reexamine the design of these suites. Layout plan G-06 is not found in the FI. Please submit.	All suite are revised to 1 bed suite. Refer to G-05 to G-06.
	Item 8: No further comments.	
	Item 9: No further comments.	
	Item 10: Staff canteen is not a provision for RCHE.	Staff canteen are revised to resting area refer to G-07.
	Item 11: In the small table at the upper left corner of each layout plan, please add legends to indicate the nature of different areas for clear differentiation.	Revised accordingly.
	Item 12: No further comments.	
	Item 13: No further comments.	
	Item 14: G-06 is not found in the FI. Please submit.	Attached accordingly.
	Item 15: No further comments.	
	Item 16: No further comments.	
	Item 17: Regarding the roof garden on R/F which situated at a height more than 24 m above the ground floor, the applicant should follow para.16.2.4 of the CoP 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 room, rooftop or balcony". Instead of the roof garden, we suggest the applicant to consider placing the rehabilitation area in other locations.	The roof garden is designed for rehabilitation activity for elderly who are accompanied by their families. No elderlies would access to the roof garden by himself. We propose to keep the roof garden for the benefit of mental healthiness of the elderlies.
	Item 18: Layout plan G-06 is not found in the further information. Please submit.	Attached accordingly.
	<b>Whether Premium Concession Scheme is applicable to the proposed RCHE</b>	
	No further comments.	
	<b>Any comments from the RCHE licensing perspective.</b>	
	This is deferred to any further comments from LORCHE.	
	<b>Any concerns on the local settings with no proper footpath along the local track leading to Ting Kok Road to access the Site and no public transport provision at the immediate surroundings of the Site.</b>	
	It is noted that proper footpath as shown in Figure 4 will be provided in the project. Such footpath should be in compliance with all prevailing legal and statutory requirements. This is deferred to the comments from Transport Department.	Noted.
	<b>Any other comments in relation to the provision of RCHE apart from the above.</b>	
	The applicant is required to provide a full set of amended/ updated layout plan in every round of submission.	Attached.

	While the current design of the proposed RCHE, including the layout plan, clear width of every passage and doorway, etc., are considered at an initial stage, the applicant is required to submit the missing layout plan and make necessary changes/adjustments on its submitted design drawings so as to address our comments as set out above. We will offer further comments as and when appropriate.	Noted.
	<b>Comments from Licensing Perspective:</b>	
	Accessible toilets should be provided for every 50 bedspaces and on each floor of the proposed RCHE according to the para. 4.5.2 of the Code of Practice for Residential Care Homes (Elderly Persons). Accessible toilets were not shown on UG/F, Typical/F, 6/F & 7/F (drawing nos. G-03 to G06).	Accessible toilets are indicated on G-02 to G-06.
	Deadend travel distance and the total travel distance from any point of the proposed RCHE should not exceed 12m and 30m respectively. Deadend travel distance at some bed rooms in Dorm 9 on Typical /F plan (drawing no. G-04) and in suite 17 on 6/F plan (drawing no. G-05) might exceed 12m (Clause B11.2(b) in FS Code 2011 refers).	Revised. Please refer to G-04 to G-06.
	The applicant is reminded that, for a RCHE licence 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 Code of Practice for Residential Care Homes (Elderly Persons).	Noted.
12-Jun-25	<b>Service Perspective (RCHE)</b>	
	From service point of view, please find our comments on the FI as follows –	
	Re item 3, it is noted that all parapets are revised to 1.5 m above finish floor level. The safety of users is increased. However, the roof garden on 8/F and all flat roofs would still be prohibited areas for residents.	All flat roofs accessible to the Residents would be fitted with metal fence (with gap smaller than 100mm) above R.C. parapet (total height 2.5m) to ensure safety for Residents. However, the roof garden is only opened to staff and visitors only.
	Re item 7, no further comments.	
	Re item 10, G-07 showed that 'canteen' is not yet revised to 'resting area'.	Revised accordingly.
	Re item 11, no further comments.	
	Re item 14, the design of toilet in Suite 7 on G-06 is not found.	Revised accordingly.
	Re item 17, for the roof garden on R/F is situated at a height more than 24 m above the ground floor, rehabilitation area to which residents have access to is not suggested to be provided on R/F.	Roof garden is opened to staff and visitors only.
	Re item 18, no further comments.	
	Re other comments on the full set of amended/updated layout plan: - G-04: Door is not found in Dorm 1,2,4,5,7,8,9; entrance/door is not found in Dorm 3,6; accessible toilet is not found. - G-04A: Door is not found in Dorm 1,2,4,5,6,7,8,9; entrance/door is not found in Dorm 3; accessible toilet is not found. Regarding the area/room marked in 'P.' near isolation room, please clarify/provide the full name of this area/room. - G-01: Please provide revised total number of beds of RCHE for residents, which does not include beds of staff quarters and isolation rooms.	Door added. Accessible toilet added. "P." refer to planter room. Different type of beds are listed on G-01.
	For easy reference and comments, would the applicant please provide R-to-C in an Excel file consolidating comments and responses for all rounds.	
	<b>Licensing Perspective (RCHE)</b>	
	The applicant's response to LORCHE's previous comments on the revised layout plans is noted.	Noted.
	Additionally, please also note of the following new comment: Accessible toilets were found missing on 1/F & Typical/F plans (drawing nos. G04A & 04).	Revised accordingly.
11-Jul-25	<b>Service Perspective (RCHE)</b>	
	From service point of view, please find our comments on the FI as follows –	
	Re other comments on the full set of amended/updated layout plan: - G-04: Doors of Dorm 1-9 are still not found in the layout plan. - G-04A: Doors are still not found in Dorm 1,2,4,5,6,7,8,9 in the layout plan. Entrance/door is still not found in Dorm 3 of the layout plan.	Revised accordingly.
	<b>Licensing Perspective (RCHE)</b>	
	The applicant has addressed to our previous comment and LORCHE has no additional comment, please.	Noted.